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International Association Of Lawyers Against Nuclear Arms (IALANA)

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Berlin, 26 July 2012

**Dear Colleagues,**

Let me congratulate you on reading the summer edition newsletter of the IALANA.

IALANA Newsletter wants to reveal interesting thoughts on a world without war and nuclear weapons. This past quarter of the year was very important. IALANA was present at big world wide peace events. First of all, in the beginning of May, there was the NPT Preparatory Conference in Vienna. Another huge event took place in Chicago – the NATO summit from 20<sup>th</sup> – 21<sup>st</sup> of May. And last, but not least, the Rio plus 20 conference on Sustainable Development in Rio de Janeiro at the end of June. IALANA participated and had something to say. We are grateful for having in the newsletter all the reports, documents and pictures of these events.

The newsletter is made completely by contributions from the daily work of the IALANA Affiliates, which we recommend as an interesting and informative read. They provide an overview of active work of the IALANA of the variety and creativity of the commitment of jurists for peace.

Have a great summer.

With warm regards,

Peter Becker  
Reiner Braun

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## Information from the national IALANA affiliates

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### Ongoing Public Engagement: The Criminality of Nuclear Weapons Campaign

INLAP/World Court Project UK,

February 2012/Updated June 2012

By George Farebrother, Roslyn Cook

According to the Final Statement of the 2011 IALANA General Assembly, supported in particular by Judge Weeramantry:

*IALANA is uniquely qualified to present to policy makers and to the general public the one incontrovertible argument for the elimination of nuclear weapons: their total incompatibility with international humanitarian law, as demonstrated by the Vancouver Declaration of February 11, 2011.*

The *Criminality of Nuclear Weapons* campaign (CNW), launched by the Institute for Law and Peace (INLAP) and World Court Project UK, wants citizens across the world to affirm in their millions that any use of nuclear weapons by anyone under any circumstances would not only violate their basic human values; it would also be a war crime.

The campaign is engaging the general public by collecting personal **Affirmations** from citizens and from groups stating their rejection of any use of nuclear weapons. This is firmly based on International Humanitarian Law. We urge readers to visit our website on [www.nuclearweapons-warcrimes.org](http://www.nuclearweapons-warcrimes.org) to sign up personally and encourage their own contacts to do the same.

We are on strong ground in arguing that any use of nuclear weapons would be criminal. In a recent Symposium, *Nuclear Weapons and International Law: A Nuclear Nonproliferation Regime for The 21st Century* recorded in the Fordham International Law Journal, the authors, Charles J. Moxley Jr., John Burroughs and Jonathan Granoff state:

*... In short, review of the matter reveals that the use of nuclear weapons would violate IHL and that the threat of such use, including under the policy of nuclear deterrence, similarly violates such law. Analysis further reveals that the nuclear weapon states' existing obligation to bring their policies into compliance with IHL is reinforced by the NPT disarmament obligation as spelled out by the 2010 NPT Review Conference, in particular by its declaration of the need to comply with IHL.*

The authors conclude that:

*... it is only a cognitively creative exception to real-world practice that can even describe an instance in which the use of a nuclear weapon would not violate IHL. Is it not time that the nations and people of the world demanded that states with nuclear*

*weapons bring their practices into strict compliance with the law?*

At its 2011 General Assembly IALANA agreed “to bring its message to bar associations and universities and to law students and young lawyers, to carry on the work which it has been pursuing since 1988, to carry to the general public the message of the total illegality of nuclear weapons, and to further peace education at all levels.”

As a further step towards realising this objective, CNW is planning a Mock Trial of Trident, Britain’s nuclear weapons system, in Spring 2013. To this end we have recently met the international environmental lawyer Polly Higgins and her Campaign Manager concerning the *Eradicating Ecocide* campaign, <http://www.eradicatingecocide.com/the-trial>, which centred on a Mock Trial of Ecocide in London in September 2011. There is much we can learn from their success in engaging public support and ensuring that the trial represents an authentic and convincing process; the following is a summary of our thoughts so far.

**The Mock Trial** would take place in a prestigious location such as the Supreme Court in London. It would last one day and feature prominent lawyers. We are also considering another one a few weeks later in Edinburgh. Trident carries particular political salience in Scotland as it is based there against the wishes of a majority due to vote in a referendum concerning Scottish independence. Janet Fenton of ICAN Scotland is already promoting the CNW campaign there.

Materials produced for the Mock Trials could then be made available online so that law students could prepare their own events, optimally coinciding with the needs of their curriculum. Mock Trials could be held worldwide but materials would need to be adaptable to the situation in different countries.

It is important that such a Mock Trial would not be seen as a “peace activist” stunt. There must be no foregone conclusion and the charge must be presented fairly. It would be all the more authentic if the judgement were not to be entirely in “our” favour. There must be equality of arguments with a robust defence. The charge must involve putting in place a crime of consequence. It should deal with a real Chief Executive of a specific British company involved in the manufacture of Trident (using a stand-in actor).

The objective would be to highlight the catastrophic consequences of any use of a nuclear weapon. The issues should be framed to maximize the educational impact of the trial, for law students as well as the general public. The event would fit in well with the curriculum in the UK when it comes to studying the ICC and IHL, which takes place in the second term in most universities.

We should apply existing international criminal law as it is, and not as we would like it to be. The ICC is a good starting point. The concept of “criminality” is more attractive than that of “illegality”, and fits in well with current developments.

There is a strong legal drive towards concentrating on criminality of use derived from the unpredictability of the effects of any nuclear strike. The Swiss paper for the 2010 RevCon, *Delegitimising Nuclear Weapons*, goes some way towards this <http://www.nuclearweapons-warcrimes.org/page3.html> and the Mexican proposal to amend the Rome Statute of the ICC is very clear on this issue (see).

Rebecca Johnson (Acronym Institute) reports:

*at the 2012 Vienna NPT Preparatory Committee on Switzerland presented a joint statement on the “humanitarian dimension of nuclear disarmament” sponsored by 16 governments: Austria, Chile, Costa Rica,*

*Denmark, Holy See, Egypt, Indonesia, Ireland, Malaysia, Mexico, New Zealand, Nigeria, Norway, Philippines, South Africa and Switzerland. This quoted from the 2010 NPT Review Conference, which had expressed its “deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons” and reaffirmed “the need for all states at all times to comply with applicable international law, including international humanitarian law”. It went on to evoke descriptions from the Red Cross on the “horrendous effects” and “immeasurable suffering” if nuclear weapons were ever used, and recent studies that “even a ‘limited nuclear exchange’ – in itself a contradiction in terms – would provoke... global climate change with serious and long-lasting impact on the*

*environment and food production, which could cause... global famine affecting over a billion people.” The statement drew attention to the resolution adopted in November 2011<sup>↑</sup> by the Council of Delegates of the International Red Cross and Red Crescent movement, which had emphasized that “it is difficult to envisage how any use of nuclear weapons could be compatible with the rules of international humanitarian law”. The statement insisted that all NPT parties, “especially the nuclear weapon States, [should] give increasing attention to their commitment to comply with international law and international humanitarian law.” It concluded by calling on states to “intensify their efforts to outlaw nuclear weapons and achieve a world free of nuclear weapons”.*



**Demonstration against war “Von Deutschland geht Krieg aus“**

## Appeal: “Nuclear Power Plant and Human Rights - the Nationwide Research and Exchange Conference in Fukushima”

April 8, 2012

By Yaeka Inoue



The accident of the Fukushima Daiichi Nuclear Power Plant of the Tokyo Electric Power Company

(TEPCO) that followed the Great East Japan Earthquake caused various, extensive and tremendous damage of unprecedented quality.

It polluted mountain, river, sea, and place of living in hometown with unseen radiation. It robbed people of their foundation of life and property, and it robbed kids of their playgrounds. It destroyed learning spaces of students. The community was destroyed at various levels, for example people are forced to live apart from their family. People ruined their health and have a great deal of anxiety. These damages are still continuing and even a prospect for solution is not yet seen.

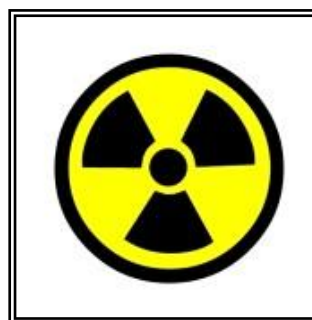
This is the very unprecedentedly grave damage we have never experienced before.

How should we respond to such a situation?

First, the most important thing is that you understand the actual situation of this damage more precisely and spread it to people inside and outside the country as a common knowledge.

It is our responsibility to create a society, where such a man-made disaster that brings about cruel damage is never repeated, as we experienced this accident.

In order to achieve this purpose, we must clarify the legal, political and social responsibility of the TEPCO, who caused the accident, and the Government, who has pushed through a policy of promoting nuclear energy as a national policy, as well as clarify thoroughly the cause of the accident including its background that brought these damages.



In addition to the recognition of the cause and responsibility, we need to recover the loss (destroyed communities, and lost livelihood, learning, culture, play, family, everyday life, and so on). We must demand the full compensation from the TEPCO and the Government which enables the victims to retrieve their human rights and dignity invaded by the accident. We need to propose a definite plan to achieve this purpose and push the national government and municipal governments to implement the policy.

The challenge of as much recovery as possible and complete compensation for these damages is the very contents that Japanese constitution guarantees as the fundamental human rights such as the right to the pursuit of happiness (Art. 13), the right to live in peace (Preamble and Art.25), the right of residence (Art.22 and 25), the right to receive education (Art.26), the right to work (Art.27), and the right to own or to hold property (Art. 29). The Government and municipal governments have an

obligation to embody these rights and shall make a maximum effort.



Additionally, it is necessary to create a society where people do not depend on nuclear energy instead of resuming the operation of nuclear power plants. For example, how to treat a nuclear power plant in Niigata is not only a matter among the local residents but also among the consumers in the Tokyo metropolitan area, who enjoy electricity produced at the plant. Every citizen must bear it in mind.

For the purpose of understanding the actual situation and essence of the damage more precisely, clarifying the cause and responsibility of the accident, showing a road map of the damage recovery and complete compensation, and spreading far and wide around the society and carrying out these matters, it is essential to make wide-ranging partnership and solidarity beyond our own fields among the sufferers,

natural scientists, social scientists, lawyers, journalists, and wide-ranging citizens who support these activities.

The Noda Administration of the Democratic Party has not explained the cause of the accident of the Fukushima Nuclear Power Plant. On the contrary, the Government is pushing through the resumption of the operation of the closed nuclear reactors such as the Oi Plant under the circumstance where additional killer earthquake is likely to happen.

Today, for the first anniversary of the accident of the nuclear power plant, we held the “Nuclear Power Plant and Human Rights - the Nationwide Research and Exchange Conference” here in Fukushima, and made a lot of fruits. Taking these fruits into account, we have made up our mind again to dedicate ourselves to the activities to restore damage and rights of the sufferers of the Fukushima Nuclear Power Plant, to stop the re-operation of nuclear power plants, and to prevent another nuclear accident. At the same time, we call for the cooperation by many citizens in more various fields from the bottom of our hearts.

## Meeting report: Nuclear Weapons and International Humanitarian Law

**By John Burroughs**

How does, and how should, international humanitarian law (IHL) governing the conduct of warfare apply to nuclear weapons? On April 20, 2012, three highly qualified speakers addressed that question in a well-attended program of the annual meeting of the **International Law Section of the American Bar Association**. The program was organized by **Lawyers Committee on Nuclear Policy (LCNP)** and **Global Security Institute** and sponsored by the section’s **National Security Committee**.



Introducing the topic, moderator **Dr. John Burroughs**, LCNP Executive Director, noted an important recent development, an innovative provision adopted by the 2010

Nuclear Non-Proliferation Treaty (NPT) Review Conference. In the Final Document, the Conference “expresses its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and reaffirms the need for all



states at all times to comply with applicable international law, including international humanitarian law.”

The first speaker, **Ambassador Libran Cabactulan**, the Philippines’ Permanent Representative to the United Nations, served as President of the 2010 NPT Review Conference. He said that there is a link between the NPT and the illegality of nuclear weapons; the NPT came into existence with the objective of eliminating nuclear weapons “precisely because the weapons’ destructive force is inherently inhuman. The NPT preamble makes this abundantly clear.” For the first time in the history of the NPT, the 2010 Final Document specifically invoked international humanitarian law. The provision was placed in the disarmament portion of the conclusions and recommendations. In his view, “taken as a whole” it is a “major step” in reinforcing the legal prohibition of nuclear weapons and a “powerful political statement on the nexus between nuclear disarmament and IHL.”

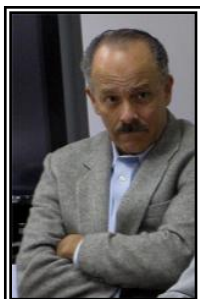
Ambassador Cabactulan also presented the Philippines’ longstanding views on the subject, stating: “The Philippines strongly believes that nuclear weapons are strictly prohibited by customary and conventional IHL. No amount of legal hairsplitting or operational obfuscation can change the fact that of all the weapons ever conceived by the mind of man, nuclear weapons are inherently indiscriminate, far beyond proportionality, cause unimaginable unnecessary suffering, and are inescapably harmful to the environment. It is a weapon where the notion of control is meaningless and the idea of military necessity is absurd. Nuclear weapons are the apex of man’s genius at finding ways to destroy his fellow human beings. Using that same genius to come up with hypothetical scenarios where nuclear weapons would not violate IHL to us is simply allowing the exception to lead the rule by the nose. But more importantly assertion of exceptions should be seen as proving the rule and that rule must find life in law either by treaty or court opinion.”

The next speaker, **Charles J. Moxley, Jr.**, a mediator and arbitrator, is an adjunct professor at Fordham University School of Law and author of *International Law and Nuclear Weapons in the Post Cold War World* (Austin & Winfield, 2000). Professor Moxley concentrated on assessment of the lawfulness of use of nuclear weapons under rules of IHL as to discrimination, proportionality and necessity, and a corollary requirement of controllability, set forth in the US armed services manuals on the law of armed conflict. A 2010 US Army manual states that discrimination “requires parties to a conflict to engage only in military operations the effects of which distinguish between the civilian population (or individual civilians not taking part in hostilities) and combatant forces, directing the application of force solely against the latter.” Given that the effects of nuclear explosions include a huge blast, electromagnetic pulses, and radiation, Professor Moxley asked whether nuclear weapons can possibly meet this standard which calls for controllability of effects. “The answer,” he said, “seems evident.” It is also impossible to ensure that a nuclear attack is limited to the level of violence necessary and proportionate to achieve legitimate military ends in accordance with standards set out in the manuals.

In principle, Professor Moxley said, the United States accepts that IHL applies to nuclear weapons; this is acknowledged in the manuals and in the US argument to the International Court of Justice in the nuclear weapons case. In practice, however, the United States does not apply but rather ignores the rules. That is so in the Nuclear Posture Review, which does not mention IHL, in training, in weapons development and possession, and most importantly in relying on the policy of nuclear deterrence, under which nuclear weapons in large numbers remain continuously ready for launch as during the Cold War. Regarding that policy, Professor Moxley noted that in its 1996 advisory opinion, the International Court of Justice stated that it is unlawful to



threaten use of a weapon which would be unlawful to use. He closed by asking: “Is it not evident that our policy of deterrence is unlawful if the actual use would be unlawful?”



The final speaker, **Gary Solis**, for six years headed the law of war program at the US Military Academy at West Point, is currently an adjunct professor at Georgetown Law and a lecturer at George Washington University Law School, and is the author *The Law of Armed Conflict: International Humanitarian Law in War* (Cambridge University Press, 2010). Professor Solis explained that in directives and in training at all levels, the US military takes the law of armed conflict quite seriously. West Point and Annapolis, the two military academies he is familiar with, stress the law of armed conflict in instruction generally and now have dedicated courses on the subject. He said: “What about war crimes like Abu Ghraib, Haditha, Hamdaniya, the Thrill Kills of Third Stryker Brigade, Staff Sergeant Bales, and so on? No law will deter the lawless. Actually, it is a wonder there are not more war crimes than there are. When you send a million 18 and 19 year olds into a combat zone with high powered weapons, it is inevitable that bad things are going to happen. That’s not cynicism so much as a recognition of reality. But for every egregious war crime that you can name, there are 6, 8, 10, 12 court-martial convictions for violations of the law of armed conflict.”

However, Professor Solis continued, “there is a glaring anomaly in America’s admirable resolve to observe and enforce the law of war. There is one law of war topic that is not taught; that is not the subject of Department

of Defense directives and orders; that is overlooked by military education directives and uniformed education and classroom discussions; and that is nuclear weapons, their lawful, and more significantly, their potentially unlawful use.” Nor is the question addressed in military law journals. Professor Solis concluded: “As lawyers we know what the law is. The absence of discussion in Department of Defense orders and instructions and regulations in regard to nuclear weapons allows for both tactical and strategic wiggle room.”

The Program Co-Chairs were **John Harrington**, Co-Chair of the National Security Committee of the ABA International Law Section, and **Jonathan Granoff**, President of the Global Security Institute and Co-Chair of the ABA International Law Section Blue Ribbon Task Force on Nuclear Non-Proliferation. In opening the program, Mr. Harrington observed that the discourse in the section has largely concerned nuclear arms control treaties. IHL, in contrast, applies to all weapons, in all countries; it is a powerful body of law.

Responding to the speakers, Mr. Granoff said that “the law seems to be quite clear here: You cannot bring nuclear weapons into compliance with the standards of IHL; the two are simply incompatible.” However, “there seems to be collective psychological denial” that nuclear weapons are being brandished. But “some people are awake,” and there are road maps with practical and reasonable steps for coming into compliance with the law, both IHL and the “unequivocal undertaking” under the NPT “to accomplish the total elimination of nuclear arsenals.” What is needed is passion and advocacy, and lawyers have the necessary skills. “These are legal issues,” Mr. Granoff said, “and I believe that it is our responsibility to take this on.”

From: <http://lcn.org/events/ABA-2012.htm>

There you could also find an audio of the session, Summary report and Transcript.

## News from the world

### Secret 'Kill List' Proves a Test of Obama's Principles and Will

By Jo Becker and Scott Shane

WASHINGTON — This was the enemy, served up in the latest chart from the intelligence agencies: 15 Qaeda suspects in Yemen with Western ties. The mug shots and brief biographies resembled a high school yearbook layout. Several were Americans. Two were teenagers, including a girl who looked even younger than her 17 years.

President Obama, overseeing the regular Tuesday counterterrorism meeting of two dozen security officials in the White House Situation Room, took a moment to study the faces. It was Jan. 19, 2010, the end of a first year in office punctuated by terrorist plots and culminating in a brush with catastrophe over Detroit on Christmas Day, a reminder that a successful attack could derail his presidency. Yet he faced adversaries without uniforms, often indistinguishable from the civilians around them.

How old are these people?" he asked, according to two officials present. "If they are starting to use children," he is aid of Al Qaeda, "we are moving into a whole different phase."



(Jim Watson / AFP / Getty Images)

It was not a theoretical question: Mr. Obama has placed himself at the helm of a top secret "nominations" process to designate terrorists for kill or capture, of which the capture part has become largely theoretical.

He had vowed to align the fight against Al Qaeda with American values; the chart, introducing people whose deaths he might soon be asked to order, underscored just what a moral and legal conundrum this could be.

Mr. Obama is the liberal law professor who campaigned against the Iraq war and torture, and then insisted on approving every new name on an expanding "kill list," poring over terrorist suspects' biographies on what one official calls the macabre "baseball cards" of an unconventional war. When a rare opportunity for a drone strike at a top terrorist arises — but his family is with him — it is the president who has reserved to himself the final moral calculation.

"He is determined that he will make these decisions about how far and wide these operations will go," said Thomas E. Donilon, his national security adviser. "His view is that he's responsible for the position of the United States in the world." He added, "He's determined to keep the tether pretty short."

Nothing else in Mr. Obama's first term has baffled liberal supporters and confounded conservative critics alike as his aggressive counterterrorism record. His actions have often remained inscrutable, obscured by awkward secrecy rules, polarized political commentary and the president's own deep reserve.

In interviews with The New York Times, three dozen of his current and former advisers described Mr. Obama's evolution since taking on the role, without precedent

in presidential history, of personally overseeing the shadow war with Al Qaeda.

They describe a paradoxical leader who shunned the legislative deal-making required to close the detention facility at Guantánamo Bay in Cuba, but approves lethal action without hand-wringing. While he was adamant about narrowing the fight and improving relations with the Muslim world, he has followed the metastasizing enemy into new and dangerous lands. When he applies his lawyering skills to counterterrorism, it is usually to enable, not constrain, his ferocious campaign against Al Qaeda — even when it comes to killing an American cleric in Yemen, a decision that Mr. Obama told colleagues was “an easy one.”

His first term has seen private warnings from top officials about a “Whac-A-Mole” approach to counterterrorism; the invention of a new category of aerial attack following complaints of careless targeting; and presidential acquiescence in a formula for counting civilian deaths that some officials think is skewed to produce low numbers.

The administration’s failure to forge a clear detention policy has created the impression among some members of Congress of a take-no-prisoners policy. And Mr. Obama’s ambassador to Pakistan, Cameron P. Munter, has complained to colleagues that the C.I.A.’s strikes drive American policy there, saying “he didn’t realize his main job was to kill people,” a colleague said.

Beside the president at every step is his counterterrorism adviser, John O. Brennan, who is variously compared by colleagues to a dogged police detective, tracking terrorists from his cave like office in the White House basement, or a priest whose blessing has become indispensable to Mr. Obama, echoing the president’s attempt to apply the “just war” theories of Christian philosophers to a brutal modern conflict.

But the strikes that have eviscerated Al Qaeda — just since April, there have been 14 in Yemen, and 6 in Pakistan — have also

tested both men’s commitment to the principles they have repeatedly said are necessary to defeat the enemy in the long term. Drones have replaced Guantánamo as the recruiting tool of choice for militants; in his 2010 guilty plea, Faisal Shahzad, who had tried to set off a car bomb in Times Square, justified targeting civilians by telling the judge, “When the drones hit, they don’t see children.”

Dennis C. Blair, director of national intelligence until he was fired in May 2010, said that discussions inside the White House of long-term strategy against Al Qaeda were sidelined by the intense focus on strikes. “The steady refrain in the White House was, ‘This is the only game in town’ — reminded me of body counts in Vietnam,” said Mr. Blair, a retired admiral who began his Navy service during that war.

Mr. Blair’s criticism, dismissed by White House officials as personal pique, nonetheless resonates inside the government.

William M. Daley, Mr. Obama’s chief of staff in 2011, said the president and his advisers understood that they could not keep adding new names to a kill list, from ever lower on the Qaeda totem pole. What remains unanswered is how much killing will be enough.

“One guy gets knocked off, and the guy’s driver, who’s No. 21, becomes 20?” Mr. Daley said, describing the internal discussion. “At what point are you just filling the bucket with numbers?”

#### ‘Maintain My Options’

A phalanx of retired generals and admirals stood behind Mr. Obama on the second day of his presidency, providing martial cover as he signed several executive orders to make good on campaign pledges. Brutal interrogation techniques were banned, he declared. And the prison at Guantánamo Bay would be closed.

What the new president did not say was that the orders contained a few subtle loopholes. They reflected a still unfamiliar Barack

Obama, a realist who, unlike some of his fervent supporters, was never carried away by his own rhetoric. Instead, he was already putting his lawyerly mind to carving out the maximum amount of maneuvering room to fight terrorism as he saw fit.

It was a pattern that would be seen repeatedly, from his response to Republican complaints that he wanted to read terrorists their rights, to his acceptance of the C.I.A.'s method for counting civilian casualties in drone strikes.

The day before the executive orders were issued, the C.I.A.'s top lawyer, John A. Rizzo, had called the White House in a panic. The order prohibited the agency from operating detention facilities, closing once and for all the secret overseas "black sites" where interrogators had brutalized terrorist suspects.

"The way this is written, you are going to take us out of the rendition business," Mr. Rizzo told Gregory B. Craig, Mr. Obama's White House counsel, referring to the much-criticized practice of grabbing a terrorist suspect abroad and delivering him to another country for interrogation or trial. The problem, Mr. Rizzo explained, was that the C.I.A. sometimes held such suspects for a day or two while awaiting a flight. The order appeared to outlaw that.

Mr. Craig assured him that the new president had no intention of ending rendition — only its abuse, which could lead to American complicity in torture abroad. So a new definition of "detention facility" was inserted, excluding places used to hold people "on a short-term, transitory basis." Problem solved — and no messy public explanation damped Mr. Obama's celebration.

"Pragmatism over ideology," his campaign national security team had advised in a memo in March 2008. It was counsel that only reinforced the president's instincts.

Even before he was sworn in, Mr. Obama's advisers had warned him against taking a categorical position on what would be done

with Guantánamo detainees. The deft insertion of some wiggle words in the president's order showed that the advice was followed.

Some detainees would be transferred to prisons in other countries, or released, it said. Some would be prosecuted — if "feasible" — in criminal courts. Military commissions, which Mr. Obama had criticized, were not mentioned — and thus not ruled out.

As for those who could not be transferred or tried but were judged too dangerous for release? Their "disposition" would be handled by "lawful means, consistent with the national security and foreign policy interests of the United States and the interests of justice."

A few sharp-eyed observers inside and outside the government understood what the public did not. Without showing his hand, Mr. Obama had preserved three major policies — rendition, military commissions and indefinite detention — that have been targets of human rights groups since the 2001 terrorist attacks.

But a year later, with Congress trying to force him to try all terrorism suspects using revamped military commissions, he deployed his legal skills differently — to preserve trials in civilian courts.

It was shortly after Dec. 25, 2009, following a close call in which a Qaeda-trained operative named Umar Farouk Abdulmutallab had boarded a Detroit-bound airliner with a bomb sewn into his underwear.

Mr. Obama was taking a drubbing from Republicans over the government's decision to read the suspect his rights, a prerequisite for bringing criminal charges against him in civilian court.

The president "seems to think that if he gives terrorists the rights of Americans, lets them lawyer up and reads them their Miranda rights, we won't be at war," former Vice President Dick Cheney charged.

Sensing vulnerability on both a practical and political level, the president summoned his attorney general, Eric H. Holder Jr., to the White House.

F.B.I. agents had questioned Mr. Abdulmutallab for 50 minutes and gained valuable intelligence before giving him the warning. They had relied on a 1984 case called *New York v. Quarles*, in which the Supreme Court ruled that statements made by a suspect in response to urgent public safety questions — the case involved the location of a gun — could be introduced into evidence even if the suspect had not been advised of the right to remain silent.

Mr. Obama, who Mr. Holder said misses the legal profession, got into a colloquy with the attorney general. How far, he asked, could Quarles be stretched? Mr. Holder felt that in terrorism cases, the court would allow indefinite questioning on a fairly broad range of subjects.

Satisfied with the edgy new interpretation, Mr. Obama gave his blessing, Mr. Holder recalled.

“Barack Obama believes in options: ‘Maintain my options,’ “ said Jeh C. Johnson, a campaign adviser and now general counsel of the Defense Department.

### **‘They Must All Be Militants’**

That same mind-set would be brought to bear as the president intensified what would become a withering campaign to use unmanned aircraft to kill Qaeda terrorists.

Just days after taking office, the president got word that the first strike under his administration had killed a number of innocent Pakistanis. “The president was very sharp on the thing, and said, ‘I want to know how this happened,’ “ a top White House adviser recounted.

In response to his concern, the C.I.A. downsized its munitions for more pinpoint strikes. In addition, the president tightened standards, aides say: If the agency did not have a “near certainty” that a strike would result in zero civilian deaths, Mr. Obama

wanted to decide personally whether to go ahead.

The president’s directive reinforced the need for caution, counterterrorism officials said, but did not significantly change the program. In part, that is because “the protection of innocent life was always a critical consideration,” said Michael V. Hayden, the last C.I.A. director under President George W. Bush.

It is also because Mr. Obama embraced a disputed method for counting civilian casualties that did little to box him in. It in effect counts all military-age males in a strike zone as combatants, according to several administration officials, unless there is explicit intelligence posthumously proving them innocent.

Counterterrorism officials insist this approach is one of simple logic: people in an area of known terrorist activity, or found with a top Qaeda operative, are probably up to no good. “Al Qaeda is an insular, paranoid organization — innocent neighbours don’t hitchhike rides in the back of trucks headed for the border with guns and bombs,” said one official, who requested anonymity to speak about what is still a classified program.

This counting method may partly explain the official claims of extraordinarily low collateral deaths. In a speech last year Mr. Brennan, Mr. Obama’s trusted adviser, said that not a single noncombatant had been killed in a year of strikes. And in a recent interview, a senior administration official said that the number of civilians killed in drone strikes in Pakistan under Mr. Obama was in the “single digits” — and that independent counts of scores or hundreds of civilian deaths unwittingly draw on false propaganda claims by militants.

But in interviews, three former senior intelligence officials expressed disbelief that the number could be so low. The C.I.A. accounting has so troubled some administration officials outside the agency that they have brought their concerns to the

White House. One called it “guilt by association” that has led to “deceptive” estimates of civilian casualties.

“It bothers me when they say there were seven guys, so they must all be militants,” the official said. “They count the corpses and they’re not really sure who they are.”

### **‘A No-Brainer’**

About four months into his presidency, as Republicans accused him of reckless naïveté on terrorism, Mr. Obama quickly pulled together a speech defending his policies. Standing before the Constitution at the National Archives in Washington, he mentioned Guantánamo 28 times, repeating his campaign pledge to close the prison.

But it was too late, and his defensive tone suggested that Mr. Obama knew it. Though President George W. Bush and Senator John McCain, the 2008 Republican candidate, had supported closing the Guantánamo prison, Republicans in Congress had reversed course and discovered they could use the issue to portray Mr. Obama as soft on terrorism.

Walking out of the Archives, the president turned to his national security adviser at the time, Gen. James L. Jones, and admitted that he had never devised a plan to persuade Congress to shut down the prison.

“We’re never going to make that mistake again,” Mr. Obama told the retired Marine general.

General Jones said the president and his aides had assumed that closing the prison was “a no-brainer — the United States will look good around the world.” The trouble was, he added, “nobody asked, ‘O.K., let’s assume it’s a good idea, how are you going to do this?’”

It was not only Mr. Obama’s distaste for legislative backslapping and arm-twisting, but also part of a deeper pattern, said an administration official who has watched him closely: the president seemed to have “a sense that if he sketches a vision, it will happen — without his really having thought

through the mechanism by which it will happen.”

In fact, both Secretary of State Hillary Rodham Clinton and the attorney general, Mr. Holder, had warned that the plan to close the Guantánamo prison was in peril, and they volunteered to fight for it on Capitol Hill, according to officials. But with Mr. Obama’s backing, his chief of staff, Rahm Emanuel, blocked them, saying health care reform had to go first.

When the administration floated a plan to transfer from Guantánamo to Northern Virginia two Uighurs, members of a largely Muslim ethnic minority from China who are considered no threat to the United States, Virginia Republicans led by Representative Frank R. Wolf denounced the idea. The administration backed down.

That show of weakness doomed the effort to close Guantánamo, the same administration official said. “Lyndon Johnson would have steamrolled the guy,” he said. “That’s not what happened. It’s like a boxing match where a cut opens over a guy’s eye.”

### **The Use of Force**

It is the strangest of bureaucratic rituals: Every week or so, more than 100 members of the government’s sprawling national security apparatus gather, by secure video teleconference, to pore over terrorist suspects’ biographies and recommend to the president who should be the next to die.

This secret “nominations” process is an invention of the Obama administration, a grim debating society that vets the PowerPoint slides bearing the names, aliases and life stories of suspected members of Al Qaeda’s branch in Yemen or its allies in Somalia’s Shabab militia.

The video conferences are run by the Pentagon, which oversees strikes in those countries, and participants do not hesitate to call out a challenge, pressing for the evidence behind accusations of ties to Al Qaeda.



“What’s a Qaeda facilitator?” asked one participant, illustrating the spirit of the exchanges. “If I open a gate and you drive through it, am I a facilitator?” Given the contentious discussions, it can take five or six sessions for a name to be approved, and names go off the list if a suspect no longer appears to pose an imminent threat, the official said. A parallel, more cloistered selection process at the C.I.A. focuses largely on Pakistan, where that agency conducts strikes.

The nominations go to the White House, where by his own insistence and guided by Mr. Brennan, Mr. Obama must approve any name. He signs off on every strike in Yemen and Somalia and also on the more complex and risky strikes in Pakistan — about a third of the total.

Aides say Mr. Obama has several reasons for becoming so immersed in lethal counterterrorism operations. A student of writings on war by Augustine and Thomas Aquinas, he believes that he should take moral responsibility for such actions. And he knows that bad strikes can tarnish America’s image and derail diplomacy.

“He realizes this isn’t science, this is judgments made off of, most of the time, human intelligence,” said Mr. Daley, the former chief of staff. “The president accepts as a fact that a certain amount of screw-ups are going to happen, and to him, that calls for a more judicious process.”



*Moises Saman for The New York Times*  
Iraqis listened to Mr. Obama's speech from Cairo in June 2009, intended to reach out to the Muslim world. (Moises Saman for The New York Times)

But the control he exercises also appears to reflect Mr. Obama’s striking self-confidence: he believes, according to several people who have worked closely with him, that his own judgment should be brought to bear on strikes.

Asked what surprised him most about Mr. Obama, Mr. Donilon, the national security adviser, answered immediately: “He’s a president who is quite comfortable with the use of force on behalf of the United States.”

In fact, in a 2007 campaign speech in which he vowed to pull the United States out of Iraq and refocus on Al Qaeda, Mr. Obama had trumpeted his plan to go after terrorist bases in Pakistan — even if Pakistani leaders objected. His rivals at the time, including Mitt Romney, Joseph R. Biden Jr. and Mrs. Clinton, had all pounced on what they considered a greenhorn’s campaign bluster. (Mr. Romney said Mr. Obama had become “Dr. Strangelove.”)

In office, however, Mr. Obama has done exactly what he had promised, coming quickly to rely on the judgment of Mr. Brennan.

Mr. Brennan, a son of Irish immigrants, is a grizzled 25-year veteran of the C.I.A. whose work as a top agency official during the brutal interrogations of the Bush administration made him a target of fierce criticism from the left. He had been forced, under fire, to withdraw his name from consideration to lead the C.I.A. under Mr. Obama, becoming counterterrorism chief instead.

Some critics of the drone strategy still vilify Mr. Brennan, suggesting that he is the C.I.A.’s agent in the White House, steering Mr. Obama to a targeted killing strategy. But in office, Mr. Brennan has surprised many former detractors by speaking forcefully for closing Guantánamo and respecting civil liberties.

Harold H. Koh, for instance, as dean of Yale Law School was a leading liberal critic of the Bush administration’s counterterrorism policies. But since becoming the State



Department's top lawyer, Mr. Koh said, he has found in Mr. Brennan a principled ally.

"If John Brennan is the last guy in the room with the president, I'm comfortable, because Brennan is a person of genuine moral rectitude," Mr. Koh said. "It's as though you had a priest with extremely strong moral values who was suddenly charged with leading a war."

The president values Mr. Brennan's experience in assessing intelligence, from his own agency or others, and for the sobriety with which he approaches lethal operations, other aides say.

"The purpose of these actions is to mitigate threats to U.S. persons' lives," Mr. Brennan said in an interview. "It is the option of last recourse. So the president, and I think all of us here, don't like the fact that people have to die. And so he wants to make sure that we go through a rigorous checklist: The infeasibility of capture, the certainty of the intelligence base, the imminence of the threat, all of these things."

Yet the administration's very success at killing terrorism suspects has been shadowed by a suspicion: that Mr. Obama has avoided the complications of detention by deciding, in effect, to take no prisoners alive. While scores of suspects have been killed under Mr. Obama, only one has been taken into American custody, and the president has balked at adding new prisoners to Guantánamo.

"Their policy is to take out high-value targets, versus capturing high-value targets," said Senator Saxby Chambliss of Georgia, the top Republican on the intelligence committee. "They are not going to advertise that, but that's what they are doing."

Mr. Obama's aides deny such a policy, arguing that capture is often impossible in the rugged tribal areas of Pakistan and Yemen and that many terrorist suspects are in foreign prisons because of American tips. Still, senior officials at the Justice Department and the Pentagon acknowledge that they worry about the public perception.

"We have to be vigilant to avoid a no-quarter, or take-no-prisoners policy," said Mr. Johnson, the Pentagon's chief lawyer.

### **Trade-Offs**

The care that Mr. Obama and his counterterrorism chief take in choosing targets, and their reliance on a precision weapon, the drone, reflect his pledge at the outset of his presidency to reject what he called the Bush administration's "false choice between our safety and our ideals."

But he has found that war is a messy business, and his actions show that pursuing an enemy unbound by rules has required moral, legal and practical trade-offs that his speeches did not envision.

One early test involved Baitullah Mehsud, the leader of the Pakistani Taliban. The case was problematic on two fronts, according to interviews with both administration and Pakistani sources.

The C.I.A. worried that Mr. Mehsud, whose group then mainly targeted the Pakistan government, did not meet the Obama administration's criteria for targeted killing: he was not an imminent threat to the United States. But Pakistani officials wanted him dead, and the American drone program rested on their tacit approval. The issue was resolved after the president and his advisers found that he represented a threat, if not to the homeland, to American personnel in Pakistan.

Then, in August 2009, the C.I.A. director, Leon E. Panetta, told Mr. Brennan that the agency had Mr. Mehsud in its sights. But taking out the Pakistani Taliban leader, Mr. Panetta warned, did not meet Mr. Obama's standard of "near certainty" of no innocents being killed. In fact, a strike would certainly result in such deaths: he was with his wife at his in-laws' home.

"Many times," General Jones said, in similar circumstances, "at the 11th hour we waved off a mission simply because the target had people around them and we were able to loiter on station until they didn't."

But not this time. Mr. Obama, through Mr. Brennan, told the C.I.A. to take the shot, and Mr. Mehsud was killed, along with his wife and, by some reports, other family members as well, said a senior intelligence official.

The attempted bombing of an airliner a few months later, on Dec. 25, stiffened the president's resolve, aides say. It was the culmination of a series of plots, including the killing of 13 people at Fort Hood, Tex. by an Army psychiatrist who had embraced radical Islam.

Mr. Obama is a good poker player, but he has a tell when he is angry. His questions become rapid-fire, said his attorney general, Mr. Holder. "He'll inject the phrase, 'I just want to make sure you understand that.'" "And it was clear to everyone, Mr. Holder said, that he was simmering about how a 23-year-old bomber had penetrated billions of dollars worth of American security measures.

When a few officials tentatively offered a defense, noting that the attack had failed because the terrorists were forced to rely on a novice bomber and an untested formula because of stepped-up airport security, Mr. Obama cut them short.

"Well, he could have gotten it right and we'd all be sitting here with an airplane that blew up and killed over a hundred people," he said, according to a participant. He asked them to use the close call to imagine in detail the consequences if the bomb had detonated. In characteristic fashion, he went around the room, asking each official to explain what had gone wrong and what needed to be done about it.

"After that, as president, it seemed like he felt in his gut the threat to the United States," said Michael E. Leiter, then director of the National Counterterrorism Center. "Even John Brennan, someone who was already a hardened veteran of counterterrorism, tightened the straps on his rucksack after that."

David Axelrod, the president's closest political adviser, began showing up at the

"Terror Tuesday" meetings, his unspeaking presence a visible reminder of what everyone understood: a successful attack would overwhelm the president's other aspirations and achievements.

In the most dramatic possible way, the Fort Hood shootings in November and the attempted Christmas Day bombing had shown the new danger from Yemen. Mr. Obama, who had rejected the Bush-era concept of a global war on terrorism and had promised to narrow the American focus to Al Qaeda's core, suddenly found himself directing strikes in another complicated Muslim country.

The very first strike under his watch in Yemen, on Dec. 17, 2009, offered a stark example of the difficulties of operating in what General Jones described as an "embryonic theater that we weren't really familiar with."

It killed not only its intended target, but also two neighboring families, and left behind a trail of cluster bombs that subsequently killed more innocents. It was hardly the kind of precise operation that Mr. Obama favored. Videos of children's bodies and angry tribesmen holding up American missile parts flooded You Tube, fueling a ferocious backlash that Yemeni officials said bolstered Al Qaeda.

The sloppy strike shook Mr. Obama and Mr. Brennan, officials said, and once again they tried to impose some discipline.

In Pakistan, Mr. Obama had approved not only "personality" strikes aimed at named, high-value terrorists, but "signature" strikes that targeted training camps and suspicious compounds in areas controlled by militants.

But some State Department officials have complained to the White House that the criteria used by the C.I.A. for identifying a terrorist "signature" were too lax. The joke was that when the C.I.A. sees "three guys doing jumping jacks," the agency thinks it is a terrorist training camp, said one senior official. Men loading a truck with fertilizer

could be bombmakers — but they might also be farmers, skeptics argued.

Now, in the wake of the bad first strike in Yemen, Mr. Obama overruled military and intelligence commanders who were pushing to use signature strikes there as well.

“We are not going to war with Yemen,” he admonished in one meeting, according to participants.

His guidance was formalized in a memo by General Jones, who called it a “governor, if you will, on the throttle,” intended to remind everyone that “one should not assume that it’s just O.K. to do these things because we spot a bad guy somewhere in the world.”

Mr. Obama had drawn a line. But within two years, he stepped across it. Signature strikes in Pakistan were killing a large number of terrorist suspects, even when C.I.A. analysts were not certain beforehand of their presence. And in Yemen, roiled by the Arab Spring unrest, the Qaeda affiliate was seizing territory.

Today, the Defense Department can target suspects in Yemen whose names they do not know. Officials say the criteria are tighter than those for signature strikes, requiring evidence of a threat to the United States, and they have even given them a new name — TADS, for Terrorist Attack Disruption Strikes. But the details are a closely guarded secret — part of a pattern for a president who came into office promising transparency.

### **The Ultimate Test**

On that front, perhaps no case would test Mr. Obama’s principles as starkly as that of Anwar al-Awlaki, an American-born cleric and Qaeda propagandist hiding in Yemen, who had recently risen to prominence and had taunted the president by name in some of his online screeds.

The president “was very interested in obviously trying to understand how a guy like Awlaki developed,” said General Jones. The cleric’s fiery sermons had helped inspire a dozen plots, including the

shootings at Fort Hood. Then he had gone “operational,” plotting with Mr. Abdulmutallab and coaching him to ignite his explosives only after the airliner was over the United States.

That record, and Mr. Awlaki’s calls for more attacks, presented Mr. Obama with an urgent question: Could he order the targeted killing of an American citizen, in a country with which the United States was not at war, in secret and without the benefit of a trial?

The Justice Department’s Office of Legal Counsel prepared a lengthy memo justifying that extraordinary step, asserting that while the Fifth Amendment’s guarantee of due process applied, it could be satisfied by internal deliberations in the executive branch.

Mr. Obama gave his approval, and Mr. Awlaki was killed in September 2011, along with a fellow propagandist, Samir Khan, an American citizen who was not on the target list but was traveling with him.

If the president had qualms about this momentous step, aides said he did not share them. Mr. Obama focused instead on the weight of the evidence showing that the cleric had joined the enemy and was plotting more terrorist attacks.

“This is an easy one,” Mr. Daley recalled him saying, though the president warned that in future cases, the evidence might well not be so clear.

In the wake of Mr. Awlaki’s death, some administration officials, including the attorney general, argued that the Justice Department’s legal memo should be made public. In 2009, after all, Mr. Obama had released Bush administration legal opinions on interrogation over the vociferous objections of six former C.I.A. directors.

This time, contemplating his own secrets, he chose to keep the Awlaki opinion secret.

“Once it’s your pop stand, you look at things a little differently,” said Mr. Rizzo, the C.I.A.’s former general counsel.

Mr. Hayden, the former C.I.A. director and now an adviser to Mr. Obama's Republican challenger, Mr. Romney, commended the president's aggressive counterterrorism record, which he said had a "Nixon to China" quality. But, he said, "secrecy has its costs" and Mr. Obama should open the strike strategy up to public scrutiny.

"This program rests on the personal legitimacy of the president, and that's not sustainable," Mr. Hayden said. "I have lived the life of someone taking action on the basis of secret O.L.C. memos, and it ain't a good life. Democracies do not make war on the basis of legal memos locked in a D.O.J. safe."

### **Tactics Over Strategy**

In his June 2009 speech in Cairo, aimed at resetting relations with the Muslim world, Mr. Obama had spoken eloquently of his childhood years in Indonesia, hearing the call to prayer "at the break of dawn and the fall of dusk."

"The United States is not — and never will be — at war with Islam," he declared.

But in the months that followed, some officials felt the urgency of counterterrorism strikes was crowding out consideration of a broader strategy against radicalization. Though Mrs. Clinton strongly supported the strikes, she complained to colleagues about the drones-only approach at Situation Room meetings, in which discussion would focus exclusively on the pros, cons and timing of particular strikes.

At their weekly lunch, Mrs. Clinton told the president she thought there should be more attention paid to the root causes of radicalization, and Mr. Obama agreed. But it was September 2011 before he issued an executive order setting up a sophisticated, interagency war room at the State Department to counter the jihadi narrative on an hour-by-hour basis, posting messages and video online and providing talking points to embassies.

Mr. Obama was heartened, aides say, by a letter discovered in the raid on Osama bin

Laden's compound in Pakistan. It complained that the American president had undermined Al Qaeda's support by repeatedly declaring that the United States was at war not with Islam, but with the terrorist network. "We must be doing a good job," Mr. Obama told his secretary of state.

Moreover, Mr. Obama's record has not drawn anything like the sweeping criticism from allies that his predecessor faced. John B. Bellinger III, a top national security lawyer under the Bush administration, said that was because Mr. Obama's liberal reputation and "softer packaging" have protected him. "After the global outrage over Guantánamo, it's remarkable that the rest of the world has looked the other way while the Obama administration has conducted hundreds of drone strikes in several different countries, including killing at least some civilians," said Mr. Bellinger, who supports the strikes.

By withdrawing from Iraq and preparing to withdraw from Afghanistan, Mr. Obama has refocused the fight on Al Qaeda and hugely reduced the death toll both of American soldiers and Muslim civilians. But in moments of reflection, Mr. Obama may have reason to wonder about unfinished business and unintended consequences.

His focus on strikes has made it impossible to forge, for now, the new relationship with the Muslim world that he had envisioned. Both Pakistan and Yemen are arguably less stable and more hostile to the United States than when Mr. Obama became president.

Justly or not, drones have become a provocative symbol of American power, running roughshod over national sovereignty and killing innocents. With China and Russia watching, the United States has set an international precedent for sending drones over borders to kill enemies.

Mr. Blair, the former director of national intelligence, said the strike campaign was dangerously seductive. "It is the politically advantageous thing to do — low cost, no U.S. casualties, gives the appearance of

toughness,” he said. “It plays well domestically, and it is unpopular only in other countries. Any damage it does to the national interest only shows up over the long term.”

But Mr. Blair’s dissent puts him in a small minority of security experts. Mr. Obama’s record has eroded the political perception that Democrats are weak on national security. No one would have imagined four years ago that his counterterrorism policies would come under far more fierce attack from the American Civil Liberties Union than from Mr. Romney.

Aides say that Mr. Obama’s choices, though, are not surprising. The president’s

reliance on strikes, said Mr. Leiter, the former head of the National Counterterrorism Center, “is far from a lurid fascination with covert action and special forces. It’s much more practical. He’s the president. He faces a post-Abdulmutallab situation, where he’s being told people might attack the United States tomorrow.”

“You can pass a lot of laws,” Mr. Leiter said, “Those laws are not going to get Bin Laden dead.”

*From: The New York Times*

<http://www.nytimes.com/2012/05/29/world/obamas-leadership-in-war-on-al-qaeda.html?pagewanted=1&r=2>

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## Breaking the Nuclear Chain

By Susi Snyder



Everyone, every single person in the world is affected by the nuclear chain.

Whether by cost, contamination or insecurity the nuclear chain binds us together. And together we can break it. We can reduce risks, reallocate resources and increase our global security. To do that, we need your help.

The Global Partnership for the Prevention of Armed Conflict (GPPAC), IKV Pax Christi and Peace Boat are launching ‘Breaking the Nuclear Chain’, a campaign to inform, motivate and activate people about this potential humanitarian disaster. The modernization of nuclear weapons, the tragedy at Fukushima, the devastation at Jabiluka- we see the need to address the whole nuclear chain. This campaign is about

people - bringing the experience of actual people in how they have been affected by nuclear weapons, uranium mining, nuclear exports, nuclear power and nuclear waste; and how they are working to break the chain.

We are putting a human face on the often abstract debate on nuclear issues. We are collecting testimonies of affected people and making them available to a broad audience. This will reinforce the understanding that we are all affected, and that we can all act.

A large part of this campaign will take place on-line on the Peace Portal ([www.BreakingtheNuclearChain.org](http://www.BreakingtheNuclearChain.org)). We will offer video testimonies, facts and figures about the nuclear chain and more. This is where we need your help.

We want to expand the community of resistance to the nuclear chain- and encourage people to engage with you, where you are. We have developed a short

questionnaire (below) to help do this. We would like to feature your organisation on the Peace Portal, so we can direct new volunteers, new energy and inspired persons directly to strengthen your own efforts. We will use the questionnaires to develop organizational profiles for the online community of organizations around the world that work on issues related to the nuclear chain. In this way we hope not only to show all the things that are being done around the world, but also inspire people to get involved with these efforts.

What would you do with an extra volunteer working with you? How could one or two new voices change the discourse on nuclear issues where you are? We want to present a comprehensive global picture- those affected, by what, and what people can do about it. We know there is a huge global movement, and we want to show politicians, governments and the world just how many we are. We can break the nuclear chain - but we need your help.

*More information:*

<http://abolition2000.createsend5.com/t/ViewEmail/r/4610CFAFC2C7B65C/92AB3FABE7BB0AE01D419C9787CC9684>

## **Parliaments Step up Action for a new approach to achieve a Nuclear Weapons-Free World:**

*Initiatives in parliaments of Canada, Mexico, New Zealand and Kazakhstan*

**By Alyn Ware**



National campaigns against smoking in many Western countries began to make headway when they stopped focusing primarily on trying to convince smokers to give up their addiction, and instead focused more on efforts with non-smokers to develop a normative right to smoke-free environments. This included the establishment of smoke-free work places, restaurants and other public places.

Similarly, the global campaign against nuclear weapons has picked up steam recently through a shift in approach from its previous emphasis on challenging the nuclear weapon states (NWS) towards a greater focus on empowering the non-NWS

to implement their right to a nuclear weapons-free world.

This was advanced in the 2010 NPT Review Conference agreement that 'All States should make special efforts to build the framework for a nuclear weapons-free world'. (See NPT supports framework for nuclear disarmament). It has also been advanced by the International Red Cross and Red Crescent Movements which adopted a resolution on the irreconcilability of nuclear weapons with international humanitarian law and called for States to negotiate a global ban on nuclear weapons.

In addition, in December 2011, a Summit of Latin American and Caribbean States (CELAC) issued a Communiqué calling for the convening of a high-level conference to identify ways to prohibit the development, production, acquisition, testing, stockpiling,

On 17 May 2012, PNND Special Representative Senator Romeo Dallaire, delivered a groundbreaking speech in the Senate on Bill S-9 to amend the Criminal Code to combat nuclear terrorism, noting that the only security against



On 31 May 2012, the New Zealand parliament unanimously adopted a motion submitted by PNND New Zealand Chair Maryan Street commemorating the 25th anniversary of legislation prohibiting nuclear weapons, highlighting the catastrophic humanitarian consequences of any use of nuclear weapons, affirming that all States have a role to play in creating the framework for a nuclear weapons-free world, commending Norway for its announcement to hold a high-level conference on humanitarian consequences of nuclear weapons, and calling on New Zealand government to give its full support



for the conference (See Hansard: Motions — Nuclear Disarmament—Global Support and Anniversary of New Zealand Nuclear-free Zone). The adoption of the motion followed a very successful PNND event in the Parliament Banquet hall commemorating the 25th anniversary of New Zealand's anti-nuclear legislation (See Nuclear-free NZ anniversary celebrated, New Zealand Herald, June 1, 2012).

### **Kazakhstan parliament to host conference for a nuclear weapons-free world**

On 27-30 August 2012, the Kazakhstan Parliament will host an international conference of parliamentarians to discuss parliamentary actions to establish a nuclear weapons-free world. Timed to coincide with the International Day Against Nuclear Tests (the anniversary of the closing of the Soviet nuclear test site in Semipalatinsk, Kazakhstan), the conference will highlight the humanitarian consequences of nuclear tests, the development of regional security without nuclear weapons, and the phase-out of nuclear deterrence. It will include a field trip to the former Soviet nuclear test site and the Kazakhstan Radiation Research Centre.

From: <http://www.gsinsitute.org/pnnd/archives/parliaments-step-up-action.html>

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## **Whistleblowers Are Real Proxies for Sins of the Bush Administration**

by **Jesselyn Radack**, National Security & Human Rights Director for the Government Accountability Project, the nation's leading whistleblower protection and advocacy organization.

Attorney General Eric Holder recently complained in the wake of his congressional contempt citation – the first ever for an Attorney General – that Republicans are

using him as a proxy for Obama in an election year.

From WaPo:

*In his first interview since Thursday's vote, Holder said lawmakers have used an investigation of a botched gun-tracking operation as a way to seek retribution against the Justice Department for its policies on a host of issues, including immigration, voting rights and gay marriage. He said the chairman of the committee leading the inquiry, Rep. Darrell Issa (R-Calif.), is engaging in political theater as the Justice Department tries to focus on public safety.*

proxy for Obama. However, Holder has done plenty in his tenure as Attorney General to upset both sides of the aisle, and ought to take some responsibility for the actions the Justice Department has taken under his watch.

Obama might have ordered the assassination of American citizen Anwar al-Awlaki without charge or trial, but it was Holder's Justice Department that drafted the legal memo "authorizing" the killing. It is also Holder's Justice Department that continually asserts absurd secrecy claims to keep the memo from the public and the drone program from court oversight.

I agree that in the political theater of the contempt citation, Holder is being used as a

Under Holder, the Justice Department has

- endorsed indefinite preventative detention and targeted assassination of Americans,
- continued to use the state secrets privilege to shut down lawsuits challenging torture and extraordinary rendition, and
- maintained pro-secrecy positions in high-profile Freedom of Information Act suits.

To say nothing of the fact that Holder's Justice Department has waged a war on whistleblowers, bringing twice as many Espionage Act prosecutions for alleged mishandling of classified information against so-called "leakers" – who are usually whistleblowers – than all past administrations combined. It is the whistleblowers who are the real "proxies" for the sins of the G.W. Bush administration.

Under Holder, two of the biggest scandals of the G.W. Bush-era were left completely unpunished: torture and warrantless domestic surveillance. (Although, Congress is partly responsible for the lack of accountability for warrantless domestic spying, having given the telecommunications companies who gave customers' private data to the government retroactive immunity in the FISA Amendments Act of 2008).

Nonetheless, our nation's chief law enforcement agent has chosen only to prosecute whistleblowers, rather than the perpetrators of torture and warrantless surveillance.

The Justice Department made National Security Agency (NSA) whistleblower Thomas Drake a proxy for the government officials who authorized and organized NSA's domestic spying programs

and the telecommunications companies who received immunity in the FISA Amendments Act.

Central Intelligence Agency (CIA) whistleblower John Kiriakou is a proxy for all of the torturers Holder's Justice Department declined to prosecute, despite the fact that Kiriakou refused to participate in torture and helped expose the CIA's torture program. (To support Kiriakou, go here or "like" the Defend John K Facebook page).

Holder's gripe about that he is being made a proxy would mean more if Holder took some personal responsibility for the actions his Justice Department has taken against whistleblowers and the accountability actions his Justice Department has failed to take against wrongdoers.

Meanwhile, three NSA whistleblowers (and GAP clients) who have already been the targets of federal criminal investigations and blown more whistles than I have ever seen, have continued to speak out against NSA's domestic surveillance. Drake, Bill Binney, and Kirk Wiebe filed affidavits supporting a lawsuit challenging NSA's domestic spying programs:

*In a motion filed today, the three former intelligence analysts confirm that the NSA has, or is in the process of obtaining, the capability to seize and store most electronic communications passing through its U.S. intercept centers, such as the "secret room" at the AT&T facility in San Francisco first disclosed by retired AT&T technician Mark Klein in early 2006.*

If only Holder's Justice Department would stand up for accountability as bravely as the whistleblowers.

From: <http://www.whistleblower.org/blog/42-2012/2098-whistleblowers-are-real-proxies-for-sins-of-the-bush-administration>

## Nuclear Weapons

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### US Nuclear Weapons Upgrades Experts Report Massive Cost Increase

By Markus Becker, *The Spiegel*



**The cost of modernizing US nuclear weapons, including those stationed in Germany, has risen sharply, according to estimates. Several independent experts told SPIEGEL ONLINE that the bill for renewing the B61 atomic bomb will rise to \$6 billion. The project will also upset Russia, they say.**

The B61 is the last remnant of the Cold War in Germany. An estimated 10 to 20 of the atomic bombs are thought to remain in storage at a German Air Force base in

Büchel, a village in the Eifel mountains of western Germany. Should war break out, the Tornado aircraft belonging to the German Air Force could immediately be armed with the weapons for sorties under US control.

But the fact that such a scenario is considered extremely unlikely has not prevented the US from embarking on an effort to upgrade the stockpile, as it is doing with much of its nuclear arsenal. The Life Extension Program (LEP) for the B61 -- of which there are between 160 and 200 in Europe -- is considered to be the most difficult and expensive of all. In 2010, the

Department of Energy requested almost \$2 billion (€1.6 billion) for the project, to be spent over four years. Later, the number rose to \$4 billion.

Now, the total is expected to be closer to \$6 billion, as several experts have reported independently. The first to write of the exploding costs was Hans Kristensen of the Federation of American Scientists (FAS). Other experts are not surprised. "The \$6 billion estimate for B61 LEP is consistent with our estimates," wrote executive director of the Arms Control Association in Washington, Daryl Kimball, in an email.

In late April, several senators demanded that funding be cut to the B61 refurbishment program, at least until the National Nuclear Security Administration (NNSA), which is responsible for the upgrades, presents a detailed timeline and funding plan. That the costs for the project are now three times the original estimate is not likely to meet with euphoria in Washington. The NNSA also hinted to SPIEGEL ONLINE that the expenses threaten to be higher than anticipated. "We are formally validating costs and expect to have something in the coming months," NNSA spokesman Josh McConaha said.

### **'Unproven Technologies'**

The costs are not the only element of the refurbishment program which has experts shaking their heads. Many are uncomfortable with the sheer extent of the B61 modernization program. The NNSA wants to revamp old components, install new safety mechanisms and detonators and make improvements to the design all at the same time. Such an all-encompassing renewal effort has never been tried before, says the Union of Concerned Scientists, a group which is critical of nuclear weapons. They also warn that some of the new parts, including the detonators, are not yet ready for prime time. "You read that right," wrote UCS experts Nickolas Roth and Stephen Young on the group's website. "The multi-

point safety and new detonators are unproven, immature technologies."

In short, the project -- should it succeed despite the high costs and technical hurdles -- is not merely limited to extending the weapons' lifespans, but would be akin to creating a new weapon altogether. Should the improved B61 weapons find their way back to bases in Europe in 2019 as planned, they "will in essence be a strategic bomb," FAS expert Kristensen told SPIEGEL ONLINE. "They will be able to hold at risk targets that the weapons in Europe currently cannot hold at risk."

Tactical atomic weapons like the B61 are designed to be deployed against enemy soldiers on the battlefield. They tend to be much less powerful than strategic nuclear weapons, which can be deployed to neutralize an enemy country's nuclear arsenal or even destroy entire cities. The modernized B61, Kristensen fears, could change from being a tactical weapon to a strategic one.

The B61 modernization program envisions modifying four existing bomb models (or "mods") -- the 3, 4, 7 and 10 -- into one, the B61 Mod. 12. An important new feature is a new tailkit with controllable flaps. The new system would dramatically increase the bomb's precision.

### **Provoking Russia**



*Development of the B61 began in 1961. Now four variations are to be modified into one. An important new feature is a new tailkit with controllable flaps. The new system would dramatically increase the bomb's precision.*

The new B61-12 will be able to carry four different warheads, which range in strength from 0.3 to 45 kilotons of TNT. As a

comparison, the bomb dropped on Hiroshima at the end of World War II had a strength of 15 kilotons. "This weapon can do the same amount of damage militarily as the very high-yield weapon attached to the B61-7," says Kristensen. Götz Neuneck, from the Institute for Peace Research and Security Policy, likewise warns of the "drastically improved mission capabilities" of the B61.

In addition to the upgrades, the bombs are also to be carried by the stealth fighter F-35, which is currently in development. The weapon and the fighter jet are to be perfectly compatible, such that the F-35 -- also known as the Joint Strike Fighter -- will be able to stow two of the bombs in its hold. Such a capability could provoke new trouble with Russia, which is already unhappy with the planned European missile defense shield.

"I'll bet there are hardliners in the Kremlin who are already now looking at this issue and saying 'aha, this is another example of NATO saying one thing and doing another,'" says Kristensen. "There are always irritants. This is going to be another one."

ACA director Kimball agrees. "Deployment of the B61-12 in Europe would complicate the effort to bring Russia to the tactical nuclear weapons negotiating table," he says. Neuneck also echoes the sentiment. The B61-12, he says, would greatly impede negotiations on the Nuclear Non-Proliferation Treaty and would put an end to efforts to withdraw all atomic weapons from Europe.

Whereas most concerns are focused on the B61-12 with the largest warhead, the smallest warheads with a strength of just 1.5 kilotons or even 0.3 kilotons could likewise present considerable dangers. "If you have increased accuracy, it opens up new possibilities for also using the lower yields for missions," says Kristensen. The biggest advantage is less radioactive fallout. "The pressure and the heat from the explosion gets closer to ground zero, exactly where it has to go off. You don't have to use as much

explosive power and there is less fallout. It's a cleaner nuclear attack."

Neuneck also says that the "smaller size and increased accuracy" of the mini-nukes "would make their actual use more likely."

### **A More Credible Threat**

The US government has long sought to develop such miniature atomic weapons. Strategic nuclear weapons have long since become so powerful that their deployment no longer seems likely. As such, they no longer represent much of a threat. Smaller atomic weapons, many politicians and military leaders believe, would pose more of a credible threat because of the increased likelihood that they would actually be used.

The development of such weapons, however, has repeatedly failed to overcome objections from the US Congress. A majority of congressmen and women believe their development is simply too dangerous because they would lower the barriers for use. In 2005, the administration of US President George W. Bush had to abandon plans for the development of such mini-nukes.

In the current Nuclear Posture Review, which guides US nuclear weapons doctrine, it states that the military capabilities of the warheads are not to be altered. "And that's true" says Kristensen. "But it says nothing about whether they will improve the accuracy of this weapon by putting a new tail fin on it." As in the case of the new tail fin guidance system on the B61. "There is a backdoor to modernization that is being actively used."

When it comes to Germany and other European countries, the B61 problem could solve itself. Germany's military, the Bundeswehr, intends to mothball its Tornado fleet in 2020. Its successor, the Eurofighter, will not be able to carry atomic weapons as it is currently designed. Modification costs would have to be paid by

Germany itself. "Given the current domestic policy debates, there would seem to be little support for new airplanes," says Neuneck.

In the end, the high costs of the modernization program could ultimately kill it. That, at least, is the hope of Richard Burt, a former US ambassador to Germany and a leading member of the Global Zero initiative. "We seriously doubt whether this LEP program will be pursued to the end," Burt told SPIEGEL ONLINE. "It might well be postponed indefinitely given the reported cost overrun."

An end to the B61, whether for technical or cost reasons, would be welcome news to most experts. "US nukes in Europe have no military utility," says Burt, who as

Washington's chief negotiator in 1991, was a key player in initiating talks with the Soviet Union on the START treaty. Instead, the Americans would be more likely to deploy intercontinental ballistic missiles stationed on US soil or atomic weapons based on submarines. As such, Kristensen demands in a recently published report, the US should withdraw all tactical nuclear weapons from Europe no matter what the Russians do.

ACA expert Kimball says it is "tragic that the B61s based in Europe are irrelevant to NATO's defense." He says their destructive capability is so massive that it makes their use incredible. "Neither US nor European taxpayers should be asked to waste more money to upgrade the system."

*From: <http://www.spiegel.de/international/world/upgrading-us-nuclear-weapons-more-expensive-than-planned-a-833586.html>*

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## Nuclear Weapons and a Sustainable Future

**By David Krieger**, a founder of the Nuclear Age Peace Foundation and has served as its president since 1982. He is a councilor on the World Future Council, chair of the Executive Committee of the International Network of Engineers and Scientist, for Global Responsibility, and a member of the Executive Committee of the Middle Powers Initiative. His most recent book, with Richard Falk, is *The Path to Zero: Dialogues on Nuclear Dangers* (Paradigm Publishers, 2012).

### Bold Action Is Needed

The current two-tier structure of nuclear "haves" and "have-nots," as set forth in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), must be brought to an end. The way this can be done most effectively is by negotiating a Nuclear Weapons Convention for the phased, verifiable, irreversible and transparent elimination of nuclear weapons. It is time for the non-nuclear weapon states to demonstrate that there will be serious consequences if the nuclear weapon states continue to avoid their obligations under the NPT to pursue good faith negotiations for complete nuclear disarmament.

A consequence of failure of the nuclear weapon states to initiate negotiations for a Nuclear Weapons Convention in a timely way could be a boycott of the 2015 NPT Review Conference by non-nuclear weapon states and the convening instead of an alternative conference to prepare and begin negotiations for a Nuclear Weapons Convention. This would be a bold way of sending a strong message to the nuclear weapon states that enough is enough and it is past time for serious action on their nuclear disarmament obligations. Absent such action, a sustainable future remains in jeopardy, and humanity is at risk of nuclear proliferation, nuclear terrorism, nuclear war and nuclear famine.

## A Sustainable Future

A sustainable world is a necessity for the people of the future who are not yet here to speak and act for themselves. It is the responsibility of those of us now living to speak for them and to do what we can to pass this planet on intact to the generations that follow us.

Sustainability requires protecting the Earth and its biodiversity. It requires assuring the availability and quality of the air and water. It requires food production for an increasing population, which depends upon protection of the oceans and land from pollutants and protecting the topsoil of the Earth for agriculture. It requires reducing greenhouse gases to limit climate change, which is determined by our energy choices. Our collective efforts for or against sustainability reflect what we value and who we are.

In our cultures of war, we have developed vast arsenals of nuclear weapons that are antithetical to the sustainability of the planet. A war fought with these weapons would not only destroy civilization, it could foreclose the future for humans and most other forms of complex life. In addition to addressing the many significant environmental challenges confronting humanity, in the Nuclear Age we are challenged to control and then eliminate our most powerful and dangerous weapons before they eliminate us.

## Nuclear Weapons

Nuclear weapons are terror devices that kill, maim and poison indiscriminately – men, women, children and the environment. Because of this, they lack utility for military purposes. Yet, there are still nearly 20,000 of these weapons in the arsenals of nine countries, five of which are parties to the Non-Proliferation Treaty and bound by its Article VI obligation to pursue good faith negotiations for nuclear disarmament in all its aspects.<sup>1</sup>

<sup>1</sup> These five countries are: United States, Russia, United Kingdom, France and China, the permanent members of the United Nations Security Council.

Over 95 percent of the nuclear weapons in the world are in the US and Russian arsenals.

The International Court of Justice, in its 1996 Advisory Opinion on the legality of the threat or use of nuclear weapons, reached the sobering conclusion: “The destructive power of nuclear weapons cannot be contained in either space or time. They have the potential to destroy all civilization and the entire ecosystem of the planet.”<sup>2</sup> Nuclear weapons are the ultimate tools of mass annihilation.

In a world where chemical and biological weapons, land mines, cluster bombs and dumdum bullets are outlawed, how can nuclear weapons retain any legitimacy? They cannot. The International Court of Justice 1996 Advisory Opinion confirms this. In accord with this authoritative opinion, any threat or use of nuclear weapons that would violate international humanitarian law – including those uses for which they are currently deployed – would be illegal under international law.<sup>3</sup>

## Land-Bases Missiles

The US and Russia continue to deploy launch-ready, land-based inter-continental ballistic missiles (ICBMs) in fixed silos as part of a triad of nuclear delivery vehicles that also includes bombers and submarine launched missiles. In a time of crisis, either before or after armed conflict breaks out, these high-alert ICBMs create impetus to initiate a first strike. In other words, during such a period of high tension, land based missiles may be the opposite of a deterrent to nuclear war. There is incentive to “use them or lose them” before they can be destroyed in their silos by a first-strike attack by the other side.<sup>4</sup>

<sup>2</sup> Advisory Opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons, United Nations General Assembly, A/51/218, 15 October 1996, p. 17.

<sup>3</sup> Ibid., p. 37.

<sup>4</sup> For a fuller discussion of the dangers of land-based, nuclear-armed missiles, see David Krieger and Daniel Ellsberg, “For nuclear security beyond Seoul, eradicate land based ‘doomsday’ missiles,” *Christian Science*



Land-based missiles should be immediately removed from launch-ready status and ultimately dismantled, in conjunction with No First Use pledges. Elimination of high-alert, launch-ready nuclear forces would foreclose the option of launch on warning. Elimination would also preclude the possibility of either the US or Russia initiating an accidental nuclear war based upon false warning of attack, as well as greatly reducing the likelihood of unauthorized or accidental launch of nuclear-armed ballistic missiles.<sup>5</sup>

### Nuclear Famine

Recent peer-reviewed studies by prominent atmospheric scientists at leading American universities predict that the detonation of only a tiny fraction of currently deployed nuclear arsenals would cause catastrophic changes in global climate and massive destruction of Earth's protective ozone layer. Scientists modeled a hypothetical war between India and Pakistan, in which each side detonates 50 Hiroshima-size nuclear weapons on the other side's cities. The resulting nuclear firestorms would lead to the formation of a global stratospheric smoke layer that would last for 10 years.<sup>6</sup>

The smoke would block warming sunlight and quickly produce the coldest average surface temperatures experienced in the Northern Hemisphere during the last 1,000 years. Prolonged cold would bring decreased precipitation and would significantly shorten growing seasons, with subsequent declines in crop yields.<sup>7</sup> Medical experts predict that in the

years following a nuclear exchange hundreds of millions of people could die of starvation.<sup>8</sup>

The atomic bombs detonated in the India-Pakistan scenario would have less than one percent of the explosive power in the currently deployed operational nuclear arsenals of the US and Russia. The new scientific research makes it quite clear that a war fought with existing arsenals of strategic nuclear weapons would leave the Earth essentially uninhabitable for humans. Tens of millions of tons of smoke would block the majority of sunlight from reaching the surface of our planet; daily minimum temperatures would be below freezing for one to three years in central North America and Eurasia; and growing seasons would be eliminated for many years.<sup>9</sup> These deadly long-term changes to global climate and the environment would kill most humans and possibly lead to our extinction.

US and Russian nuclear war plans still contain nuclear strike options with hundreds of preplanned targets, which include cities and urban areas in each other's countries.<sup>10</sup> Any failure of deterrence has the potential to lead to the quick-launch of high-alert nuclear forces targeted at US and Russian cities. It is possible that a first-strike attack by either the US or Russia that targeted sites in or near the other side's cities could result in the stratospheric smoke that would create a nuclear famine causing the selfdestruction of the attacking country, even without a retaliatory attack. The prospects of nuclear famine, which are inherent in nuclear war, make the use of nuclear weapons both suicidal and omnicidal.

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*Monitor*, March 27, 2012,  
<http://www.csmonitor.com/Commentary/Opinion/2012/0327/For-nuclear-security-beyond-Seoul-eradicate-land-based-doomsday-missiles>

<sup>5</sup> Steven Starr, "Launch-Ready Nuclear Weapons: A threat to All Nations and Peoples," Nuclear Age Peace Foundation, August 2011,  
[http://www.wagingpeace.org/articles/pdfs/2011\\_06\\_24\\_starr.pdf](http://www.wagingpeace.org/articles/pdfs/2011_06_24_starr.pdf).

<sup>6</sup> Alan Robock and Owen B. Toon, "Local Nuclear War, Global Suffering," *Scientific American*, January 2010, pp. 74-81.

<sup>7</sup> *Ibid.*

<sup>8</sup> Ira Hefland, MD, "An Assessment of the Extent of Projected Global Famine Resulting from Limited, Regional Nuclear War," International Physicians for the Prevention of Nuclear War and Physicians for Social Responsibility, 2007,  
<http://www.psr.org/assets/pdfs/an-assessment-of-the-extent.pdf>

<sup>9</sup> Owen B. Toon, Alan Robock and Richard Turco, "Environmental Consequences of Nuclear War," *Physics Today*, Vol. 61, No. 12, December 2008, pp. 37-42.

<sup>10</sup> Hans Kristensen, "Obama and the Nuclear War Plan," Federation of American Scientists Brief, February 2010,  
<http://www.fas.org/programs/ssp/nukes/publications1/WarPlanIssueBrief2010.pdf>

## Is A Nuclear War Likely?

While a nuclear war is not likely, it is possible and could occur by accident, miscalculation or design. Just as the large-scale radiation releases from the accident at the Fukushima Dai-ichi nuclear power plant seemed unlikely until they occurred, the possibility of nuclear war also may seem unlikely until deterrence fails and it occurs. Nuclear deterrence requires the constant maintenance of clear communications and rational behavior on all sides and in all circumstances.

One thing we know about humans is that we are fallible. We are not capable of perfection and we cannot eliminate human error altogether no matter how diligently we try. Human fallibility and nuclear weapons are a highly volatile mix. Our best hope of preventing the use of nuclear weapons is to abolish them. That is the challenge that now confronts us.

The question for us is: How can these most terrible weapons of mass destruction be eliminated most expeditiously and securely? Planning for and implementing the abolition of nuclear weapons must be done carefully with all necessary precautions, but time is of the essence. One important way to accelerate this process is to challenge the central justification for retaining or acquiring a nuclear arsenal – the theory of nuclear deterrence.

## The Santa Barbara Declaration

In 2011, the Nuclear Age Peace Foundation hosted a meeting in Santa Barbara on “The Dangers of Nuclear Deterrence” to examine flaws in nuclear deterrence theory. A product of this meeting was the Santa Barbara Declaration, which called for rejecting nuclear deterrence.<sup>11</sup> The Declaration lists eight major problems with nuclear deterrence:

1. Its power to protect is a dangerous fabrication. The threat or use of

nuclear weapons provides no protection against an attack.

2. It assumes rational leaders, but there can be irrational or paranoid leaders on any side of a conflict.
3. Threatening or committing mass murder with nuclear weapons is illegal and criminal. It violates fundamental legal precepts of domestic and international law, threatening the indiscriminate slaughter of innocent people.
4. It is deeply immoral for the same reasons it is illegal: it threatens indiscriminate and grossly disproportionate death and destruction.
5. It diverts human and economic resources desperately needed to meet basic human needs around the world. Globally, approximately \$100 billion is spent annually on nuclear forces.
6. It has no effect against non-state extremists, who govern no territory or population.
7. It is vulnerable to cyber attack, sabotage, and human or technical error, which could result in a nuclear strike.
8. It sets an example for additional countries to pursue nuclear weapons for their own nuclear deterrent force.<sup>12</sup>

The Declaration concludes by calling for replacing the doctrine of nuclear deterrence with a concerted effort to achieve a Nuclear Weapons Convention for the elimination of all nuclear weapons:

Nuclear deterrence is discriminatory, anti-democratic and unsustainable. This

<sup>11</sup> “The Santa Barbara Declaration: Reject Nuclear Deterrence, An Urgent Call to Action,” February 17, 2011, <http://www.wagingpeace.org/goto/declaration>.

<sup>12</sup> Ibid.

doctrine must be discredited and replaced with an urgent commitment to achieve global nuclear disarmament. We must change the discourse by speaking truth to power and speaking truth to each other.

Before another nuclear weapon is used, nuclear deterrence must be replaced by humane, legal and moral security strategies. We call upon people everywhere to join us in demanding that the nuclear weapon states and their allies reject nuclear deterrence and negotiate without delay a Nuclear Weapons Convention for the phased, verifiable, irreversible and transparent elimination of all nuclear weapons.<sup>13</sup>

### **From the NPT to A Nuclear Weapons Convention**

The Non-Proliferation Treaty calls in Article VI for the pursuit of good faith negotiations to achieve nuclear disarmament.<sup>14</sup> In interpreting this article of the NPT, the International Court of Justice (ICJ) stated in its 1996 Advisory Opinion on the legality of the threat or use of nuclear weapons:

There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.<sup>15</sup>

It has been more than 40 years since the NPT entered into force. The non-nuclear weapon states that are parties to the treaty have kept their part of the bargain and not developed or otherwise acquired nuclear weapons. The exception is North Korea, which withdrew from the treaty under Article X in its “supreme

interests” in 2003 and proceeded to test nuclear devices in 2006 and 2009.

Although the nuclear weapon states have reduced their nuclear arsenals, they also continue to modernize them. The vast majority of the weapons are in the arsenals of the US and Russia. The remaining weapons are in the arsenals of the UK, France, China, Israel, India, Pakistan and North Korea. Israel, India and Pakistan remain outside the NPT, and North Korea, as previously mentioned, has withdrawn from the treaty.

The most expeditious way forward to accomplishing the good faith negotiations required by the NPT would be for the five NPT nuclear weapon states to join with the other nations of the world, including the four non-NPT nuclear weapon states, to begin negotiations for a Nuclear Weapons Convention. Such a Convention would need to be fully multilateral and binding upon all states, nuclear and non-nuclear, in the international community. There could not be hold-out states as there have been with the NPT. The implementation of a Nuclear Weapons Convention should be done in phases to build confidence in verification systems and procedures. Reductions in nuclear arsenals should be done in a way that is irreversible. The Convention should also have procedures for transparency, but these must be balanced against the need for states to maintain their security during and following the disarmament process.

### **Moving Forward**

For the NPT Review Conference in 2010, the Nuclear Age Peace Foundation prepared and distributed a Briefing Booklet, *Nuclear Non-Proliferation and Disarmament: Shifting the Mindset*.<sup>16</sup> In this Briefing Booklet, we recommended a number of steps for consideration by the parties to the NPT. These

<sup>13</sup> Ibid.

<sup>14</sup> Treaty on the Non-Proliferation of Nuclear Weapons, entered into force on March 5, 1970. The full text of the treaty may be found at <http://www.un.org/en/conf/npt/2010/npttext.shtml>.

<sup>15</sup> Advisory Opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons, United Nations General Assembly, op. cit., p.

<sup>16</sup> David Krieger, “Nuclear Non-Proliferation and Disarmament: Shifting the Mindset,” Nuclear Age Peace Foundation, 2010, [http://www.wagingpeace.org/menu/resources/publications/npt\\_2010.pdf](http://www.wagingpeace.org/menu/resources/publications/npt_2010.pdf)

are shown in Appendix A. We also proposed five priority steps and introduced these priorities in this way:

There is much that needs to be done to achieve a nuclear weapon-free world. It is possible to debate endlessly about which steps are most essential. What is most needed, and foundational to any list of serious actions, is the political will to achieve a world without nuclear weapons. That political will must be rooted in a strong multilateral commitment to go to zero nuclear weapons. Such political will would reflect new ways of thinking, away from the approach that seeks advantage for one country at the expense of risking catastrophe. Having said this, however, the requisite political will is best expressed not only in words but also in actions.<sup>17</sup>

The five priority steps are:

1. **Preparation for Nuclear Disarmament.** Each signatory nuclear weapon state should provide an accurate public accounting of its nuclear arsenal, conduct a public environmental and human assessment of its potential use, and devise and make public a roadmap for going to zero nuclear weapons.

An accurate public accounting of its nuclear arsenal by each nuclear weapon state would be a valuable preliminary step to negotiating the elimination of all nuclear weapons. A public environmental and human impact statement of the use of a country's nuclear arsenal would demonstrate its self-awareness of the dangers posed by nuclear weapons and would shed light for the public on those dangers. Preparing and making public a roadmap for going to zero nuclear weapons would show that a country was grappling with the process of reducing and eliminating its nuclear arsenal and would

provide a starting point for negotiation of a Nuclear Weapons Convention.

2. **Nuclear Threat Reduction.** All signatory nuclear weapon states should reduce the role of nuclear weapons in their security policies by taking all nuclear forces off high-alert status, pledging No First Use of nuclear weapons against other nuclear weapon states and No Use against non-nuclear weapon states.

The Cold War has been over for more than 20 years. There is no reason for a country to maintain its nuclear arsenal on high-alert or launch-on-warning status. Doing so opens the door to inadvertent nuclear weapons use by accident or miscalculation. Similarly, there is no reason for a country to continue to threaten First Use of nuclear weapons. If all nuclear weapon states agreed to No First Use, there would be no use. Also, non-nuclear weapon states should demand that they receive full guarantees from the nuclear weapon states that there will be no use under any circumstances against them.

3. **International Controls on Nuclear Proliferation.** All enriched uranium and reprocessed plutonium – military and civilian – and their production facilities (including all uranium enrichment and plutonium separation technology) should be placed under strict and effective international safeguards.

Highly enriched uranium and reprocessed plutonium are the principal materials that can be used for the production of nuclear weapons. The facilities that produce and process such materials should be placed under strict and effective international safeguards, assuring that these materials are not diverted for weapons use. This should be a major responsibility of the United Nations Security Council and the International Atomic Energy Agency.

<sup>17</sup>

Ibid.

4. **Reconsideration of Article IV.** All signatory states should review Article IV of the NPT, promoting the “inalienable right” to nuclear energy for peaceful purposes, in light of the nuclear proliferation problems posed by nuclear electricity generation.

Article IV of the NPT needs to be reviewed in light of Article VI obligations for complete nuclear disarmament. The questions to be posed are: How will the widespread use of nuclear power affect the obligation of the nuclear weapon states to achieve complete nuclear disarmament? With widespread use of nuclear energy, will complete nuclear disarmament be possible?

5. **Commence Negotiations on a Nuclear Weapons Convention.** All signatory states should comply with Article VI of the NPT, reinforced and clarified by the 1996 World Court Advisory Opinion, by commencing negotiations in good faith on a Nuclear Weapons Convention for the phased, verifiable, irreversible and transparent elimination of nuclear weapons, and complete these negotiations by the year 2015.<sup>18</sup>

The International Court of Justice found that there is not only an obligation to pursue good faith negotiations for nuclear disarmament in all its aspects, but to *complete* the negotiations. More than 40 years have passed, and these negotiations have not yet begun. We urge that these negotiations commence immediately, show tangible progress by the 2015 NPT Review Conference and be completed by the 2020 NPT Review Conference. The nuclear weapon states need pressure and incentives

from the non-nuclear weapon states in order for them to act now to fulfill their Article VI obligations.

### Leadership Timing and Consequences

Which countries will lead? Which countries will initiate negotiations for a Nuclear Weapons Convention? Should there be consequences for failing to commence negotiations and to complete them within a reasonable timeframe?

Leadership could come from the three countries that initiated the negotiations for the NPT – the US, UK and Russia (formerly the Soviet Union). The US led the way into the Nuclear Age and remains the only country to have used nuclear weapons in warfare. In his Prague speech in April 2009, President Obama said, “I state clearly and with conviction America’s commitment to seek the peace and security of a world without nuclear weapons.”<sup>19</sup> He also spoke, somewhat ambiguously, about the US having a moral responsibility to act to allow people to live free of fear in the 21st century: “... as a nuclear power, as the only nuclear power to have used a nuclear weapon, the United States has a moral responsibility to act. We cannot succeed in this endeavor alone, but we can lead it, we can start it.”<sup>20</sup>

If leadership does not come from the US, UK or Russia, then it must come from elsewhere. There must now be a movement to initiate these negotiations before the next NPT Review Conference in 2015, which will be held 70 years after the onset of the Nuclear Age, 45 years after the entry into force of the NPT, and 20 years after the parties agreed in 1995 to an indefinite extension of the treaty. The 2015 NPT Review Conference will be held just five years prior to the 2020 NPT Review Conference that will mark the 50th anniversary of the NPT’s entry into force.

<sup>18</sup> In 2010, the Foundation called for the immediate commencement of negotiations on a Nuclear Weapons Convention and their completion by 2015. As yet, these negotiations have not commenced. At this point, we are calling for commencement of negotiations by 2015, but with more serious consequences for failure to do so.

<sup>19</sup> Barack Obama, “Remarks of Barack Obama,” Hradcany Square, Prague, Czech Republic, April 5, 2009, <http://prague.usembassy.gov/obama.html>.

<sup>20</sup> Ibid.

The non-nuclear weapon states should be prepared to impose some consequences if negotiations for a Nuclear Weapons Convention have not begun by 2015. One consequence that would demonstrate their seriousness would be for non-nuclear weapon states to boycott the 2015 NPT Review Conference and those thereafter unless good faith negotiations for nuclear disarmament have begun. Combined with their boycott could be an alternative meeting of states to prepare for and begin negotiations for a Nuclear Weapons Convention.

The year 2020 will mark the 75th anniversary of the bombings of Hiroshima and Nagasaki. The Mayors for Peace in their 2020 Vision Campaign have called for the abolition of nuclear weapons by 2020.<sup>21</sup> The Nuclear Age Peace Foundation supports their proposal and believes that, with good faith negotiations, it could be accomplished; or, at a minimum, the nuclear weapon states, both parties to the NPT and those outside the treaty framework, could be well on their way to achieving this goal. Global Zero, another civil society initiative, has set a somewhat longer timeframe of 2030 for the goal of abolishing nuclear weapons.<sup>22</sup> negotiations for complete nuclear disarmament.

## Conclusion

Nuclear war would preclude a sustainable future. It would destroy the global environment, leading to the extinction of many forms of plant and animal life. Complex forms of life, such as humans, would be particularly at risk. A nuclear war fought with existing

nuclear arsenals could leave the Earth uninhabitable for humans.

Leading atmospheric scientists, who warn of the utterly catastrophic effects nuclear war would have upon global climate and the environment, argue, “The combination of nuclear proliferation, political instability a urban demographics may constitute one of the greatest dangers to the stability of society since the dawn of humans. Only abolition of nuclear weapons will prevent a potential nightmare.”<sup>23</sup> The scientists call for immediate reductions in US and Russian arsenals to a few hundred nuclear weapons to “reduce the possibility of nuclear winter encourage the rest of the world to continue to work toward the goal of elimination.”

It is necessary to ensure that nuclear weapons will not be used again as instruments of war, risking the destruction of civilization, nuclear famine and the extinction of most or all humans and other forms of complex life. Exposing the dangers of launch-on-warning nuclear policies and the dysfunctional and counterproductive nature of nuclear deterrence theory is essential for awakening policy makers and the public to the imperative goal of achieving a world free of nuclear weapons. It is a goal that demands boldness by all who seek a sustainable future for humanity and the planet. The non-nuclear weapon states that are parties to the Non-Proliferation Treaty have both the right and the responsibility to assert leadership in assuring that the nuclear weapon states fulfil their obligations for good faith negotiations.

<sup>21</sup> Information on the Mayors for Peace 2020 Vision Campaign can be found at <http://www.2020visioncampaign.org/>.

<sup>22</sup> Global Zero Action Plan, February 2010, [http://static.globalzero.org/files/docs/GZAP\\_6.0.pdf](http://static.globalzero.org/files/docs/GZAP_6.0.pdf)

<sup>23</sup> Robock and Toon, op. cit., p. 81.

## APPENDIX A

### Recommended Steps for Consideration by the Parties to the 2010 Non-Proliferation Treaty Review Conference

A successful 2010 NPT Review Conference will require reclaiming the progress made in the 1995 and 2000 NPT Review Conferences. To do this, the parties to the treaty should reaffirm their commitment to both nuclear non-proliferation and nuclear disarmament by agreeing to take the following actions:

#### Reduce the Role of Nuclear Weapons in Military Policy

- Take nuclear weapons off high-alert status, and end policies of launch on warning.
- Pledge No First Use of nuclear weapons against other nuclear weapon states.
- Pledge No Use of nuclear weapons against non-nuclear weapon states.

#### Nuclear Disarmament

- Provide an accurate public accounting by each nuclear weapon state of its nuclear arsenal, conduct a public environmental and human assessment of its potential use, and devise and make public a roadmap for going to zero nuclear weapons.
- Negotiate major reductions by the US and Russia of their nuclear arsenals to below 500 nuclear weapons each, deployed and reserve, by the year 2015.
- Commence negotiations by all states party to the NPT, as required by the treaty, for nuclear disarmament, specifically, for a Nuclear Weapons Convention for the phased, verifiable, irreversible and transparent elimination

of nuclear weapons, and complete these negotiations by the year 2015. The opening session of these negotiations could be held in Hiroshima, the first city to have suffered nuclear devastation. The final session of these negotiations could be held in Nagasaki, the second and, hopefully, last city to have suffered atomic devastation.

- Reallocate the funds spent on nuclear weapons to meeting the United Nations Millennium Development Goals, including ending poverty and hunger and providing basic preventive health care and primary education to all of the world's children.

#### Arms Control Measures

- Complete ratification of the Comprehensive Test Ban Treaty (CTBT) so that it can enter into force.
- Negotiate a Fissile Material Cut off Treaty (FMCT) to assure international control of all nuclear weapons materials.
- Negotiate Nuclear Weapon-Free Zones in the Arctic, Central Europe, the Middle East and Northeast Asia, and complete a Southern Hemisphere Nuclear Weapon-Free Zone.
- Negotiate a ban on space weaponization.
- Negotiate limits leading to a ban on long-range missiles.
- Negotiate limits on the deployment of missile defence systems.



**Preventing Proliferation**

- Place all enriched uranium and reprocessed plutonium – military and civilian – and their production facilities (including all uranium enrichment and plutonium separation technology) under strict and effective international safeguards.
- Achieve universal adherence to the Additional Protocol, strengthening the safeguards agreement with the International Atomic Energy Agency, by countries party to the NPT.
- Peacefully resolve the existing proliferation issues with North Korea and Iran.
- Take all necessary steps to assure that nuclear weapons are not obtained or used by non-state extremist groups.

**Nuclear Power**

- Conduct a global assessment by a United Nations Commission of Experts of the impact of the expansion of nuclear power generation on nuclear non-proliferation and disarmament efforts.
- Review Article IV of the NPT by all signatory states in light of the proliferation problems posed by nuclear electricity generation.
- Create an international fund in support of the International Renewable Energy Agency's plans to help developing countries to use alternate sustainable energy forms rather than nuclear energy.

From: [http://www.wagingpeace.org/articles/pdfs/2012\\_05\\_01\\_npt\\_briefing.pdf](http://www.wagingpeace.org/articles/pdfs/2012_05_01_npt_briefing.pdf)

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**NPT Prep.Com from April 30<sup>th</sup> to May 5<sup>th</sup> 2012, Vienna  
Joint Statement on the humanitarian dimension of nuclear  
disarmament, 2012 NPT PrepCom**

**Subject(s):**

- Building Security
- Nuclear Weapons Abolition

Austria, Chile, Costa Rica, Denmark, Holy See, Egypt, Indonesia, Ireland, Malaysia, Mexico, New Zealand, Nigeria, Norway, Philippines, South Africa, Switzerland

2 May 2012

First Session of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons Joint Statement on the humanitarian dimension of

nuclear disarmament by Austria, Chile, Costa Rica, Denmark, Holy See, Egypt, Indonesia, Ireland, Malaysia, Mexico, New Zealand, Nigeria, Norway, Philippines, South Africa, Switzerland

Mr Chair,

I am taking the floor on behalf of [Austria, Chile, Costa Rica, Denmark, Holy See, Egypt, Indonesia, Ireland, Malaysia, Mexico, New Zealand, Nigeria, Norway, Philippines, South Africa, Switzerland]. Our countries welcome that the 2010 NPT Review Conference expressed its “*deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons*” and reaffirmed “*the need for all states at all*

*times to comply with applicable international law, including international humanitarian law”.*

Mr Chair,

Serious concerns related to humanitarian dimensions of nuclear weapons have been voiced repeatedly. When the horrific consequences of their use became apparent in Hiroshima and Nagasaki, the International Committee of the Red Cross (ICRC) took a clear position calling for the abolition of these weapons of “extermination”.

The sheer horror of use of nuclear weapons in 1945 was later reflected in the NPT’s Preamble, which makes reference to the *“devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples”*.

If such weapons were to be used again, be it intentionally or accidentally, immense humanitarian consequences would be unavoidable. In addition to the immediate fatalities, survivors of the horrendous effects of a nuclear explosion would endure immeasurable suffering. International organisations providing emergency relief would be unable to fulfill their mandates, as the ICRC has already concluded. Studies have shown that the radiation released by even a single nuclear weapon affects populations, agriculture and natural resources over a very wide area and constitutes a threat for future generations. Further studies conclude that even a “limited nuclear exchange” – in itself a contradiction in terms – would provoke a global climate change with serious and long-lasting impact on the environment and food production, which could cause a global famine affecting over a billion people.

Mr Chair,

Nuclear weapons have the destructive capacity to pose a threat to the survival of humanity and as long as they continue to exist the threat to humanity will remain. This, coupled with the perceived political value and prestige attached to these weapons, are further factors that encourage proliferation and non-compliance with international obligations. Moreover, it is of great concern that, even after the end of the cold war, the threat of nuclear annihilation remains part of the 21st century international security environment.

The utility of these instruments of mass destruction to confront traditional security challenges has been questioned by many States as well as civil society experts. Moreover, nuclear weapons are useless in addressing current challenges such as poverty, health, climate change, terrorism or transnational crime. It seems at least questionable to use vast financial resources each year for maintaining, modernizing and expanding nuclear arsenals in times of decreasing funds available for social welfare, health care or education. The choice should be clear.

Mr Chair,

In addition to the grave humanitarian concerns, the use of nuclear weapons also raises important legal issues. Nuclear



weapons are unique because of their destructive capacity and because of their uncontrollable effects in space and time. All rules of international humanitarian law apply fully to nuclear weapons; those rules notably

include the rules of distinction, proportionality and precaution, as well as the prohibition to cause superfluous injury or unnecessary suffering and the prohibition to cause widespread, severe and long-term damage to the environment. Recently, the

Council of Delegates of the International Red Cross and Red Crescent Movement

adopted a Resolution emphasizing not only the incalculable human suffering resulting from any use of nuclear weapons but also stressing that it is difficult to envisage how any use of nuclear weapons could be compatible with the rules of international humanitarian law.

Mr Chair,

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## **Thoughts on the 1<sup>st</sup> NPT Prep.Com from April 30<sup>th</sup> to May 5<sup>th</sup> 2012 in Vienna:**

### **A waste of efforts or not – Stimuli to further struggle for a nuclear (weapon-) free world**

**By Reiner Braun,** Executive Director of IALANA

#### **Thoughts on the interpretation:**

Certainly, it is too early to review and evaluate the conference thoroughly and in all its diversity. Nevertheless, a first impression can be given - a claim to completeness cannot, however.

Two colliding trains left a mark on the NPT-Conference. One express train would be the group of countries possessing nuclear weapons. They do anything in their power to retain their status. They are disarming only in the sense of scrapping already sorted-out nuclear weapons under the pretext of “arms control”, while at the same time uninhibitedly and extensively modernizing nuclear weapons; in the case of NATO, even amplifying its nuclear capacities in form of a Missile Defence System. This short assessment of the development in the field of nuclear weapons applies to the five official nuclear powers as well as to the unofficial powers like India, Pakistan, Israel and North Korea. An effective nuclear weapon’s

program in case of Iran is being suspected and speculatively communicated (also as a threat of war).

The second train would be the disarmament movement, and its engines are the negotiations for a drastic reduction, respectively a convention on nuclear weapons. This train is fuelled by a large majority of the states of the earth, as well as by the civil society, respectively the peace movement. Both trains are hurtling into each other, and by that threatening to destroy the NPT regime – the regime that is dedicated to preventing the proliferation of nuclear weapons.

To prevent this, and above all to push forward the nuclear disarmament to zero (Nuclear Weapons Convention), the committed forces behind the peace movement, as well as many states (like in the Middle Power Initiative [MPI]) are trying to find an access to, or a preparation for this access to negotiations for an

extensive nuclear disarmament right down to zero. For this purpose, interesting proposals have been made. New types of coalitions of states are supporting this idea. Two conferences on nuclear weapons and humanitarian law, prepared by the Norwegian government and the MPI, in cooperation with the German Foreign Ministry shall help. Some scepticism remains – because of the nuclear powers, but also because of the still predominant endorsement of civil use by the international community of states.

The discomfort of many states regarding nuclear armament (especially the armament of the five official nuclear powers) was being made clear, especially the annoyance



after years of nuclear whitewashing was expressed. The Prep.Com was characterised by a mostly hidden, and in many cases not clearly formulated “No” to content oneself with further postponements and empty promises, respectively with minor matters and peripheral issues – this atmosphere mirrors the mood of the people committed to peace, as well as more and more governments. For the first time the proposal to boycott the NPT Conference 2015 was articulated.

It is clear and foreseeable that the real decisions regarding nuclear issues are being resolved elsewhere – including at the NATO Summit in Chicago. Admittedly, the new NATO strategy contains a “hard-won” verbal confession to nuclear disarmament but in its core it is a continuation of a comprehensive policy towards nuclear armament of NATO, including the option of first strike, and supplemented by the Missile

Defence Program. US nuclear weapons remain in Europe.

### **Events of the movements and of civil society**

With diverse events the forces committed to disarmament and their organizations tried to influence the Prep.Com. The presentation was coined by highly qualified contributions to nuclear disarmament. At the official NGO presentation for the governmental congress delegates the threats of nuclear weapons and the necessity of a comprehensive disarmament were strongly being pointed out. If those events which are immensely reasonable in terms of self-understanding, and discourse of the peace movement and the civil society, and which are essential for networking, are really having an influence on the “grand politics” of the really “important and powerful”, is a rhetorical question – the author regards this somewhat sceptically, however. Nobody can hope for effects in the short term.

### **Meeting on the role of the IAEA (International Atomic Energy Agency)**

Atomic energy, its international agency, IAEA, with its ambiguous reputation as “promoter of atomic energy” and as watchdog for disarmament, were discussed themes in a meeting, realized by IPB, INES and IALANA during the NPT-Conference in Vienna. Also, proposals to a reform of IAEA were being presented.

An overview of this meeting and the reform paper follows:

### **The incendiary never is the fireman: Regarding the role of the IAEA**

On the 3<sup>rd</sup> of May on the periphery of the NPT-Conference IALANA, IPPNW, INES and IPB organised a much-noticed international conference on the role of IAEA and the urgently necessary modifications of the agency (reform of IAEA).

The incendiary (statutory promotion and advertising for the use of the so-called civil usage) simply cannot at the same time be in charge of controlling civil risks and military application – according to Wolfgang Renneberg, security expert and long-term leader at the Department of the Environment.

“We need a cancellation of the statutory promotion within IAEA statutes, so that this agency can solely be responsible for the handling of the diverse consequences of the disastrous usage of nuclear energy (including the disposal problem)”, demanded Otto Jäckel, chairperson at IALANA. In a statement Peter Weish, scientist from Austria, took a stand for a profound reform of the IAEA, which has to integrate contributions of the civil society, and calls for a division of the organisation into a civil part and a part for disarmament.

Tillman Ruf, from the Australian IPPNW, stressed that IAEO’s acting as watchdog for WHO, and muzzling any critical reports has to stop. “Sugar-coated reports that actually are contradicting official facts have to stop as well.”

Wolfgang Liebert demanded that nuclear disarmament and abolishment of all nuclear weapons is a necessity to prevent proliferation of nuclear weapons and to perform serious international control on a Reiner Braun (Executive Director IALANA)

basis of equity of all states. Furthermore, he stressed that the NPT regime has to be developed further into a Nuclear Weapons Convention.

Iouli Andreev from Russia, and first liquidator after the Chernobyl incident, and Toshinoro Yamadat from Japan portrayed the nuclear catastrophes of Chernobyl and Fukushima with impressive words and images, and emphasized the downplaying and dishonourable role of IAEA. Both speakers agreed: “The IAEA is part of the catastrophe, and not of the solution.”

Unanimously it was agreed upon a “supervision” of IAEA through the civil society and the peace movement. From now on a counter summit, or an accompanying event to the annual meeting of IAEO shall take place.

A further cooperation of the international organizations was agreed upon. Jackie Cabasso of the US organization Legal Foundation characterised the conference as very interesting and abundant in facts, and as an event that corresponds to a breaking of decades-long taboos. This was a climax in the NPT Review Conference, which was actually characterised by verbal “lip services” of the nuclear powers without actual consequences.

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## Theses on the IAEA reform

### The IAEA and the necessity of reforms after Fukushima

**By Peter Weish**

**The nuclear age:** Shortly after the discovery of nuclear fission, in 1942, the “Manhattan Project” was undertaken, under military guidance by the US government. In Oak Ridge, Tennessee, a uranium enrichment facility was established and in Hanford, Washington, reactors for plutonium

production were constructed. The first bomb was tested on the 16<sup>th</sup> of July, 1945. On August 6<sup>th</sup>, 1945, a uranium bomb was launched on Hiroshima, three days later a plutonium bomb on Nagasaki. The consequences were terrifying the world, and started a menacing nuclear arms race.



## Atoms for peace

In 1953, President Eisenhower spoke before the UN General Assembly and announced the so-called “peaceful use” of atomic energy: “...*this greatest of destructive forces can be developed into a great boon for the benefit of all mankind.*”



### Motives for the “Atoms for Peace” Program:

On the one hand, after the shock from the nuclear bombings the USA were interested in demonstrating to the world that atomic energy has its benefits. On the other hand, there was great interest in economically turning to account the immense investments made in developing atomic energy, and in creating labour for thousands of specialists. The answer to why many scientists and technicians were in favour of civil nuclear technology is described by sociologist Friedrich Wagner: “If researchers who in general reject any nuclear armament still welcome the construction and expansion of peaceful nuclear energy usage, than they are not only driven by the professional concern of endangering their research by a relinquishment of such a development but also by the illusion of banning the “curse” of nuclear arms through the “blessings” of the nuclear industry. The urge to research, progressive thinking, and the need of self-discharge unite in the compulsion to legitimize the unleashing of atomic energy through its civil use, after its military use – nuclear armament – evades a control always more visibly.” (Friedrich Wagner “Die

Wissenschaft und die gefährdete Welt – Eine Wissenschaftssoziologie der Atomphysik” Beck, München 1964, S.283)

### „Atoms for Peace“

The UN Conference „Atoms for Peace“ in 1955 was a one-sided propaganda event for civil utilization of nuclear energy. In order to evade concern from the outset, Nobel Prize laureate H. J. Muller was not allowed to hold his speech about „How radiation changes the genetic constitution“. A nuclear euphoria was created elaborately, whereas. Disney's film „Our friend, the atom“ which described the „blessings“ of nuclear energy pretty much one-sidedly, was shown for many years at public schools. A car fuelled not by gas but by a uranium pill was fancied by many. It was said that electricity would become „too cheap to meter“. The hope, that the material of the last atomic bomb would be utilized in a „peaceful“ reactor, proved to be an illusion. The „Ploughshare Program – Atomic Bombs for peaceful use“ made a major contribution to start up nuclear programs under the guise of „peaceful“ bombs (like in India).

### The foundation of IAEA

In December of 1954, the UN General Assembly passed the resolution for „Atoms for Peace“. In 1957, the International Atomic Energy Agency was founded. According to its regulations, the goals of IAEA are: „...to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world. It shall ensure, so far it is able, that assistance provided by it ... is not used in such a way as to further any military purpose.“

As early as then, it was clear that the civil and military nuclear industry are inseparably interconnected. The Acheson-Lilienthal report (1946) explained clearly that a division is not possible. Civil programs can easily be directed towards production of atomic bombs. Even high-profiled experts

like the scientific manager of the Manhattan Project, Robert Oppenheimer, expressed this clearly. Nobel Prize laureate Hannes Alfvén appropriately characterised the military and the civil atomic industry as „Siamese twins“. The promotion of civil nuclear programs was therefore an obstacle to the control of fissionable material to prevent proliferation of nuclear weapons. In 1957, at the time of the foundation of IAEA, most member states



evinced their intention to profit from the „peaceful“ use of nuclear energy. Since then a lot has changed, though. The complete control of fissionable material achieved by IAEA, and the civil usage of nuclear energy was proven a failure: The promise of a safe, clean, cheap and inexhaustible energy source proved to be a deception. Contrary to the propaganda of the nuclear industry, nuclear energy is not a reasonable alternative to reducing CO<sub>2</sub> emission. The uranium reserves are not inexhaustible. Actually, the atomic industry contributes to aggravation of the waste disposal problem for which no satisfactory solution is in sight. In addition to this problem, we are confronted with exorbitant costs and a lack of liability for damages and harms.

The role of IAEA in the context of the catastrophes of Chernobyl and (recently) of Fukushima, is highly deserving criticism.

That for it is necessary to critically question the not anymore appropriate activities of this organisation, which is closely linked to the UN, and to propose necessary changes.

The dual role of IAEA consists of widening and supporting the civil utilization of atomic technology, and of preventing its military utilization effectively. This is a contradiction since the promotion of worldwide mass production of plutonium prevents a reliable control of fissionable material.

The members not only consist of states but also of NGOs; nevertheless, only organisations closely linked to the nuclear industry. The IAEA is therefore a highest-ranking international organisation devoted to nuclear propaganda and immune to critical voices within.

The mutual agreement of IAEA and WHO, dating from May 28<sup>th</sup>, 1959, is an oppressive contract for the World Health Organisation since questions that concern both organisations can only be resolved consensually. This blockade has prevented scientifically serious investigations of the consequences for human health (e.g. after the catastrophe of Chernobyl), and instead brought belittling misinformation upon the highest international and official spheres. For millions of affected persons this means a disregard of the right of recognition of damages to health as consequence of radiation and disregard of accrued financial compensation.

Concrete recommendations to create an international emergency group under guidance of IAEA, and with the expertise of the diverse experiences of the clearing work after the Chernobyl catastrophe, and equipped with the necessary capacities were not considered by the IAEA. The Fukushima catastrophe clearly demonstrates that this was a failure.

The majority of IAEA member states does not follow the intention to enter into the civil nuclear industry but instead some members have decided upon exiting this process. Therefore it is high time to expose the problems of the anachronistic IAEA statutes and to work out reform proposals.



## Objectives

The present IAEA that practises one-sided nuclear propaganda, belittles the consequences of radiation, and prevents serious investigations, and therefore cannot fulfil their controlling function, has to become an organisation that promotes and accompanies the exit of civil and military nuclear industry, and mitigates the inherited waste of the atomic age.

## Reform proposals

- The promotion of nuclear energy has to be crossed out the statutes, and instead the control function of IAEA has to be improved.
- Breakup the contract between IAEA and WHO, which has disabled a critical investigation and presentation
- united promotion and control of nuclear energy, and was divided into DOE and NRC.
- Transparency when deploying experts to IAEA.
- Creating a emergency group for cases of nuclear catastrophes.
- Developing an objective dialogue of risks instead of the security rhetoric of today.

## Demand to the Austrian government:

To call for a conference with involvement of many member states to discuss and work out concrete ways of implementation.

of the health consequences of atomic industry. At the same time a revaluation of WHO is necessary.

- Annulation of the passage that gives every nation the right to construct and use civil nuclear facilities – and through that threatening transboundary neighbouring states.
- To enable this, the composition of the members has to be changed fundamentally: Either the lobbying organisations have to be banned from atomic industry, or a balance has to be created through including critical NGOs free of industrial obligations.
- A possible solution for IAEA could be outsourcing of control functions, like seen at USAEC, which once

Austrian representatives at IAEA shall announce this conference at the next General Assembly of IAEA, and shall win allies for this undertaking in advance.

Reasonable doubt of an easy implementation of such a reform shall not hinder this Austrian proposal but, in contrary, demonstrate the necessity of such an initiative.

As representative for the civil society, we announce to accompany annual conferences of IAEA critically and with own side-events, and to help create a critical public in order to raise awareness for those necessary reforms. We expect active support of the Austrian government.

## **NATO Summit**

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### **Chicago Tribune: NATO's hard sell at the summit**



May 16, 2012

**By Michael Lynn and Roxane Assaf,** Michael Lynn is a board member of the Chicago chapter of Peace Action, and Roxane Assaf is the outreach coordinator for the group's Chicago affiliate

In 1949, shortly after the Soviet Union exploded its first nuclear weapon, the United States and 11 Western European nations formed NATO. The organization's original goals were the deterrence of Soviet aggression against the war-ravaged nations of Western Europe and containing Soviet influence within the boundaries of its already existing Eastern bloc.

Now, more than six decades later, as the 28-country alliance gathers in Chicago for its summit, the Afghan war and U.S. military spending in general are due for some increased scrutiny. President Barack Obama's recently announced joint agreement with Afghan President Hamid Karzai calls into serious question Obama's intention to withdraw all U.S. combat troops from

Afghanistan by 2014 and the administration's promise to be the most transparent in American history — ironic, since the proposed agreement bypasses Congress entirely.

If there is no accountability to Congress, the will of the American people is being ignored. A recent New York Times poll shows that nearly 7 out of 10 Americans (69 percent) believe the U.S. should not be at war in Afghanistan. Opposition to the war cuts across ideological divides, with 68 percent of Democrats saying the war was going somewhat or very badly and 60 percent of Republicans agreeing. Strikingly, a plurality (40 percent) of Republicans asserted that the U.S. should exit Afghanistan earlier than 2014. A recent Christian Science Monitor poll showed that 63 percent of U.S. respondents rejected the Obama-Karzai deal, while only 33 percent approved.

With such overwhelming public opposition, it is no surprise that 39 peace and justice groups nationwide have formed the Network for a NATO-Free Future and will host a "Counter-Summit for Peace and Economic Justice" prior to the NATO affair.

But activists and street protesters are not the only ones voicing discontent. The unpopularity of the war is shared in other NATO nations, and some governments are listening. Five member states have completed or announced withdrawal plans: Canada in 2011, Poland in 2012, the United Kingdom by 2015, France is set to leave by the end of the year, and Australia is about to announce its own acceleration of troop withdrawal. Yet on NATO's agenda in Chicago is an attempt to shore up flagging support from allies as well as selling them on the new agreement.

Is there still a need for NATO? With the collapse of the Soviet Union in 1991, NATO's original *raison d'être* disappeared. With Europe rebuilt, the threat from a greatly diminished Russia was no longer credible. The U.S. had emerged from the

Cold War as the globe's only remaining superpower. With the ideological struggle of the Cold War a thing of the past, thoughts turned to a future with less need for expensive military alliances, such as NATO. It was the era when all were wondering how the so-called peace dividend would be spent.

A funny thing happened on the way to that bright and happy future. NATO did not wither away, but grew steadily. It reimagined and re-missioned itself, poised to confront what it termed "complex new risks to Euro-Atlantic peace and stability." It might not have been clear at the time exactly what those risks were, but the military bureaucracy seemed sure they existed.

Notwithstanding NATO's intervention in the former Yugoslavia in 1995, its central mission remained vaguely defined until after Sept. 11, when it became a partner-in-arms to then-President George W. Bush's "global war on terror." The terrorist attacks led to the first invocation of Article 5 of the NATO treaty, which states that an attack on any member state will be treated as an attack on all.

Within a month, NATO was involved in the U.S.-led attack on Afghanistan. The attack was defined as an attempt to effect regime change, dismantle al-Qaida and, in particular, capture or kill Osama bin Laden.



Fast-forward to the present day. Bin Laden is dead. The CIA estimates fewer than 100 al-Qaida members remain in Afghanistan. The Taliban no longer rules that nation. Yet the U.S. and its NATO allies remain embroiled in a stalemated quagmire that is arguably the longest war in U.S. history. The



war in Afghanistan has taken the lives of nearly 2,000 U.S. military personnel and untold thousands of Afghan civilians. At the time of this writing, the economic costs totaled a staggering \$527 billion. Nobel Prize-winning economist Joseph Stiglitz has

authorization of continued military alliance with a sovereign foreign nation — is not a treaty and therefore not in need of ratification by the Senate. One wonders which country is the established democracy.



estimated the total long-term costs of the Iraq and Afghan wars at \$4 trillion. For perspective, that is roughly 28 percent of U.S. gross domestic product, the total of all economic activity in the country each year.

Details of the U.S.-Afghan Status of Forces Agreement to stay in Afghanistan are supposed to be worked out in the next year, potentially committing tens of thousands of troops and billions of tax dollars through 2024 with little congressional oversight. While President Karzai stressed that the agreement would need to be approved by the Afghan parliament, the White House has maintained that the agreement — despite its

As Chicago closes schools and imposes draconian cuts on agencies crucial to the city's most vulnerable, our national leaders will be arguing for increased military spending, which already consumes more than half of the discretionary budget of the U.S. government. It should be a hard sell.

Does anyone truly believe that spending those funds fighting an unwinnable war and killing innocent Afghan civilians in drone attacks is making anyone anywhere more secure? Clearly the American people do not believe so. It's time for their government to listen to them.

## What Is Obama's Position on Afghanistan? Say It Again?

16<sup>th</sup> May 2012

By Tom Hayden

The Iraq War, Barack Obama improved his hawkish credentials by promising to track down Osama bin Laden, expand drone attacks, and escalate the American troop numbers in Afghanistan. Three years later, bin Laden is dead, the drones inflame Pakistan opinion and complicate a peace settlement, and 33,000 American troops are scheduled to pull out by the end of 2012 with "steady withdrawals" to continue after. Sixty-eight thousand U.S. troops will remain in Afghanistan by this year's end, with the deadline for withdrawing most of them by December 2014.

By the numbers, Afghanistan has already directly cost taxpayers \$528.8 billion, and the Obama request for Afghanistan this fiscal year is \$107 billion. That does not include the hidden, indirect costs -- accrual such as long-term Social Security, disability, and medical care for veterans, etc. -- partly spurred by an order last year from the Ninth Circuit Court of Appeal, which will add hundreds of billions, if not trillions to the ultimate financial impact of the wars in Iraq and Afghanistan.

The president's internal political calculation in 2008 was that he could never pull out of Afghanistan without killing Al Qaeda's top leadership and building a firewall against a Taliban return to power. While perhaps correct politically, this has led to an Afghan quagmire shaken by severe contradictions.

- Hamid Karzai remains an unpopular, unreliable president whose term ends



in 2014, the year of the troop withdrawal deadline. He seeks \$3.5-6 billion each of the next two years to build up the Afghan armed forces, plus

a Western commitment to funding for at least another decade, an impossible expectation.

- According to Pentagon evaluations, those troops are unable to function independently, though insurgent infiltrators are skilled at shooting NATO allies. (Twenty percent of NATO fatalities have occurred this year, according to *The New York Times*).
- Foreign aid to Afghanistan equals its entire gross national product and, according to the World Bank, "cannot be sustained."
- "Intractable Graft by Elite Afghans" makes reform out of reach.

Earlier this year, the Taliban indicated through intermediaries a willingness to hold dialogue with the West, in Qatar, but demanded the release of several detainees now in Guantanamo, possibly in exchange for an American POW, Sgt. Bowe Bergdahl. Those discussions are in trouble, partly because of Republican opposition to releasing U.S.-held Taliban combatants. As a result, the Obama administration's hope for progress in negotiations has hit the skids.



Despite these insuperable obstacles, Obama will try mightily at the Chicago NATO summit to indicate that the Afghanistan war is winding down, aware that an implosion is possible as Karzai trembles, millionaire Afghans flee the country, and the Afghan forces flounder. The Republicans will blame Obama for "losing" Afghanistan while trying to avoid any recommendations of their own.

Obama's latest Afghanistan speech indicates where he is headed in a situation clearly out of control:

- He has narrowed the mission to an obtainable one, "to make sure that al-Qaeda could never again use this country [Afghanistan] to launch attacks against us."
- In Chicago, NATO will announce the "goal" of Afghan forces to be "in the lead for combat" by next year. NATO, however, will fight alongside them when needed."
- Current troop reductions will continue on a "firm timeline" and "at a steady pace," with Afghans becoming "fully responsible for the security of their country" by December 2014.
- The U.S. will continue to focus on counter-terrorism and training,



without building permanent bases or patrolling Afghan cities and mountains. The U.S., however, will use Afghan military "facilities" on a short-term basis.

- Obama is offering a "negotiated peace" with the Taliban, as long as they "break with Al Qaeda, renounce violence, and abide by Afghan laws." This is a retreat from the original U.S. demand that the Taliban and other insurgents abide by the Afghan Constitution. This opens the possibilities of a new power-sharing arrangement of some kind.
- Obama's offer to Pakistan that they be an "equal partner" in the negotiated outcome suggests that Pakistan's interests and alliances in Afghanistan will be respected, thus ending the rationale for drone strikes over Pakistan.
- Obama's statement, "we must give Afghanistan the opportunity to stabilize," can be interpreted as only rhetoric, or a veiled indication that the Afghan elite will have only a "decent interval" before being replaced, the same offer Henry Kissinger proposed for South Vietnam before it collapsed in 1975.

If this seems much too muddled a process, it is because it is being rushed for the Chicago summit and is beyond US control in any event.

But if Obama campaigns on ending the Iraq War and "winding down" Afghanistan, it will only accelerate the march to the exits. No one wants to be the last American soldier to die, or the last Western country to suffer casualties, in an unwinnable, unaffordable war that Americans do not much care about.

## Statement Network Free Future Counter Summit for Peace and Economic Justice Chicago, Illinois, USA

May 18 & 19, 2012

### A New Global Peace and Justice Movement is Rising

The NATO-Free Future gathering in Chicago coincides with a rising global movement against war, militarism, inequality and poverty. We represent the pro-peace and justice majority, the global 99%.

We heed the wisdom of Dr. Martin Luther King Jr.'s call to challenge the "triple evils" of poverty, racial inequality and militarism.

The rising global peace and justice movement works from the premise that poverty, inequality and militarism are forms of violence that constitute an endless cycle that can and must be broken for the survival of humanity. Each feeds off the other, and all must be challenged.

These "triple evils" are embodied in the NATO military alliance and its relationship to the actions of many of the wealthiest countries. We are convinced that to overcome these evils we must oppose wars, embrace peace, and demand that the drive for empire be replaced by an understanding of our global interdependence and a flowering of genuine democracy. And that democracy, in turn will foster greater inclusion, equity and justice for all.

We will pursue an alternative vision of a more peaceful world, which is inextricably linked to economic, social and environmental justice.

Militarism sustains and enforces unjust national and international economic systems



and poses a major obstacle to addressing the world's most pressing problems.

NATO, never an entirely defensive alliance, has invaded countries distant from its members such as Afghanistan and Libya to disastrous effect, has expanded to Russia's borders, provoking prospects for a new nuclear arms race, and is reaching even further afield to Africa, east Asia and the Pacific. Since the United States is the main NATO force, Latin America also is threatened by the alliance. NATO's continued reliance on nuclear weapons threatens the future of humanity and the ecosphere.

Supersized military budgets and wars along with G8 policies of austerity, funneling of wealth and resources to the 1%, and privatization and downgrading of public services drive increased unemployment and shrink critical human services.



For example, the decade of NATO's war on Afghanistan has cost the U.S. alone \$530 billion, money that could and should have funded the salaries of school teachers and firefighters, paid healthcare costs for children, adults and veterans, or funded the conversion of tens of millions of homes to solar and wind energy.



Militarism bolsters corporate globalization in a drive to control natural resources, land and markets, and subverts democracy and human rights. It drives migration of workers in search of a better life. It generates huge profits selling weapons to all sides.

Another world -- a great change of course, is necessary. We support the United Nations Charter's call on all nations to resolve international conflicts based on dialogue, diplomacy and international law, and "to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources."

We insist that all foreign military forces and their weapons be returned to their nations of origin and the bases turned over to the host countries. We call for national economic and tax policies to be reoriented to ensure sustainable economic development and the environmental health of the people, not the privileges and power of a relative few.

We envision a world where systemic inequalities are addressed to promote equity and full inclusion of communities of color and immigrants.

A future is possible where youth are prized and their rights and access to free and unmilitarized education respected and supported as an investment in the nation's future.

We work to build a civilization where nonviolent struggle for peace and justice has created security, the world's resources are equitably shared and all enjoy prosperity.

In the near term, we will press for the withdrawal of all U.S. and NATO forces, including military contractors, from Afghanistan now, not a dozen years hence, and will work to prevent new wars.

We demand the abolition of all nuclear weapons. We demand an end to NATO's "nuclear sharing," whereby U.S. nuclear weapons are stationed in ostensibly non-nuclear countries, as an important step toward the global elimination of nuclear weapons.

We will join with the many movements in our respective countries and internationally - for workers rights, immigrants rights, women's rights and the right to peace - to build a politically empowered rising tide for peace and justice.

We will support the campaign to move the money from wars and weapons to fund human needs and guarantee environmental justice. We will build a truly global movement for peace and justice.

In 1966, Dr. Martin Luther King Jr. said, "There is nothing more tragic than to sleep through a revolution." Join the new global peace and justice movement.

## RIO+20 Summit for Sustainable Development

### Information from RIO

June 20th 2012

Today the UN Conference on Sustainable Development, Rio+20, started. Among others, global sustainable development in form of Green Economy will be on the agenda of the Heads of State. The question of sustainability is closely linked to the question of global justice and to peaceful coexistence of the people. The annual military spending of 1,7 trillion US dollars hinders the struggle for global justice and against poverty, malnutrition and hunger, and the underdevelopment of broad parts of the world.

We, a group of civil society organizations, are pointing out these shortcomings at and around the UN Conference in Rio.

#### Introducing the project „BreadTank“

In a demonstrative act on June 19th in the Favela Santa Marta in Rio, a symbolic tank out of bread was presented to the public. The mayor of Santa

Marta said: “Words have been said enough, sustainability cannot be an empty word anymore but actions need to be conducted. Disarmament must be the number one priority.”



“Without disarmament there is no sustainability and justice. Therefore the reduction of the excessive military spending must be part of the agenda at the Rio+20 conference“, said Reiner Braun, Executive Director of IALANA.



After the presentation of the “BreadTank“ small fire arms, the deadliest conventional weapons, were destroyed.

In the picture to the right, Reiner Braun de-structs a revolver with a hammer.

The „BreadTank“ will be marching at the demonstration at the Global Day of Action and will be placed in front of the UN conference location.

## International Appeal “Disarmament for Sustainable Development“

The signatories of this appeal demand that the governments wholeheartedly address the neglected issues of disarmament, and resolve upon a global plan for disarmament at the Rio-Summit. The freed-up financial means should be used for social, economic and ecological programs in all countries. With the help of the signatures of great personalities from the civil society, the economy, politics and science – among them many Nobel Peace Prize Laureates – we want to use this appeal to make clear that the people suffering under war and hunger are united with one voice against the continuation of the present system that is humanly, ecologically and economically destructive.

The international appeal will be presented to a high official of the United Nations on Thursday, June 21st.



Picture above: Extract of the flyer/poster of the international appeal „Disarmament for Sustainable Development“ which is being spread in Rio.

The international appeal can be viewed and signed at [http://www.inesglobal.com/Disarmament-for-Sustainable- Development.phtm](http://www.inesglobal.com/Disarmament-for-Sustainable-Development.phtm)

## Side Events at the official conference and the People’s Summit

At the official conference three side events are being conducted on “Disarmament for Development“, “The future of food“, and “Food, agriculture and conflicts – challenges for peace”.

At the People’s Summit IPB and INES are among the only civil society organizations addressing militarization and the question of peace as a precondition for sustainability and justice.



## Disarmament for Sustainable Development An international appeal

In 1992 the United Nations Conference on Environment and Development (the *Earth Summit*) connected the challenges concerning environmental threats and development around the world. It named this connection, following the Brundtland Report “Our common future”

of 1987, *sustainable development*, a term that was at once accepted internationally as “the challenge of the decade”. However, the related challenges of peace and disarmament were excluded.

## Disarmament for Development – today's challenge

In 2010 global military spending amounted to \$1630 billion – despite the fact that 1 billion people suffer from hunger, even more do not have access to safe water or adequate health care and education, and even in the developed world millions are without work. The Millennium Development Goals cannot be realized while the world squanders its wealth on militarism.

Today's climatic and environmental conditions exacerbate this imbalance. Ecological disasters pile up; the loss of biodiversity and the destruction of the eco-system are increasing dramatically. In addition, the current economic crisis has made the world's governments reduce spending on critical human needs and is once again hitting the weakest the hardest.

However, apparently unlimited financial resources seem to be available for military jets, tanks, ships, bombs, missiles, landmines and nuclear weapons. The technological developments in the armaments field are becoming more and more sophisticated and murderous.

How to reverse this process is the challenge of today.

**The signatories of this Appeal demand that the governments of the world seriously address this neglected issue, and agree on a global plan for disarmament at the Rio Summit in June 2012.** The freed-up funds should be used for social, economic and ecological programmes in all countries. Starting in 2013, military spending should be cut back substantially, that is, by a minimum of 10 percent per annum. The aim is to launch a dynamic towards sustainable development, which could start by establishing an internationally-managed Fund with a capital of more than \$150 billion.

This plan for “Disarmament for Sustainable Development” should be announced in the final document of the Rio Summit and should be realized step-by-step under the direction of the United Nations.

Without disarmament, there will be no adequate development; without development, there will be no justice, equality and peace. We must give sustainability a chance.

*Initiated by Better World Links, International Peace Bureau (IPB), International Network of Engineers and Scientists for Global Responsibility (INES), Foreign Policy in Focus (FPIF), Mayors for Peace, VivaRio, World Future Council (WFC), and world without wars and violence.*

## Signatories as of June 19:

**Prof. Dr. Ibrahim Abouleish** (Right Livelihood Laureate 2003, Egypt), **Swami Agnivesh** (Right Livelihood Laureate 2004, India), **Martin Almada** (Right Livelihood Laureate 2002, Paraguay), **Patrus Ananias** (Former Mayor of Belo Horizonte, Brazil), **Colin Archer** (Secretary-General International Peace Bureau, GB/Switzerland), **Dr. Oscar Arias** (Former President of Costa Rica, Nobel Peace Laureate 1987, Costa Rica), **John Scales Avery** (Chair Denmark Pugwash Group, Denmark), **Haroon Aziz** (South African Water and Sanitation Academy, South Africa), **Maude Barlow** (Right Livelihood Laureate 2005, Canada), **Prof. Dr. Ulrich Bartosch** (Federation of German Scientists (VDW), Germany), **Dipal Chandra Barua** (Co-Founder Grameen Bank, Bangladesh), **Susan Bazilli** (Director International Women's Rights Project, Canada), **Dr. Peter Becker** (Co-Chair IALANA, Germany), **Rosalie Bertell** (Right Livelihood Laureate 1986, USA), **Ela Ramesh Bhatt** (Right Livelihood Laureate 1984, India), **Andras Biro** (Right Livelihood Laureate 1995, Hungary), **Heinrich Bleicher-Nagelsmann** (Vice-President UNI-MEI Global Union for Media, Germany), **Councillor Elaine Boyes** (Lord Mayor Manchester, Vice-President Mayors for Peace, GB), **Ludo De Brabander** (Vrede vzw, Belgium), **Reiner Braun** (Executive Director IALANA, Germany), **Ingeborg Breines** (Co-President International Peace Bureau, Norway), **Frank Bsirske** (Chair ver.di Trade Union, Germany), **Adele Buckley** (Past Chair Canadian Pugwash, Canada), **Carmel Budiardjo** (Right Livelihood Laureate 1995, GB), **Jackie Cabasso** (Executive Director Western States Legal Foundation, North America Coordinator Mayors for Peace, USA), **Prof. Dr. Ana Maria Cetto** (Universidad Nacional Autonoma de Mexico, Mexico), **Rubem César Fernandes** (Executive Director VivaRio, Brazil), **Prof. Dr. Noam Chomsky** (Massachusetts Institute of Technology, USA), **Michael Christ** (Executive Director IPPNW, USA), **Tony Clarke** (Right Livelihood Laureate 2005, Canada), **Michel Cibot** (Delegate AFCDRP, Mayors for Peace, France), **Mike Cooley** (Right Livelihood Laureate 1981, Ireland), **Claudine Cordillot** (Mayor of Villejuif, Mayors for Peace, France), **Frank Cownie** (Mayor of Des Moines, Mayors for Peace, USA), **Shan Cretin** (General Secretary American Friends Service Committee, USA), **Peter J. Croll** (Director Bonn International Center for Conversion, Germany), **Prof. Dr. Paul Crutzen** (Nobel Prize in Chemistry 1995, Germany/Netherlands), **Danube Circle** (Right Livelihood Laureate 1985, Hungary), **Jayantha Dhanapala** (Former UN Under-Secretary-General for Disarmament Affairs, Former Ambassador Sri Lanka), **Marie Dennis** (Co-President Pax Christi International, USA), **Bishop Kevin Dowling** (Co-President Pax Christi International, South Africa), **Pol Heanna D'Huyvetter** (International Development Director Mayors for Peace, Brazil), **Sergio de Queiroz Duarte** (H. E. Ambassador, former UN High Representative on Disarmament Affairs, Brazil), **Prof. Dr. Hans-Peter Dürr** (Right Livelihood Laureate



1987, Germany), **Bernard Duterme** (Director CETRI, Belgium), **Shirin Ebadi** (Nobel Peace Prize Laureate 2003, Iran), **Dr. Margrit Eichler** (Director Science for Peace, Canada), **Dr. Scilla Elworthy** (Founder Oxford Research Group, GB), **Prof. Dr. Gerhard Ertl** (Nobel Prize in Chemistry 2007, Germany), **Adolfo Peres Esquivel** (Nobel Peace Prize Laureate 1980, Argentina), **Anwar Fazal** (Right Livelihood Laureate 1982, Malaysia), **John Feffer** (Co-Director FIPF, USA), **Andrew Feinstein** (Author and Politician, South Africa / GB), **Ann Feltham** (Campaign Against Arms Trade, GB), **Daniel Fontaine** (Mayor of Aubagne, President of AFCDRP, France) **Sonia Fraquet** (President Peuples Des Forets Primaires, France), **Nikolai Fuchs** (President Nexus Foundation, Switzerland), **Prof. Dr. Johan Galtung** (Right Livelihood Laureate 1987, Norway), **Danièle Garcia** (Mayor of Auriol, Mayors for Peace, France), **Hans Ulrich Gerber** (President International Fellowship of Reconciliation, Switzerland), **Dr. Joseph Gerson** (American Friends Service Committee, USA), **Prof. Dr. Hartmut Graßl** (Former Director Max Planck Institute for Meteorology, Germany), **Prof. Dr. Owen Greene** (University Bradford, GB), **Monika Griefahn** (Co-Founder Greenpeace, Germany), **Karen Hallberg** (Pugwash, Argentina), **Cinthia Heanna** (2020 Vision Campaigner Mayors for Peace, World Future Council, Brazil), **Prof. Dr. Hans Herren** (Millennium Institute, USA), **Prof. Dr. Dudley Herschbach** (Nobel Prize in Chemistry 1986, USA), **Dr. Angelika Hilbeck** (ETH Zürich/VDW, Switzerland), **Christine Hoffmann** (Secretary-General Pax Christi Germany, Germany), **José Ramos Horta** (Nobel Peace Prize Laureate 1996, East Timor), **Dr. Kate Hudson** (Chair Campaign for Nuclear Disarmament, GB), **Prof. Dr. John Hume** (Nobel Peace Prize Laureate 1998, Northern Ireland), **Prof. Dr. Tim Hunt** (Nobel Prize Laureate in Physiology/Medicine 2001, GB), **S.M. 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Polanyi** (Nobel Prize Laureate in Chemistry 1986, USA), **Prof. Dr. Pasquale Policastro** (University Szczecin, Poland), **Alfredo Quarto** (Executive Director Mangrove Action Project, USA), **Paul Quiles** (former Minister of Defense, Mayor of Cordes sur Ciel, Mayors for Peace, France), **Dr. Vithal Rajan** (Former Exec. Director RLA Foundation, Trustee AME India Foundation, India), **P.K. Ravindran** (President KSSP, India), **Fernando Rendon** (International Poetry Festival of Medellín, Colombia), **Kaisa Savolainen** (Former Director Education Division, UNESCO, France), **Monty Schadel** (Executive Director German Peace Society- United War Resisters, Germany), **Camilla Schippa** (Director Institute for Economics & Peace, Australia), **Mohammad Ali Shah** (Chairperson Pakistan Fishersfolk Forum, Pakistan), **Dhirendra Sharma** (Centre for Rigoberta Menchu Tum (Nobel Peace Prize Laureate 1992, Guatemala), **Archbishop Desmond Mpilo Tutu** (Nobel Peace Prize Laureate 1984, South Africa), **Dr. Nizam Uddin** (University Central Florida, USA), **Jakob von Uexkull** (Founder Right Livelihood Award, Sweden/Germany), **Shrikrishna Upadhyay** (Executive Chair SAPPROS, Nepal), **Prof. Dr. Judit Vasarhelyi** (Right Livelihood Laureate 1985, Hungary), **Dr. Pablo de la Vega** (Plataforma Interamericana De Derechos Humanos Democracia Y Desarrollo, Ecuador), **Thore Vestby** (Mayor Frogn, Mayors for Peace, Norway), **Pierre Villard** (President Mouvement de la Paix, France), **Prof. Dr. Judi Wakhungu** (Executive Director African Centre for Technology Studies, Kenya), **Dr. Paul Walker** (Global Green/Green Cross, USA), **Alyn Ware** (Right Livelihood Laureate 2009, New Zealand), **Prof. Dr. Dave Webb** (Chair Campaign for Nuclear Disarmament, GB), **Stephan Weil** (Lord Mayor Hannover, Vice-President Mayors for Peace, Germany), **Chico Whitaker** (Right Livelihood Laureate 2006, Brazil), **Annette Willi** (International Peace Bureau, Switzerland), **Betty Williams** (Nobel Peace Prize Laureate 1976, Northern Ireland), **Jody Williams** (Nobel Peace Prize Laureate 1997, USA), **Lucas Wirl** (Program Director INES, Germany), **Alla Yaroshinskaya** (Right Livelihood Laureate 1992, Ukraine), **Kohinoor Yeasmin** (TARANGO, Bangladesh), **Prof. Federico Mayor Zaragoza** (Chair Foundation for Culture of Peace, Spain), **Angie Zelter** (Right Livelihood Laureate 2001, GB) Science Policy Research, India), **Dr. Vandana Shiva** (Right Livelihood Laureate 1993, India), **Sonia Silber** (The Washington Peace Center, USA), **Susil Sirivardana** (Right Livelihood Laureate with PIDA 1982, Sri Lanka), **Prof. Dr. Joseph Stachel** (Biographer of Albert Einstein, USA), **Prof. Dr. Jack Steinberger** (Nobel Prize Laureate in Physics 1988, Switzerland), **Dr. Hanumappa Sudarshan** (Right Livelihood Laureate 1994, India), **Dr. Mark Suh** (Chair South-Korean Pugwash Group, South-Korea/Germany), **Prof. Dr. Ivo Šlaus** (World Academy of Art & Science, Croatia), **Vappu Taipale** (Co-President IPPNW, Finland), **Prof. Dr. Koichi Tanaka** (Nobel Prize Laureate in Chemistry 2002, Japan), **Vesna Teršelič** (Right Livelihood Laureate 1998, Croatia), **Ulrich Thone** (Chair Gewerkschaft Erziehung und Wissenschaft, Member Education International, Germany), **Aaron Tovish** (International Director 2020 Vision Campaign, Mayors for Peace, Austria), **Daniel Tsakem** (Mayor Fongo-Tongo, Cameroon, Executive Members Mayors for Peace)