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NUCLEAR UMBRELLA OR NUCLEAR-FREE?

Australia's Disarmament Dilemma

By Michael Hamel-Green

Background Paper N° 8/2014

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Published: June 2014

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Introduction

Australia took a lead role in the 1983–85 South Pacific Forum talks that established the South Pacific as a nuclear weapon free zone (NWFZ). The 1985 Rarotonga Treaty's member states include all the independent Southwest Pacific states: Australia, New Zealand, Fiji, Papua New Guinea, Tonga, Western Samoa, Nauru, Solomon Islands, Cook Islands, Vanuatu, and Kiribati.¹ The South Pacific Nuclear Free Zone (SPNFZ) Treaty is one of six regional nuclear weapon free zones (NWFZs) that now embrace almost all of the Southern hemisphere and parts of the Northern hemisphere. They include the 1959 Antarctic Treaty, the 1967 Latin American Tlatelolco Treaty, the 1995 Southeast Asian Bangkok Treaty, the 1996 African Pelindaba Treaty, and the 2006 Central Asian NWFZ Treaty.²

NWFZs include bans on the development and acquisition of nuclear weapons by member states as well as land-based stationing of nuclear weapons by external nuclear weapon states. Beyond these key elements, each zone has other elements that address specific nuclear threats or activities in each region. NWFZs also seek — though in some cases have not yet secured — legally binding guarantees from the five nuclear weapon states (US, UK, France, Russia and China), whose nuclear status is recognized under the Non Proliferation Treaty (NPT). The guarantees involve legally binding undertakings not to use or threaten to

use nuclear weapons against states in the region. These 'negative security' guarantees, together with fellow regional states' relinquishment of nuclear weapon acquisition, constitute the 'nuclear-free umbrella' that NWFZ arrangements seek to create.³

Yet, at the same time as having binding obligations under the South Pacific Nuclear Free Zone Treaty, Australia is also party to the 1952 ANZUS Security Treaty with the United States, under which each party undertakes to consult together on threats to security in the Pacific region and to "act to meet the common danger in accordance with its constitutional processes."⁴ Under the ANZUS Treaty and periodic defense policy statements, Australian Governments have claimed that Australia enjoys extended nuclear deterrence protection — a nuclear umbrella — as part of its security arrangements with the United States. For example, in response to a 2014 request from New Zealand to join a 125-nation statement at the UN on the humanitarian consequences of any use of nuclear weapons, Australia's Foreign Affairs Minister, Julie Bishop, refused to endorse the statement on the grounds that a nuclear weapons ban "conflicts with Australia's long-standing position that, as long as a nuclear weapons threat

1 For detailed studies of the SPNFZ, see: Michael Hamel-Green, *The South Pacific Nuclear Free Zone Treaty: A Critical Assessment* (Canberra: Peace Research Centre, Research School of Pacific Studies, Australian National University, 1990); Gregory Fry, "Regional Arms Control in the South Pacific," in Pitt and Thompson, eds., *Nuclear-Free Zones*, Croom Helm, London, 1987, pp. 46-66; T.V. Paul, "Nuclear-free-zone in the South Pacific", *The Round Table*, 75:299, pp.252-262, 1986.

2 For NWFZ overviews see: James Martin Center for Nonproliferation Studies, *Nuclear-Weapon-Free-Zone (NWFZ) Clearinghouse*, cns.miis.edu/nwzf_clearinghouse; Jozef Goldblat, *Arms Control: the New Guide to Negotiations and Agreements*, Sage Publications and Stockholm International Peace Research Institute, London, 2002, pp. 196-219; Michael Hamel-Green, "Peeling the orange: regional paths to a nuclear-weapon-free world", *Disarmament Forum*, UNIDIR, no.2 (2011), pp. 3-14; Ramesh Thakur, ed., *Nuclear-Weapons-Free Zones*, Macmillan/St Martins Press, London, 1998; Pericles Gasparini Alves and Daiana Belinda Cipollone, eds. *Nuclear-Weapon-Free Zones in the 21st Century*, UNIDIR, Geneva, 1997.

3 The UN Disarmament Commission codified regional NWFZ requirements in its 1999 consensus report: United Nations, Report of the Disarmament Commission, UN General Assembly Official Records, 54th Session, Supplement No.42, A/54/42, Annex 1, 16 May 1999, UN, New York, 1999 pp. 7-10. The UNDC report specified, inter alia, that a NWFZ should: (a) provide for the effective prohibition of the development, manufacturing, control, possession, testing, stationing or transporting by the states parties to the treaty of any type of nuclear explosive device for any purpose, and should stipulate that parties do not permit the stationing of any nuclear explosive devices by any state within the zone; (b) should provide for effective verification and compliance; (c) should have clearly defined boundaries; (d) should be respected by all states, including the nuclear weapon states, who should be consulted in the negotiations and on protocols binding them not use or threaten to use nuclear weapons against zonal states; (e) should not prevent peaceful uses of nuclear energy; and (f) should be initiated by the states of the region concerned.

4 For text of the ANZUS Treaty, see Australian-Politics.com, <http://australianpolitics.com/topics/foreign-policy/anzus-treaty-text>, accessed 21/5/14.

exists, we rely on US nuclear forces to deter nuclear attack on Australia.”⁵

Since both New Zealand and Australia are parties to, and legally bound by, the South Pacific Nuclear Free Zone, questions arise as to how such divergent responses are possible and whether Australia is in breach of either the letter or spirit of the Rarotonga Treaty, given member state obligations under the treaty.

⁵ Philip Dorling, “Federal Government Worked to Scuttle New Zealand Statement Against Nuclear Weapons”, *The Age*, 10/3/14, <http://www.theage.com.au/action/federa-politics/political-news/federal-government-worked-to-scuttle-new-zealand-statement-against-nuclear-weapons-20140309-34fe8.html>, accessed 19/5/14.

“..as long as a nuclear weapons threat exists, we rely on US nuclear forces to deter nuclear attack on Australia”.

This paper seeks to explore some of the complications and implications of Australia’s obligations under the Rarotonga Treaty. In particular, it examines some of the dilemmas and issues associated with Australian declaratory support for extended nuclear deterrence, and the tensions between Australia’s position and initiatives of the wider international community for the elimination of nuclear weapons.

Australia’s Role in Drafting the SPNFZ Provisions

The SPNFZ Treaty emerged in the context of widespread regional concerns over Pacific nuclear testing by three nuclear powers, the US, Britain and France. The three Western nuclear powers were responsible for 321 nuclear tests in the Pacific from 1946 to 1996, including atmospheric tests by the US up to 1962 and France up to 1974.⁶ Test sites included Bikini and Enewatak atolls in the Marshall Islands, Moruroa and Fangataufa atolls in French Polynesia, and Maralinga in South Australia. Fallout from the tests and radioactive contamination, as well as forced relocations, led to devastating health and humanitarian crises for Pacific islanders affected, and incurred increased cancer risks across the whole Pacific region.⁷ Civil

society groups, such as the Nuclear Free and Independent Pacific Movement and Greenpeace, together with other peace, disarmament and environment groups, campaigned vigorously for Pacific governments to create a nuclear free zone. The SPNFZ zone proposal came to fruition during 1983–85 when Labor Party Governments were in power in both Australia and New Zealand.

The resulting South Pacific NWFZ Treaty, following the negotiations chaired by Australia, fell far short of the comprehensive nuclear weapon free zone sought by civil society groups and several island states.⁸ The Nuclear Free and Independent Pacific Movement proposed a regional zone that

⁶ Michael Hamel-Green “Nuclear Tests in the Pacific,” in Nigel J. Young, ed., *The Oxford Encyclopaedia of Peace*, Oxford University Press, Vol.3, 2010, pp. 264-269; United States Government Department of Energy (DOE), *United States Nuclear Tests, July 1954 through September 1992* US Department of Energy, NV-209, Rev.15, 2001; Bruno Barrillot, *Les Essais Nucléaires Français 1960-1996: Conséquences sur l’environnement et la santé*, Centre de Documentation et de Recherche sur la Paix et les Conflits, Lyon, 1996; Vitali Fedchenko and Ragnhild Ferm Hellgren, “Nuclear Explosions, 1945-2006,” *SIPRI Yearbook 2007*, Oxford University Press, Oxford, 2007, pp. 555-557.

⁷ For accounts of the effects of nuclear testing on Pacific islanders, see: Jonathan Weisgall, “The Nuclear Nomads of Bikini”, *Foreign Policy*, No.39 Summer 1980, pp.74-98; Jonathan Weisgall, Op-

eration Crossroads: *The Atomic Tests at Bikini Atoll*, Naval Institute Press, Annapolis, 1994; Stewart Firth, *Nuclear Playground*, Allen & Unwin, Sydney, 1987; Jane Dibblin, *Day of Two Suns: US Nuclear Testing and the Pacific Islanders*, Virago Press, London, 1988; Ronnie Alexander, *Putting the Earth First: Alternatives to Nuclear Security in Pacific Island States*, Matsunaga Institute for Peace, University of Hawaii, Honolulu, 1994; Stewart Firth, “Strategic and Nuclear Issues” in K.R.Howe, Robert C.Kiste and Brij V.Lal (eds.), *Tides of History: the Pacific Islands in the Twentieth Century*, Allen & Unwin, St Leonards NSW, 1994, pp.300-324.

⁸ Michael Hamel-Green, “Regional Arms Control in the South Pacific: Island State Responses to Australia’s Nuclear Free Zone Initiative”, *The Contemporary Pacific*, Vol.3 No.1, Spring 1991, pp.59-84.

would not only ban nuclear weapon acquisition by all states but also related activities such as missile testing (occurring at Kwajalein in the Marshall Islands), nuclear-armed ship visits, nuclear waste dumping, uranium exports (Australia is a major uranium exporter) and nuclear-weapon-related communications bases (Australia hosts US communication bases at Pine Gap and North-west Cape).⁹

In the event, the South Pacific Treaty involved the minimal NWFZ requirements of prohibiting nuclear weapon acquisition and land-based stationing within the zone. It did, however, additionally ban nuclear testing by nuclear weapon states anywhere within the zone boundaries, including international waters.¹⁰

As crafted by Australia, the treaty text took care to avoid restrictions on nuclear weapon transit, missile testing, uranium export or nuclear weapon related communication and control installations. As noted in detailed studies of the SPNFZ, the Australian Government was insistent at the time that the treaty would “avoid any impediment to present or conceivable operational requirements of the US”; that it does not run counter to “stable nuclear deterrence”; that the treaty was “carefully drafted to take account of United States strategic interests and Australia’s alliance obligations”; and that “it helps to preserve a favourable security environment characterized by United States strategic pre-eminence in the Pacific theatre.”¹¹

the treaty was “carefully drafted to take account of United States strategic interests and Australia’s alliance obligations”

Recently declassified cabinet papers have confirmed that the Australian Foreign Minister at the time, Bill Hayden, gained Australian Cabinet support for the treaty on the basis that the “bans on testing and stationing of nuclear weapons” would receive broad support, but noted that: “A SPNFZ Treaty can expect to draw criticism from both groups that see it as eroding ANZUS and Australian security interests and groups that feel it does not go far enough.”¹² He stated the specific objective of the treaty as being to: “reaffirm [South Pacific countries’] existing commitment not to acquire or manufacture nuclear weapons and undertake new commitments not to allow nuclear weapons to be stationed or tested on their territory. The proposal is designed to maintain the security advantages afforded to the South West Pacific through the ANZUS Treaty and the United States security presence in the region.”¹³ The declassified papers also indicate that Cabinet opposed the inclusion of bans on missile testing in the zone, or provisions that “might inhibit transit or visits by possible nuclear armed aircraft and warships.”¹⁴ Detailed studies have suggested that one of the key political motivations for the Hawke/Hayden negotiation of a minimal SPNFZ treaty at the time was to respond to strong public concerns and opposition to nuclear testing in the region while at the same time holding the line against more far-reaching demands by Australian, New Zealand and Pacific Island disarmament movements for an end to all nuclear activities in the region, including nuclear-weapon-related ties with the United States.¹⁵

The actual treaty provisions certainly reflect Australia’s insistence on keeping its options open for continuing to rely on US extended nuclear deterrence. The main clauses of the SPNFZ Treaty do not directly prevent a party such as Australia from benefiting from a potential external nuclear weapon state use or threat of use of nuclear weap-

9 Roy H. Smith, *The Nuclear Free and Independent Pacific Movement After Mururoa*, I.B.Taurus, London, 1997, Appendix “Pacific People’s Charter for a Nuclear Free and Independent Pacific”, pp.227-231. At the time, Australia hosted a third US C3I base at Nurrungar: this was closed in 1999.

10 For a detailed analysis of the provisions, see Michael Hamel-Green, *The South Pacific Nuclear Free Zone Treaty: A Critical Assessment*, Peace Research Centre, Research School of Pacific Studies, Australian National University, Canberra, 1990.

11 *Ibid.*, p.62.

12 Australian Government Cabinet, *South Pacific Nuclear Free Zone – Major Issues*, Minister for Foreign Affairs Bill Hayden’s report to Cabinet on progress achieved by the South Pacific Forum’s Working Group on a South Pacific Nuclear Free Zone (SPNFZ), 24 April 1985, Submission No.2806. [declassified 2013]

13 *Ibid.*

14 *Ibid.*

15 Michael Hamel-Green, *The South Pacific Nuclear Free Zone Treaty: A Critical Assessment*; Peace Research Centre, Research School of Pacific Studies, Australian National University, Canberra, 1990; Broinowski, Richard, *Fact or Fission: The Truth About Australia’s Nuclear Ambitions*, Scribe Publications, Melbourne, 2003.

ons under extended deterrence arrangements so long as that external state does not station such weapons on land. Article 5 bans nuclear weapon stationing but also allows each party “sovereign rights” to “decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields” or “transit” of its airspace or territorial waters.¹⁶ Australia has chosen to exercise such rights while New Zealand has a long-standing policy of not allowing visits by nuclear-weapon-carrying ships or planes. New Zealand has sought to strengthen the Treaty through bipartisan policies against the presence of nuclear weapons in its territorial waters and by declaring that it did not want to be defended by nuclear weapons (stances which have led to tension in its relationship with the United States).¹⁷

Further, the Treaty, unlike the Southeast Asian NWFZ Treaty that followed a decade later, contains no prohibition on the launch of nuclear weapons from within the zone as distinct from against the zone.¹⁸ The Southeast Asian NWFZ

Protocol Article 2 requires nuclear weapon state binding undertakings “not to use or threaten to use nuclear weapons against any State Party to the Treaty” and “not to use or threaten to use nuclear weapons within the Southeast Asia Nuclear Weapon-Free Zone”, requirements that continues to pose a barrier to nuclear weapon state ratification.¹⁹

The main clauses of the SPNFZ Treaty do not directly prevent a party such as Australia from benefiting from a potential external nuclear weapon state

Australia was successful in drafting highly permissive SPNFZ provisions that seem to allow it to seek protection under a presumed extended US nuclear umbrella while at the same time joining with fellow South Pacific countries in abjuring possession of nuclear weapons. A case of wanting to have your nuclear cake and eat it too.

16 Australian Government, South Pacific Nuclear Free Zone Treaty, Department of Foreign Affairs, AGPS, Treaty Series 1986, no.32, Canberra, 1986; United Nations, UN Office for Disarmament Affairs, South Pacific Nuclear free Zone Treaty, text, <http://disarmament.un.org/treaties/t/rarotonga/text>, accessed 21/5/14.

17 For accounts of New Zealand’s process of becoming nuclear-free, see: Kevin Clements, *Back from the Brink: the Creation of a Nuclear-Free New Zealand*, Allen & Unwin/Port Nicholson Press, Wellington, New Zealand, 1988; and David Lange, *Nuclear Free – The New Zealand Way*, Penguin Books, Auckland, 1990.

18 Michael Hamel-Green, *The South Pacific Nuclear Free Zone Treaty: A Critical Assessment*, Peace

Research Centre, Research School of Pacific Studies, Australian National University, Canberra, 1990, p.28.

19 United Nations, UN Office for Disarmament Affairs, <http://disarmament.un.org/treaties/t/bangkok>, accessed 21/5/14. For a recent analysis of the SEANFZ provisions and issues, see: Helle Winge Laursen, “An Introduction to the Issue of Nuclear Weapons in Southeast Asia”, Nuclear Weapons Project Background Paper No.3 June 2013, International Law and Policy Institute, 2013.

Australian Support for Extended Deterrence: Issues and Contradictions

At the same time it should be noted that Australian reliance on extended nuclear deterrence appears to contradict the spirit of the Rarotonga Treaty as set out in its Preamble principles and aims. The Preamble notes that: “[T]he continuing nuclear arms race presents the risk of nuclear war which would have devastating consequences for

all people”; that “all countries have an obligation to make every effort to achieve the goal of eliminating nuclear weapons, the terror which they hold for humankind, and the threat they pose to life on earth” and that regional arms control measures “contribute to global efforts to reverse the nuclear arms race” and “promote the common

security of all.”²⁰ It also notes “the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in preventing the proliferation of nuclear weapons and in contributing to world security.” While preamble texts, as statements of principle, are not binding in the same way as specific treaty clauses, they do speak to the intentions and spirit of the treaty.

extended nuclear deterrence appears to contradict the spirit of the Rarotonga Treaty

Far from contributing to and furthering these SPNFZ Preamble principles and aims, Australian invocation of reliance on extended nuclear deterrence from its US ally promotes the dangerous and destabilizing notion that nuclear weapons and nuclear deterrence continue to play legitimate and important roles in national, regional or global security, even when countries are already protected by negative security guarantees under a regional NWFZ treaty. Australia and other SPNFZ member states have already sought and secured binding non-use and non-threat of use of nuclear weapons from the two putative nuclear powers who might potentially pose such a threat, Russia and China.²¹

The only one of the five recognized nuclear weapon states that has yet to ratify the SPNFZ protocol on non-use and threat of use is the United States, the very nuclear power upon which Australia seeks to rely for extended nuclear deterrence. The Obama Administration submitted the SPNFZ protocols to the US Congress for ratification in May 2011 but Congress is yet to ratify them. In putting the protocols to the US Senate, President Obama noted:

The end of the Cold War, the dissolution of the Soviet Union, dramatic reductions in the number of nuclear weapons and their delivery systems, and the indefinite extension in 1995 of the NPT have created an environment in which adherence to the Protocols of the South Pacific Nuclear Free Zone (SPNFZ) Treaty has become advantageous to the United States...the cooperation of nuclear

weapon States in nuclear-weapon-free zones is important to many Parties of the NPT.²²

From the viewpoint of Australia’s own population, reliance on extended nuclear deterrence is highly problematic. Australia’s entanglement in the US nuclear weapons control system through the US communication, command, control and intelligence (C3I) bases located in Australia has been seen by successive Australian governments as part of the price it pays for sheltering under the US nuclear “umbrella.” Particularly significant are the US installations located at Pine Gap and Northwest Cape.²³ Even before the SPNFZ was negotiated, a leading Australian thinker on security and strategy, Hedley Bull, warned that the US bases in Australia would “serve to ‘draw fire’ upon Australia, and that “the presence of the defence installations circumscribes Australia’s diplomatic freedom of manoeuvre, especially in relation to proposed arms control arrangement such as the various proposals for nuclear-free zones.”²⁴

This means that even in a conflict that does not directly pose a threat to Australia these C3I bases could well become nuclear targets for other nuclear weapon states with which the US might come into conflict.²⁵ Such a conflict may have nothing

20 United Nations, UN Office for Disarmament Affairs, South Pacific Nuclear Free Zone Treaty, text, <http://disarmament.un.org/treaties/t/rarotonga/text>, accessed 21/5/14.

21 United Nations, UN Office for Disarmament Affairs, http://disarmament.un.org/treaties/t/rarotonga_p2, accessed 2/6/14.

22 U.S. Senate, 112th Congress, Message from the President of the United States transmitting Protocols 1,2 and 3 to the South Pacific Nuclear Free Zone Treaty, signed on behalf of the United States at Suva on March 25, 1996, U.S. Government Printing Office, Washington, 2011, pp.III &.3.

23 For detailed studies of these facilities, see: Desmond Ball, *A Suitable Piece of Real Estate: American Installations in Australia*, Hale & Iremonger, Sydney, 1980; Australian Parliament, *An Agreement to extend the period of operation of the Joint Defence Facility at Pine Gap*, Report of the Joint Standing Committee on Treaties, AGPS, Canberra, 1999; and Richard Tanter, *The “Joint Facilities” revisited – Desmond Ball, democratic debate on security, and the human interest*, Special Report, Nautilus Institute for Security and Sustainability, 12 December 2012, <http://nautilus.org/wp-content/uploads/2012/12/The-Joint-Facilities-revisited-1000-8-December-2012-2.pdf>, accessed 21/6/14.

24 Hedley Bull in Robert O’Neill (ed.), *The Strategic Nuclear Balance: An Australian Perspective*, Canberra, 1975, pp.142-3, cited in Desmond Ball, *A Suitable Piece of Real Estate: American Installations in Australia*, Hale and Iremonger, Sydney, 1980.

25 The likelihood of the US nuclear-weapon-related command control and communication bases in Australia being nuclear targets has been extensively analysed by Professor Desmond Ball at the Strategic and Defence Studies Centre at Australian National University: Desmond Ball, *A Suitable*

directly to do with Australia's own security but could potentially be triggered by any nuclear conflict, deliberate or accidental, in which its nuclear ally becomes involved. As a new 2014 Chatham House study of cases of near nuclear use has revealed, we have come far closer to nuclear use than might be supposed from the oft-repeated claim that nuclear deterrence has been successful in preventing nuclear war.²⁶ The study found there were serious near-use incidents involving nuclear weapons in each of the decades since the early 1960s, with causes including miscommunication, conflict escalation, espionage, faulty computer chips, loss of command and control structures, and misperceptions of rocket launches and military exercises.²⁷ It concludes that: "Nuclear weapons are particularly dangerous in the contemporary world order where the logic of and belief in nuclear deterrence has been called into serious question by historians and military strategists. There are many events that demonstrate the fragility of nuclear deterrence, including technical malfunctions and miscommunication."²⁸

Australia effectively undermined one of the key aims of NWFZ, that of reducing the risk of nuclear war

Further, in failing to prevent nuclear launches from the region by inclusion of a SPNFZ clause banning such use of the region (as was to be adopted in the more rigorous Southeast Asian

Piece of Real Estate: American Installations in Australia, Hale & Iremonger, Sydney, 1980; Desmond Ball, *A Base for Debate: the US Satellite Station at Nurrungar*, Allen & Unwin, Sydney, 1987. Ball (1987) cites Australian Foreign Minister Bill Hayden as stating in July 1984 that the American bases in Australia "are extremely important, in some respects critical, and we take risks with them. They are...nuclear targets in certain circumstances. I would think high priority ones in an all-out exchange."

26 Patricia Lewis, Heather Williams, Benoit Pelopidas and Sasan Aghlani, *Too Close for Comfort: Cases of Near Nuclear Use and Options for Policy*, Chatham House, The Royal Institute of International Affairs, 2014, http://www.chathamhouse.org/sites/files/chathamhouse/home/chatham/public_html/sites/default/files/20140428TooCloseforComfortNuclearUseLewisWilliamsPelopidasAghlani.pdf, accessed 4/6/14.

27 Ibid.

28 Ibid.

NWFZ), Australia effectively undermined one of the key aims of NWFZ, that of reducing the risk of nuclear war through common security arrangements that avoid creating threats to other countries. Allowing the use of South Pacific waters and airspace for potential nuclear threats to other regions undermines rather than promotes common security. This is not a hypothetical problem. Already US bases in Australia were used to put US nuclear weapons on high alert, as occurred during the 1973 Middle East War.²⁹

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A major irony is that the reliance on extended nuclear deterrence evinced by the two major Australian political parties (the Liberal-National Party Coalition and the Labor Party) is scarcely credible since it would be unlikely that US leaders

29 Desmond Ball, *A Suitable Piece of Real Estate: American Installations in Australia*, Hale & Iremonger, Sydney, 1980, p.154. Ball notes the incident which led to diplomatic controversy between Australia and the US in October 1973 "when North West Cape was placed on full alert and then used to communicate that alert to US nuclear and conventional forces when the US moved to Defence Condition 3 during the Yom Kippur War, without informing the Australian Government." More recently, former conservative Australian Prime Minister, Malcolm Fraser, has noted: "Although the purposes of the Marine Air-Ground Task Force and the potential purposes of Pine Gap are enormously important to America's offensive capabilities, some people might believe that Australia could merely pretend that these facilities are not relevant for some future conflict. The Australian Government could not dictate which conflict those forces could be used in and which they could not. We would need to understand that positioning of US forces could result in Darwin being attacked or, much more likely, Pine Gap itself being directly targeted. These factors would involve Australia, whether we like it or not, whether the conflict had anything to do with us or not. Australia would be dragged into the war regardless of our views. Australia's fate would depend upon the outcome of the contest between China and the United States, a contest that no matter who was the winner would exact a heavy toll on the region, us included." (Malcolm Fraser with Cain Roberts, *Dangerous Allies*, Melbourne University Press, Melbourne, 2014, p.237).

would risk their own cities coming under nuclear attack to protect Australian cities from attack. As former New Zealand Prime Minister David Lange explained in relation to his own government's stance:

...[D]eterrence in the South Pacific was more than dangerous, it was absurd. Nobody could for a moment imagine that the United States would risk its people, and the world's, by defending its small and distant ally with nuclear weapons. No invader, if there was one, would be held back for a moment by such an unlikely possibility.³⁰

No doubt due to the uncertainties involved, the United States, as Jeffrey Lewis notes, has made "no specific commitment to use any of (its) nuclear weapons" in defence of any of its allies, and "the 'nuclear umbrella' is, at best, an implication of the US defence commitments."³¹ Richard Tanter has similarly concluded that "Despite any number of reiterations of American support for the alliance with Australia as a whole, there is no known United States official statement specifically providing an assurance of American nuclear protection for Australia in the face of nuclear threat or nuclear attack".³²

Further, in the 2010 US Nuclear Posture Review (NPR), the US has begun to tighten its nuclear use criteria, narrowing down the category of adversaries against which nuclear weapons would be used. It declared in the NPR that: "The United States will not use or threaten to use nuclear weapons against non-nuclear weapon states that are party to the NPT and in compliance with their nuclear non-proliferation obligations"; and in the case of chemical and weapon attacks or threats against the United States or its allies, it would use "a devastating conventional military response" rather than a nuclear one.³³ In these circumstanc-

es, the group of potential attacking states that at the moment might be covered by the US nuclear umbrella as far as Australia is concerned would be limited to India, Pakistan, Israel and North Korea, none of which are so far posing a nuclear threat to Australia (although North Korea may do so in the future if it develops nuclear-tipped ICBMs).³⁴ In the case of China and Russia, both have ratified the Rarotonga Treaty non-use, non-threat-of-use guarantees. In the event that either Russia or China breached these guarantees, the US reciprocal guarantee under the Treaty would be automatically voided, and in such a circumstance, Australia could presumably revert to seeking recourse under a US nuclear umbrella, without, however, having any certainty that the US would risk attacks on its own cities in using nuclear weapons in support of Australia.

Australian reliance on extended nuclear deterrence is also highly destabilizing in terms of potentially provoking increased nuclear rivalry in the Asia Pacific region. As former conservative Prime Minister Malcolm Fraser recently noted:

The great problem for Australia today is that the Chinese leadership fears, with some justification, that US and Japanese missile defence that depends on Pine Gap might be able to destroy most, if not all, of China's nuclear missiles in flight, thereby vitiating China's nuclear deterrent force and leaving the country vulnerable to nuclear blackmail. By hosting Pine Gap, Australia is contributing to the undermining of China's long-standing minimalist nuclear deterrent, destabilizing the precarious strategic fundamentals in East Asia.³⁵

This assessment is reinforced by the recently revealed secret Australia-US agreement negotiated by the previous Gillard Labor Government in 2012 under which the US will build two new C3I facilities in Western Australia: a major space radar station and a space surveillance telescope.³⁶ According to Bradley Perrett of Aviation Week and Space Technology "The radar and telescope on Australian soil would be active and perhaps crucial in

30 David Lange, *Nuclear Free – The New Zealand Way*, Penguin Books, Auckland, 1990, p.29.

31 Jeffrey Lewis, *Extended Nuclear Deterrence in Northeast Asia*, Nautilus Institute, August 1 2012, <http://nautilus.org/napsnet/napsnet-special-reports/extended-nuclear-deterrence-in-northeast-asia/#axzz33dYkQ84B>, accessed 2/6/14.

32 Richard Tanter, *Rethinking extended nuclear deterrence in the defence of Australia*, Nautilus Institute Australia, <http://nautilus.org/wp-content/uploads/2011/12/Tanter.pdf>, accessed 21/6/14.

33 United States Department of Defense, *Nuclear Posture Review Report*, April 2010, <http://www.defense.gov/npr/docs/2010%20nuclear%20posture%20review%20report.pdf>, p.ix & p.viii. accessed 4/6/14.

34 The formulation in the NPR leaves it open for the US to interpret whether or not a party to the NPT is in compliance with its obligations. This could i.a. be used to argue that the negative security assurance, in the current state of affairs, would not cover Iran.

35 Malcolm Fraser with Cain Roberts, *Dangerous Allies*, Melbourne University Press, Melbourne, 2014, p.235.

36 Peter Hartcher, "Bishop set to go all the way with USA", *The Age*, 18/6/14, p.7

any confrontation between the US and China”.³⁷ The decision was apparently taken at a foreign and defence ministers’ meeting between the two governments in 2012 but not publicly disclosed at the time.³⁸

These outcomes of Australia’s nuclear-weapon-related ties with the US in the name of extended nuclear deterrence are clearly aggravating the risk of nuclear war rather than reversing the nuclear arms race as intended in the SPNFZ Preamble.

Australian reliance on a nuclear ‘Maginot Line in the Sky’, ostensibly furnished by the US in the form of extended nuclear deterrence, poses other dilemmas. Not only might it place US nuclear-weapon-related communication, command, control and intelligence bases in Australia in the cross-hairs for nuclear strikes from nuclear powers seeking to disable US capabilities in a crisis unrelated to Australian security, but it may also serve to make Australia a useful ‘demonstration’ target, the site for a nuclear shot across the bow, that avoids a direct attack on the US yet sends a warning message to the US.

At a wider level, Australian adherence to extended nuclear deterrence, no matter how potentially miscalculated, has damaging consequences for regional efforts to prevent nuclear weapon proliferation and global efforts to achieve nuclear disarmament as required under Article 6 the Non-Proliferation Treaty and reaffirmed by the International Court of Justice (ICJ) in 1996.³⁹ At the very least, the Australian position appears to imply that the assurances provided under NWFZ arrangements are insufficient, despite the fact that any country making nuclear threats against a NWFZ party could be referred to the UN Security Council and/or the ICJ. Australia and New Zealand have already successfully taken France to the International Court of Justice in 1974 over French atmospheric nuclear testing in the South Pacific.⁴⁰

37 Ibid.

38 Ibid.

39 United Nations, UN Office for Disarmament Affairs, Treaty on the Non Proliferation of Nuclear Weapons, text, <http://disarmament.un.org/treaties/t/npt>, accessed 21/5/14..

40 International Court of Justice, The Hague, <http://www.icj-cij.org/docket/?sum=317&code=nzf&p1=3&p2=3&case=59&k=6b&p3=5>, accessed 2/6/14. The court noted: “France, by various public statements made in 1974, has announced its intention, following the completion of the 1974 series of atmospheric tests, to cease the conduct

Further, at an actual operational and infrastructural level, Australian hosting of US nuclear-weapon-related C3I installations linked to US nuclear deterrence, contributes to maintaining and consolidating the existing divide between the official nuclear powers and non-nuclear countries, despite the obligation of nuclear powers to disarm under the NPT Article 6. It increases the risk of a collapse of the NPT as a result of perceptions that the nuclear powers are continuing to use nuclear weapons to secure military advantages over non-nuclear weapon states. As Erik Cornellier notes: “the U.S. policy of nuclear deterrence violates the letter and spirit of the NPT” since it “promotes the acquisition of nuclear arms by other states in order to defend against U.S. nuclear threats and regional insecurities”, as, for example, in the case of North Korea, which withdrew from the NPT in 2003 on the grounds of fears of a pre-emptive nuclear strike by the United States.⁴¹

Australia’s stance also contributes to creating a divide between states that are not part of umbrella arrangements and those that are

Australia’s stance also contributes to creating a divide between states that are not part of umbrella arrangements and those that are. Even within Australia’s own region, Australia’s reliance on nuclear deterrence may lead to an unravelling of the NPT and neighbouring NWFZs, such as the Southeast Asian NWFZ, some of whose countries may conclude that if Australia is going to rely on US nuclear weapon threats and use, then perhaps they need to develop their own nuclear “deterrent.” Australia would then be contributing to creating the same nuclear arms race spiral that has given rise to dangerous nuclear insecurity in South Asia, where India first developed nuclear weapons as a deterrent against China and now

of such tests (paras. 33-44 of Judgment); the Court finds that the objective of New Zealand has in effect been accomplished, inasmuch as France has undertaken the obligation to hold no further nuclear tests in the atmosphere in the South Pacific (paras. 50-55 of Judgment).”

41 Erik A. Cornellier, “In the Zone: Why the United States Should Sign the Protocol to the Southeast Asia Nuclear-Weapon-Free Zone”, *Pacific Rim Law and Policy Journal*, Vol.12 No.1, 2003, pp.233-261.

finds it has triggered an even more serious nuclear threat from neighbouring Pakistan.⁴²

Australia is not the only one amongst the 115 UN member states who have signed up to regional NWFZs and yet retain a military alliance relationship with one or other of the five recognized nuclear powers. Four out of the five member states of the Central Asian NWFZ are party to the 1992 Tashkent Collective Security Treaty with the Russian Federation (Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan), while the Philippines, which is party to the Southeast Asian NWFZ, recently entered into a new military agreement with the United States. In the case of the Central Asian NWFZ, the Western nuclear powers for a long while refused to sign the negative security guarantees precisely because they argued that the Tashkent Agreement would allow Russia to provide a nuclear umbrella for the Tashkent party states who are members of the CANWFZ.⁴³ Recently though, on 6 May 2014, the Western nuclear powers seem to have overcome their reservations and joined with Russia and China in signing the relevant negative security protocols.⁴⁴ However,

while there may be some parallels with these other states, Australia, amongst a total of 115 NWFZ-member states, stands out as the one exception to openly declare its reliance on extended nuclear (as distinct from conventional) deterrence.

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Australia's nuclear exceptionalism amongst NWFZ member states does not mean that NWFZ arrangements are unimportant in wider strategies to eliminate a type of weapon of mass destruction whose use, whether accidental or deliberate, limited or global, would involve catastrophic humanitarian consequences and potentially destroy the very conditions of life for much of humankind. Even with the limited and circumscribed nature of NWFZ prohibitions, NWFZs do serve to play an important role in gradually reducing the regions of the world where nuclear weapons are acquired and stationed. At present, NWFZs are the only mechanism under which the five recognized nuclear weapon states are prepared to offer legally binding negative security assurances not to use or threaten to use nuclear weapons against non-nuclear states. They also play an invaluable role in global efforts for nuclear elimination by bringing together NWFZ members as a lobbying group in global non-proliferation and disarmament forums, as, for example, in the NWFZ member conferences that Mexico first convened in

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- 42 For an account of the nuclear rivalry between India and Pakistan, see Praful Bidwai & Achin Vanaik, *New Nukes: India, Pakistan and Global Nuclear Disarmament*, Olive Branch Press, New York, 2000.
- 43 For discussions of the Central Asian NWFZ, see: Marco Roscini, "Something Old, Something New: The 2006 Semipalatinsk Treaty on a Nuclear Weapon-Free Zone in Central Asia," *Chinese Journal of International Law* 7, no.3 (2008), pp. 593-624; Jozef Goldblat, "Denuclearization of Central Asia," *Disarmament Forum*, United Nations Institute for Disarmament Research, no.4 (2007).
- 44 *Kyodo News International*, Five Nuclear States Sign Central Asian Nuclear Weapons Free Zone at U.N., 7/5/14, <http://www.globalpost.com/dispatch/news/kyodo-news-international/140506/5-nuke-states-sign-central-asia-nuclear-weapons-free-z>, accessed 21/5/14; The US State Department noted: "The Protocol provides legally-binding assurances not to use or threaten to use nuclear weapons against CANWFZ Treaty parties. The United States understands the importance of such negative security assurances to states that have foresworn nuclear weapons and abide by their nuclear non-proliferation obligations. The Administration is satisfied that the CANWFZ Treaty is consistent with U.S. and international criteria for such zones. The United States believes that such zones, when fully and rigorously implemented, contribute to our nonproliferation goals and to international peace and security. The United States has concluded that the CANWFZ Treaty and its Protocol will not disturb existing U.S. security arrangements or military operations, installations, or activities. The CANWFZ Treaty and its Protocol will

also promote regional cooperation, security, and stability and provide a vehicle for the extension of legally-binding negative security assurances, consistent with the strengthened negative security assurance announced in the 2010 U.S. Nuclear Posture Review."

The United States previously signed similar protocols to the Treaties of Pelindaba and Rarotonga concerning nuclear weapon free zones in Africa and the South Pacific, respectively, and has ratified the protocols to the Treaty of Tlatelolco, which established a nuclear-weapon-free zone for Latin America and the Caribbean. With respect to the nuclear-weapon-free zone treaty in force in Southeast Asia, the United States looks forward to continuing consultations with zone parties to explore possible US support for signature and ratification of the applicable protocol.

2005.⁴⁵ More generally still, such zones play im-

45 OPANAL, Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, 5 May 2010, NWFZM/conf.2010/1 http://www.opanal.org/Docs/seminars/2010NWFZConf/NWFZ-CONF2010-1_english.pdf, accessed 5/6/14. Inter alia, the Conference resolved that “[w]e are firmly convinced that the mere existence of nuclear weapons constitutes a threat to the survival of mankind, that their use would have catastrophic consequences for life on Earth, and that the only guarantee against their use or threat of use is their total elimination. We reiterate that the use or threat of use of nuclear weapons is a violation of international law and of the Charter of the United Nations, and a crime against humanity. We reaffirm the urgent need to advance towards the priority goal of nuclear disarmament and the achievement of the total elimination and legally binding prohibition of nuclear weapons. In this regard, we stress that the establishment of nuclear-weapon-free zones is a major contribution to the non-proliferation efforts.”

portant roles in constraining region-specific nuclear activities, such as the SPNFZ ban on nuclear testing anywhere in the zone, even in international waters – an obligation that France, for example, has now assumed in its 1996 ratification of SPNFZ Protocol 3 requiring nuclear weapon states “not to test any nuclear explosive device anywhere

within the South Pacific Nuclear Free Zone.”⁴⁶

46 United Nations Office for Disarmament Affairs, New York, Protocol 3 to the Treaty of Rarotonga, http://disarmament.un.org/treaties/t/rarotonga_p3, accessed 2/6/14. France ratified Protocol 3 on 26th September 1996 shortly after it ceased its test program in Polynesia. The boundaries of the zone are defined in Annex 1 and include all territories and international waters within a designated frame that reaches to the Equator in the north, the Antarctic Treaty boundary to the south, the Tlatelolco Treaty boundary to the east, and Australia’s territorial sea boundary to the west.

SPNFZ as Constraint on Australia Developing Nuclear Weapons

In the case of Australia, the SPNFZ Treaty, together with the 1968 NPT, locks Australia into legally binding commitments against itself acquiring nuclear weapons. This is not something that could previously be taken for granted. Australia has the technical, scientific and resource capabilities to develop nuclear weapons, including abundant uranium resources. There have, in fact, been key periods when Australian leaders and governments seriously contemplated acquiring nuclear weapons. From the late 1950s to 1972, conservative governments internally debated the merits of Australia acquiring nuclear weapons, particularly after China’s first nuclear test in 1964. In 1968, Australia’s then prime minister, John Gorton, initially indicated that Australia would not agree to the NPT unless there were major changes that guaranteed Australian security against nuclear attack, something that the NPT does not offer, since, unlike NWFZ arrangements, it lacks negative security guarantees from nucle-

ar-weapon-states.⁴⁷ Following advice from within its own Department of External Affairs and pressure from the US to sign the NPT, together with what is believed to be an undisclosed US reassurance at the time that in the case of a relevant international crisis it would provide Australia with nuclear protection, the Gorton Government did sign up to the NPT in 1970 while withholding ratification. It was not until the 1972–75 Whitlam Labor Government that Australia eventually ratified the NPT in 1973.⁴⁸ Despite Australia’s NPT ratification, and subsequent signing and ratification of the SPNFZ in 1985–86, detailed studies of Australia’s stances on nuclear weapon development suggest that both Conservative and Labor governments have been concerned to maintain Australian technical capability to build nuclear

47 Richard Broinowski, *Fact or Fission? The Truth About Australia’s Nuclear Ambitions*, Scribe Publications, Melbourne, 2003, pp.63-69.

48 Ibid.

weapons at short notice.⁴⁹ However, while no treaty can necessarily prevent breakouts or withdrawals, the SPNFZ treaty is more stringent in its withdrawal provisions than either the NPT or the preceding Latin American NWFZ Treaty, since it requires 12 months' notice rather than 3 months, and specifies that there must be a violation of the treaty for withdrawal to be permitted.⁵⁰

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Despite the positive aspects of NWFZs in contributing to disarmament, the failure of the minimalist SPNFZ to specifically ban reliance on extended nuclear deterrence and deterrence-related infrastructure in Australia, indicates that such NWFZs are very much partial measures rather than adequate substitutes for a more far-reaching and comprehensive framework agreement to prohibit and eliminate nuclear weapon. Given the global consequences of even a limited nuclear war, the 1999 UN Disarmament Commission NWFZ Guidelines on the establishment of NWFZ, requiring that the initiative for such zones must come from within a region, appears to give too much leeway for individual states to block NWFZ establishment despite the global consequences of a regional nuclear conflict. Allowing such leeway can be likened to two people fighting on an overloaded lifeboat and threatening to overturn the whole boat. In such a situation, the obvious course is for fellow passengers to restrain the adversaries.

While, in principle, it might be feasible to strengthen the provisions of the SPNFZ, with amendments that would explicitly constrain any member state from reliance on extended nuclear deterrence and hosting of the operational infra-

structure that supports the command and control of nuclear weapons, this appears unlikely to gain support from Australia at the present, and the treaty only allows amendment through consensus. Further, it is clear that the alliance relationship between Australia and the US, and successive Australian governments' bipartisan emphasis on the value of this relationship (historically based on US defence of Australia from Japanese attack during the Second World War), mean that any change in Australian policy on extended deterrence would need to be part of wider pressures on both the US and Australia from the international community and civil society constituencies.

49 Christine Leah and Rod Lyon, "Three Visions of the Bomb: Australian Thinking About Nuclear Weapons and Strategy", *Australian Journal of International Affairs*, 64:4, pp.449-477; T.V.Paul, *Power Versus Prudence: Why Nations Forgo Nuclear Weapons*, McGill-Queen's University Press, Montreal, 2000, pp.62-83.

50 United Nations, UN Office for Disarmament Affairs, *South Pacific Nuclear free Zone Treaty*, text, <http://disarmament.un.org/treaties/t/rarotonga/text>, accessed 21/5/14.

Global Initiatives Towards Nuclear Elimination and Implications for Australia

In the context of the ever-present and escalating humanitarian and global threats posed by nuclear weapons – with even a limited nuclear conflict certain to have catastrophic impacts both regionally and globally⁵¹ – there is a crucial need for the international community to move towards a nuclear-free world as soon as possible. The international movement for nuclear elimination has received new impetus through two recent conferences held on the humanitarian impact of nuclear weapons, the March 2013 Oslo Conference hosted by Norway attended by 128 states, and the second February 2014 Nayarit Conference hosted by Mexico, attended by 146 states. A third conference is to be hosted by Austria in December 2014. The Austrian conference is aimed at further exploring what countries and civil society can do to address the threats posed by nuclear weapons.⁵²

These conferences have served to highlight not only the apparent reluctance of the five recognized nuclear weapon states (US, UK, France, China and Russia) to fully engage in dialogue on the humanitarian issues involved, but also the negative role of a small group of other countries. This latter group includes the conservative-led governments in Australia, Canada, Germany, Netherlands and Turkey, all of whom have argued for being satisfied by incremental moves by the nuclear weapon states under the NPT, despite the evident lack of substantive progress towards such elimination under the NPT and despite the fact that some other countries stand outside the NPT. In contrast, a growing number of countries have argued strongly for the international com-

munity to think beyond the NPT and existing international law, and begin negotiating a new legally binding instrument that would universally prohibit nuclear weapons. Such a convention would establish a global norm that would further stigmatize nuclear weapons and question whether these weapons should have any role to play in security arrangements and strategic doctrines, whether in the form of direct nuclear weapon possession or through nuclear “umbrellas.”

A model convention has been drafted by a group of lawyers, scientists, physicians, former diplomats and disarmament specialists.⁵³ This model Nuclear Weapons Convention (NWC) envisages a phased approach to progressive elimination of nuclear weapons, starting with taking nuclear weapons off alert, removing warheads from delivery systems, disabling warheads and finally placing all fissile material under international control. It would include an intrusive verification and compliance system, with an agency charged with verification and compliance responsibilities. The model convention has been formally proposed in UN and NPT forums by Costa Rica and Malaysia in May 2007 and December 2008. The UN Secretary-General Ban Ki-moon advocated negotiations on the draft convention in his 2008 address on the “UN and Security in a Nuclear-Weapon-Free-World”, warning that “the doctrine of nuclear deterrence has proven to be contagious” and “has made non-proliferation more difficult, which in turn raises new risks that nuclear weapons will be used.”⁵⁴ The 2010 NPT Review Conference Final Document specifically acknowledged the UN Secretary-General’s proposal to consider negotiations on an NWC.

51 For an overview of the humanitarian consequences, see Ira Helfand, “The Humanitarian Consequences of Nuclear War”, *Arms Control Today*, November 2013, http://www.armscontrol.org/act/2013_11/The-Humanitarian-Consequences-Of-Nuclear-War, accessed 5/6/14.

52 For detailed reports of these conferences, see the accounts from Reaching Critical Will (a project of the Women’s International League for Peace and Freedom): <http://www.reachingcriticalwill.org/disarmament-fora/others/oslo-2013>. <http://www.reachingcriticalwill.org/disarmament-fora/others/hinw/nayarit-2014>.

53 Merav Datan, Felicity Hill, Jürgen Scheffran, Alyn Ware, *The Case for a Nuclear Weapons Convention*, Cambridge, Massachusetts, 2007. Also available online at: <http://www.inesap.org/book/securing-our-survival>.

54 UN Secretary-General Ban Ki-moon, *The United Nations and Security in a Nuclear-Weapon-Free World*, address to the East-West Institute, 24 October 2008, UN News Centre, 2008.

The Nuclear Weapons Convention is aimed at the categorical prohibition of nuclear weapons that has already been applied to two other weapons of mass destruction: Chemical and biological weapons. The Chemical Weapons Convention (CWC), in particular, provides a useful template for dealing with nuclear weapons. It is both non-discriminatory in character (unlike the NPT which allows five nuclear weapon states to retain nuclear weapons) and has stringent verification, control and compliance systems.⁵⁵ The normative value of the CWC was most recently demonstrated in the case of Syria, which was required by the UN Security Council in late 2013 to dismantle its chemical weapon stockpiles and join the CWC.⁵⁶

In accordance with its continued declaratory support for extended nuclear deterrence, the Australian Government has so far been reluctant to endorse the draft Nuclear Weapons Convention – yet another practical example of the ways in which Australian reliance on extended nuclear deterrence actively undermines global diplomatic cooperation on efforts to achieve nuclear elimination. In a statement delivered to the Conference on Disarmament in Geneva on March 26, 2014, Australian Foreign Minister Julie Bishop even expressed clear opposition to any efforts aimed at prohibiting nuclear weapons, stating i.a. that “a near-term nuclear weapons ban treaty would not provide a short cut to some form of security nirvana.”⁵⁷ Whether she believes such a security nirvana would be achieved through the NPT or a Fissile Material Treaty is not known, but statements such as these have revealed Australia as one of the most outspoken opponents of the ne-

gotiation of a treaty to prohibit and eliminate nuclear weapons.

The growing pressure for a legally binding framework to ban nuclear weapons is being exerted not only by sympathetic governments but also by vigorous national and international civil society organizations and institutes, including the Red Cross and Red Crescent, International Campaign to Abolish Nuclear Weapons, Pugwash and International Physicians for the Prevention of Nuclear War (IPPNW).

The renewed global campaign to address the nuclear weapons issue seeks to concentrate the political will of the great majority of UN members in exerting pressure to bring an end to a threat that is both trans boundary and catastrophic in its humanitarian and environmental consequences. While the nuclear powers may adhere to their respective nuclear “deterrents” – and nuclear weapon state allies like Australia may equally adhere to their presumed nuclear umbrellas (imaginary or otherwise) – global civil society and diplomatic communities are continuing to apply pressure for a global commitment to a time-specified, phased and verified process of nuclear weapon elimination.

In Australia’s case, resolution of its nuclear contradictions will require a major resetting of its military integration arrangements with US nuclear forces. Australia will need to make clear, as New Zealand has done, that it does not seek to be defended with nuclear weapons, will no longer host US nuclear-weapon-related command and control facilities, and will join with other South Pacific NWFZ states to prevent the use of the region for launching nuclear strikes.

Once US ratification of the SPNFZ protocols is achieved, as seems more likely since the transmittal of the protocol to the US Congress, there will be a new opportunity for Australia to seek potential ways of disengaging Australia from nuclear-weapon-related aspects of the US military posture while at the same time maintaining conventional commitments under the ANZUS alliance.

Unless Australians and their leaders find the political and moral will to do this, they may discover all too late the importance of being careful about what you wish for. Their desired, if illusory, protection under a nuclear umbrella may well turn into a nuclear shroud.

55 United Nations, UN Office for Disarmament Affairs, Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, text, <http://disarmament.un.org/treaties/t/cwc>, accessed 21/5/14. For a brief introduction see Michael Hamel-Green, “Organization for the Prohibition of Chemical Weapons” in *The Oxford Encyclopaedia of Peace*, Oxford University Press, Oxford, 2010.

56 UN Secretary General, Ban Ki-moon, Progress Report on Security Council Resolution 2118 (2013) on the Joint Mission of the Organisation for the Prohibition of Chemical Weapons and the United Nations for the Elimination of the Chemical Weapons Programme of the Syrian Arab Republic, 23/5/2014, http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/368, accessed 5/6/14. The Organization for the Prohibition of Chemical Weapons was awarded the 2013 Nobel Peace Prize for its work.

57 Full statements available at: http://foreignminister.gov.au/transcripts/Pages/2014/jb_tr_140326.aspx?ministerid=4

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