

# **Schlaining Manifesto**

## **Burg Schlaining, Austria**

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### **NATO expansion and nuclear weapons in Europe**

#### **Steps towards non-nuclear European security**

#### **Introduction**

Since the end of the Cold War, public debate on security issues, and in particular on nuclear weapons, has receded and become overshadowed by other more apparently pressing problems. Despite this fact, opinion polls in many countries show an overwhelming majority in favour of the abolition of nuclear weapons. For this reason, NGOs working in the peace and security fields see a necessity to propose a political programme of action to move from military defence alliances dependent on nuclear deterrence to a cooperative and non-nuclear security structure that aims to prevent and resolve conflicts rather than solve them by use of force.

On March 13, 1997 the European Parliament adopted a resolution, calling "on the Member States to support the commencement of negotiations in 1997 leading to the conclusion of a convention for the abolition of nuclear weapons". With this resolution the European Parliament joined for the first time the International Court of Justice, the Canberra Commission and more than 60 active and retired high-ranking military officers in seriously questioning the legitimacy of nuclear weapons and the concept of nuclear deterrence. While today there is a realistic chance to finally develop a European Security Architecture no longer based on nuclear weapons, NATO governments still neglect this option. Instead, they continue to insist that European security will require nuclear weapons. They intend to base the future European Security Architecture on a reformed and enlarged NATO and to develop a (Western and Central) European Defence and Security Identity. Thus, the opportunity to develop a truly Pan-European Security Architecture no longer centred around a military alliance has been missed.

#### **NATO's Nuclear Future**

NATO still clings to its nuclear warfighting doctrine and insists on retaining nuclear weapons. Up to 200 US nuclear bombs are still deployed throughout seven European NATO-members; France and Britain retain their national nuclear postures. NATO refuses to give up its doctrine to use nuclear weapons first. Thus NATO explicitly contradicts the advisory opinion of the International Court of Justice (ICJ) of July 8, 1996, which declares the use and threat of use of nuclear weapons to be generally contrary to international law.

It should be emphasised that the ICJ declared the threat or use of nuclear weapons to be generally illegal. The ICJ did not approve any "right" to threaten or use nuclear weapons, but it asserted that it "cannot conclude definitively" whether the threat or use of nuclear weapons would be lawful or unlawful "in an extreme circumstance of self-defence, in which the very survival of a State would be at stake". NATO nuclear strategy is not covered by this doubtful area of uncertainty. Indeed, NATO threatens to use nuclear weapons even when no member state is threatened in its very survival.

NATO nuclear forces serve much broader political purposes: "The nuclear forces of the Alliance continue to play a unique and essential role in Alliance strategy. (...) A credible Alliance nuclear posture and the demonstration of Alliance solidarity and common commitment continue to require widespread participation by European Allies involved in collective defense planning, in nuclear roles, in peacetime basing of nuclear forces on their territory and in command, control and consultation arrangements." (NATO: The Alliance New Strategic Concept, Rome, 1991) NATO's nuclear strategy has not been changed since the ICJ advisory opinion.

Due to NATO enlargement the number of countries committed to such policies will be increased. At the next NATO summit from 8 to 9 July in Madrid, Hungary, Poland, the Czech Republic and possibly other states are expected to be invited to become member states of NATO in 1999. Independently of whether NATO deploys nuclear weapons in the new member states, it will increase the number of countries relying on nuclear weapons and nuclear deterrence. It will expand NATO's system of nuclear sharing arrangements.

NATO stated in the Founding Act between NATO and the Russian Federation: "The member States of NATO reiterate that they have no intention, no plan and no reason to deploy nuclear weapons on the territory of new members, nor any need to change any aspect of NATO's nuclear posture or nuclear policy - and do not foresee any future need to do so." NATO also stated that it does not intend to build or use nuclear weapons infrastructure on the territory of its new members. (Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation of 27 May 1997)

Nevertheless, the Founding Act fails to provide an internationally binding guarantee that NATO will not deploy nuclear weapons in these countries. In fact, NATO unilaterally reserves the right to change this declared policy on nuclear deployments in the new member states. It is intended that they will become full and equal members and thus eligible to fully participate in NATO nuclear sharing and decision-making arrangements. Full membership status includes the right to ask for the deployment of US-nuclear weapons as well as an obligation to accept that US nuclear weapons can be deployed at least during wartime (Denmark, Norway).

Participation of non-nuclear weapons states in NATO nuclear sharing includes the possibility that the control over nuclear weapons in wartime will be transferred to the Armed Forces of non-nuclear weapon states (NNWS). Peacetime storage of nuclear weapons on the territory of a new NNWS and peacetime training of the use of nuclear weapons are possible, which is already the case for existing member NNWS.

NATO nuclear sharing and decision making arrangements are perceived as a violation of Articles I and II of the Non-Proliferation Treaty (NPT) by many non-NATO NNWS. Agreement among the parties to the NPT as to whether this is in compliance or in violation of the NATO countries' obligations under the NPT has never been reached. NATO unilaterally

declares its nuclear sharing arrangements to be in compliance with the NPT, but even so the NATO states did not use the opportunity to deposit clear and formal reservations to that effect. Nevertheless, during both the NPT Review and Extension Conference in 1995 and the 1997 PrepCom for the Review Conference in 2000, the issue was again subject to controversy. When reevaluating this question it should be taken into account that Russia has withdrawn all of its nuclear weapons from the territory of foreign countries.

### **NATO - The Right Institution of European Security?**

NATO argues that the Alliance's expansion will provide more stability for Europe. Despite the Founding Act between NATO and the Russian Federation, the opposite may in fact become true. Neither the Founding Act nor NATO's enlargement effectively ensure the prohibition of new division lines through Europe. They might even contribute to their creation.

The goal of being admitted to NATO has already become a driving force for many countries to overexaggerate the perceived threat from Russia. In an enlarged NATO they might feel a need to continue to do so in order to show that their decision to join was justified. Those not admitted during the first round of enlargement, will continue to compete for accession. Those countries, which do not join might start to overexaggerate the perceived threat from NATO, and may seek closer cooperation with Russia. If that option is not available to them, they could eventually feel isolated and insecure. One answer to this problem may be to develop a neutral position.

If the Founding Act between NATO and Russia succeeds in keeping fear of NATO low in Russia and in developing a common international security policy, it may result in a joint northern block confronting southern countries. It may thus become an instrument for increasing north-south tensions in the world.

More likely, however, the NATO Russia Founding Act will not eliminate Russian opposition to NATO enlargement. Russia is raising serious security concerns. NATO expansion will leave Russia greatly outnumbered by NATO's conventional forces. NATO has promised to seek a solution at the Vienna negotiations about the Conventional Forces Treaty in Europe, but has not yet tabled a proposal for future conventional force limitations that could really meet Russian concerns. Russia might therefore finally decide to compensate its conventional inferiority by copying NATO's "flexible response" strategy of the 1970s and 1980s. As a consequence, Russia would have to rely heavily on tactical nuclear weapons and would also have to resort to a first use policy. Because of this possibility, NATO expansion may put the ratification of START II at risk and thus jeopardise the future of nuclear disarmament.

The cost of NATO expansion must also be taken into account especially given current severe economic and social problems. Cost estimates range from US\$ 20 to US\$ 125 billion over 7-12 years. They will have to be shared between the current and the new NATO members. Severe burdens will be placed on the new member states already struggling to transform their weak economies. They will be forced to spend scarce resources, urgently needed for stabilising the countries' economies and saving their social security and education systems, on new defence equipment. They might be forced to repeat a core mistake from Cold War times - spending much more on armaments than their economies can afford. This might destabilise newly established democracies and encourage radical positions.

The USA and several European countries are at present negotiating sales of fighter aircraft to candidate states for NATO membership, which indicates underlying motives for NATO expansion quite separate from the NATO claim of desiring stability in the region.

### **A Nuclear Future for Europe?**

"The debate on the European nuclear deterrent will be the moment of truth in the construction of a European political union". (Assembly of the WEU, Document 1420, 19.5.94, p.35) European Union members are in the process of developing their own security and defence identity. The Treaty on the European Union (Maastricht Treaty, Art. J4) commits them to eventually frame "a common defence policy, which might in time lead to a common defence". Forming the latter will inevitably put the future of the British and French nuclear arsenals onto Europe's agenda. While this is not likely to happen soon, the European Union members will eventually have to take a decision: whether the European Union should become a nuclear or a non-nuclear state. The European governments are slowly starting to explore this ground.

France and Germany have already declared themselves "ready to engage in a dialogue on the role of nuclear deterrence in the context of a European defense policy." (Franco-German defence and security concept, Nuremberg, Dec. 9, 1996). The former French Prime minister Alain Juppé proposed a "concerted" deterrence for Europe under which France would be prepared to discuss putting its nuclear weapons at European disposal.

Britain and France have formed the "Anglo-French Joint Commission on Nuclear Policy" in 1992, which is used for intensifying technical cooperation as well as political consultations between both countries.

While the three big European countries have thus started to intensify consultations on defence related nuclear matters on a bilateral level, they might wish to explore the ground behind closed doors for a consensus about the future role of British and French nuclear weapons in European security.

Nevertheless attempts to speed up the development of a European defence including a nuclear component has met with serious resistance. Firstly, countries with a longstanding history of neutrality, such as Austria, Sweden and Switzerland do not at present want to enter collective defence commitments. In a new development, the recently elected UK government has stated its opposition to a common EU defence policy. Secondly, the public in many countries is largely opposed to a common European nuclear deterrent. Finally, the creation of an Independent European Nuclear posture is bound to violate Articles I and II of the NPT. It is likely to require a step by step approach of integration which includes interim steps of nuclear sharing arrangements somewhat modelled on those of NATO, before Europe is one state, thus transferring nuclear weapons to NNWS.

### **Alternative Security Structure for Europe**

More attention needs to be given to the development of a common security for the whole of Europe including the East and Russia, based on conflict prevention rather than on a military alliance. Examination of the likely causes of conflicts and methods of increasing stability within Europe should lead to a joint conceptualisation of a common security architecture by European countries on an equal basis.

To achieve these goals a democratic organisation, in which NGOs play a significant role, should progressively take over the role as the overall decision-making security body for Europe. The likely candidate for this would be the Organisation for Security and Cooperation in Europe (OSCE). All existing military alliances in Europe should eventually dissolve when the political and civilian security model of the OSCE, as defined in Lisbon in December 1996, is ready to be fully implemented, as they would become obsolete. The European Union, the strongest substructure in financial and political terms in the OSCE, should adapt its emerging Common Foreign and Security Policy (CSFP) to strengthen the stabilising capability of the OSCE, as the most important component of pan-European security.

A very important problem is the present parallel existence of military alliances alongside the OSCE which compete for dwindling resources, political mandates and status. As long as most financial resources are drained by the military aspects of security, which protect the interests of only some member states, the OSCE can never achieve its very important objectives for stability and peace in Europe. Moreover, the costs of the expansion of NATO will make it almost impossible for many member states to set apart adequate and urgently needed resources for the OSCE.

Intervention in a conflict, once it has become violent, inevitably turns out to be more expensive than mediation and conciliation in the early stages, which also seeks to prevent the human and social tragedy of war. The necessary shift from the intervention option and military solutions to the conflict prevention option requires drastic readjustments of the current disparity between the budgets of NATO and the OSCE.

OSCE action has demonstrated that OSCE member states are able, without the help of NATO, to prevent conflicts from openly breaking out, and to allow democratic elections to take place, as has been attempted in Chechnya and Albania, although with only a moderate degree of success. Early detection, early warning, negotiations, mediation, consultations, arbitrations, sanctions, follow-up procedures are important existing components of the OSCE mandate. The help of non-governmental organisations (NGOs) working in peace and conflict research as well as in the field (in humanitarian or medical assistance and particularly women's groups) would be invaluable for all of these components to be adequately fulfilled.

In its Annex, the Lisbon Document, emphasised the importance of establishing "Nuclear Free Weapon Zones" (NFWZ) in the OSCE region as a step towards total nuclear disarmament, also contained in the Stockholm Declaration of the OSCE Parliamentary Assembly in July 1996. A strategy for achieving this goal needs to be more clearly defined.

#### Political Programme of Action

The USA should immediately withdraw all nuclear weapons from the territory of non-nuclear weapon states. Such withdrawals should be made legally binding.

First of all, all nuclear weapons should immediately be taken off alert, as a next step, warheads should be separated from delivery systems and removed from their deployment sites to an existing, remote and safe storage site, under international inspection (e.g. by the OSCE). As an important step towards a nuclear-weapons free Europe, all states in Central and Eastern Europe which are currently free of nuclear weapons should be declared a nuclear weapon free zone. No country should undertake any preparations or construction of infrastructure to be able to deploy nuclear weapons on its territory.

Decisive steps should immediately be undertaken by all European states to comply with Article VI of the NPT and with the advisory opinion of the International Court of Justice (ICJ)

of July 8, 1996, by starting negotiations for a Nuclear Weapons Convention (NWC) to eliminate all nuclear weapons worldwide. This should be coordinated with efforts to promote the effective implementation of the Biological and Chemical Weapons Conventions as well as to improve international control of delivery systems.

The Member States of the UN Conference on Disarmament (CD) in Geneva should be creative in finding ways of ending the impasse currently overshadowing the negotiations on nuclear disarmament and non-proliferation issues.

In no case should nuclear weapon states continue or start to offer a nuclear umbrella to non-nuclear weapons states.

To exclude all doubts on the intended legal implications of deposited reservations made by various states during the NPT ratification process in the late 60s and early 70s ("European Option"), the Treaty on the European Union should be amended by a specific clause (e.g. Title V, Article J.4, Paragraph) which could read: "Under international obligations established by the Treaty on the Non-Proliferation of Nuclear Weapons, the Union renounces the production and possession of nuclear weapons or any form of control over them, as part of its common defence." If the European Union accedes to the NPT, it should do so with a non-nuclear status.

Military as well as commercial production, reprocessing, and reuse of all nuclear-weapons-usable materials, including tritium, should be unilaterally phased out or prohibited by an internationally agreed cut-off treaty. The first step should be to establish transparency by creating a complete and detailed inventory, updated annually, of all such materials, past and present. The next step should be the reduction and elimination of existing stocks, taking into account materials in warheads. The current impasse regarding a fissile materials cut-off agreement can only be overcome if disarmament measures are linked to non-proliferation measures.

Levels of conventional armament under the new CFE should be reduced to the absolute minimum level required for purely defensive operations. Levels should not only be measured in numbers but also in technical quality. Commercial arms transfers should be controlled and reduced and a conversion programme for the arms industry needs to be initiated.

OSCE member states should continue, in a constructive and innovative way, the ongoing process of the drafting of "A Common Security Model for Europe in the 21st Century". The security needs of each and every group of OSCE member states should be integrated into the framework of a "common and cooperative security without dividing lines" as defined in the Lisbon Document. Steps should be taken by member states, especially the members of the European Union within the proposed CSFP, to strengthen the OSCE both politically and financially.

The OSCE should improve its decision-making process by refining the Moscow mechanism for the "unanimity minus one" procedure. Recognition by all member states of the Court of Conciliation and Arbitration in Geneva, as the OSCE's mandatory dispute-resolution authority (for instance by deleting the proviso clause) is essential. The OSCE should improve the performance of its tasks, by expanding the existing Forum for Security Cooperation (FSC) and the Economic Forum, and in particular by establishing a sanctions authority, which would measure case by case the effectiveness and consequences to the population of imposing sanctions, and draw up a code disallowing sanctions on humanitarian and medical assistance. A concept for the establishment of fully integrated OSCE mobile peace-keeping police contingents, trained in conflict moderation and capable of self-defence should be developed. An initiative to develop the Office for Democratic Institutions and Human Rights (ODIHR) into a forum for cross-frontier NGO cooperation should be launched.

Setting up an early-warning system for conflict prevention which is supported by civilians and local organisations can help to identify flash-points before conflicts break out. Recognised mediation training in conflict resolution should be more widespread and could be encouraged

as a voluntary service. East and west European citizens should establish a Citizen Verification Network which observes their own military as closely as possible and especially any actions taken with regard to nuclear weapons.

There needs to be more widespread discussion on the lessons that are learned from each war or conflict that is experienced. Mediators should be encouraged to regularly communicate with each other to share their experiences with each other and also with NGOs. A network of people working in conflict prevention, humanitarian assistance and research should be established. A self administered NGO liaison within the OSCE should be established, which would draw on the experience and capacities of NGOs in the field of peace work, and would support NGOs in introducing, on a decentralised basis, a voluntary Civil Peace Service (CPS), and a European civilian youth association.

Yearly allocations to the OSCE, from 1998 on, irrespective of increases in their financial contributions to the actual implementation of individual missions, should be at least doubled. The Forum for Security Cooperation (FSC) should be entrusted with the task of elaborating a comprehensive disarmament treaty (new Military Forces in Europe - MFE - treaty), in order to achieve nuclear-weapon-free zones in the area of the OSCE (beginning with Central and Nordic Europe and Central Asia) as a step towards the global abolition of all nuclear weapons. Furthermore, negotiations with Mongolia (not an OSCE member state and a declared nuclear weapons free state) should be initiated, to allow their participation in the proposed OSCE nuclear-free zone in Central Asia (Almaty Declaration).

The Schlaining Declaration of NGOs is signed by representatives of the following NGOs

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Further information can be obtained from any of the above listed NGOs.