

Submission to the BASIC Trident Commission on behalf of :-

**The Baptist Union of Great Britain
The Church of Scotland
The Methodist Church
The Religious Society of Friends (Quakers)
The United Reformed Church**

July 2011

Questions posed by the Commission: -

- 1) Should the UK remain a nuclear weapons state?
- 2) If it should, is Trident renewal the only or best option that the UK can and should pursue?
- 3) What more can and should the UK do to more effectively promote global nuclear disarmament, non-proliferation and nuclear security?

1. Introduction

The Churches in the UK have independently developed their positions on the UK's nuclear weapons. Our positions are derived from pragmatic as well as ethical considerations. On occasions, the denominations have come together to engage in joint advocacy both within the UK and internationally. Recent examples include i) a briefing prepared in 2006 to resource public debate on the White Paper¹, ii) a UK-based advocacy campaign around the 2010 NPT Review Conference², iii) initiatives led by the Conference of European Churches bringing together delegates from across Europe (including Russia)³ and iv) a presence at NPT Review conferences facilitated by the World Council of Churches.

In the final section we will make a reference to the positive human security agenda that our Churches have committed to work towards and promote while in 2.4 below we offer a tentative exploration of some aspects of Christian ethics in relation to nuclear deterrence.

2. Should the UK remain a nuclear weapons state?

2.1 The essential basis for a decision on Trident

Our Churches have spent many years considering and coming to a position on the ethical and moral considerations of the threat of use and possession of indiscriminate nuclear weapons. We are united in our belief that it is undesirable for the UK to remain a nuclear weapons state.

¹ <http://www.ctbi.org.uk/CFA/171/#trident>

² See www.endnuclearweapons.org.uk

³ <http://csc.ceceurope.org/issues/nuclear-disarmament/>

When setting out the parameters for a decision on Trident, the UK Government argued that the case for retaining or relinquishing Trident should rest on the basis of its contribution (or otherwise) to the security of our nation.

Trident also performs a political role and we engage in this submission with the wider political context. We acknowledge that Trident and the Mutual Defence Agreement are significant components of the UK/US relationship and are important considerations in an era in which the perception of the relative importance of that relationship has been reduced. We also acknowledge that there is a political consensus that maintaining the cohesion of NATO is important to the UK. Further political attachment to Trident may stem from a more tenuous desire to continue to project on the world stage an image of the UK as a significant military power with a confident perception of its global military purpose. While we engage with the broader context we nevertheless contend that the UK's nuclear weapons are not essential to the UK's national security interests and that therefore we must demonstrate a willingness to relinquish them. Otherwise the 'grand bargain' of the NPT cannot be fulfilled and we will find progress on non-proliferation impossible to sustain.

2.2 Perspectives on International Law and the renewal of Trident

Customary International Law. Law implies limitation. The disproportionate use of force, even in self-defence, makes the defence unlawful. If the *use* of nuclear weapons is inadmissible, then the *threat* of their use (ie a conditional willingness to use them) is also inadmissible. While nuclear weapons are inherently indiscriminate, disproportionate and defy any principle of non-combatant immunity, a problem in declaring their illegality is that they have themselves become the norm.

Human Rights Law. In the context of the increasingly close interrelationship between International Humanitarian Law (IHL) and the growing scope of human rights jurisprudence it is difficult to find reputable academic or legal opinion prepared to declare that the use of nuclear weapons could ever be compatible with the Human Rights Act, with Article 1 of the European Convention on Human Rights and with its positive commitment regarding the right to life in Article 2. At the 2010 NPT Review Conference State parties to the Non-Proliferation Treaty (NPT) were able to agree a reference to IHL in the final outcome document acknowledging its applicability "*at all times*".

Treaty Law and Disarmament. In the Non Proliferation Treaty the overwhelming majority of states entered into a commitment to non-proliferation in the context of a binding commitment of nuclear weapons states to disarmament. The NPT is the only existing international treaty under which the major nuclear powers are legally committed to disarmament. The Vienna Convention on the Law of Treaties (VCLT) and its principle of 'good faith' set the context to the International Court of Justice's advisory opinion that Article VI of the NPT places an obligation on all state parties to "*achieve a precise result, nuclear disarmament on all its aspects, by adopting a particular course of conduct, namely, the pursuit of negotiations on the matter in good faith.*" The Court interpreted the obligation of state parties as "*to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control*". The UK and US argue that their status within the NPT affirms their right to maintain nuclear weapons. Article VI, however, is "*essential to the accomplishment of the object or purpose of the*

Treaty." (VCLT article 60) Failure to comply with Article VI would therefore amount to a material breach of the Treaty.

The UK has argued that investing in a new submarine platform is compatible with negotiating in good faith. It seems clear however that any unilateral action that undermines the outcome of disarmament would be in breach of the obligations to pursue negotiations in good faith. In a recent opinion, Judge Mohammed Bedjaoui, President of the International Court of Justice 1994-1997⁴, has said that the renewal of a system like Trident would represent a material breach of NPT obligations (see Appendix 1).

2.3 UK security and the changing threat environment

It is acknowledged that we live in an era in which no state has both the capacity and will to threaten the UK or its NATO allies with nuclear weapons. However there remains uncertainty over nuclear threats that might arise in the future either from existing nuclear armed states or from states that may in the future develop a nuclear weapon. The nature of threats to our national security are substantially more diverse today, including the threat of terrorist action, cyber and other organised crime and pandemics. The UK National Security Strategy ranked these as 'Tier One' threats while an attack on the UK or its overseas territories by another state (or proxy) using chemical, biological, radiological or nuclear (CBRN) weapons is, on the basis of a reduced likelihood, now defined as a 'Tier Two' risk.

The opportunity costs of investment in the proposed successor submarine project were hardly mentioned in the debate of 2006/2007. The 2006 White Paper stated that "the investment required to maintain our deterrent will not come at the expense of the conventional capabilities our armed forces need". Given the fundamental challenges facing defence spending in the context of both current and likely future public spending constraints this view can no longer be maintained with credibility. Investment in Trident will require a huge outlay in the latter part of this decade and beginning of the next. There will be a consequential impact on our conventional forces and the further development of their capacity to deter or respond to threats to our national security interests and engage in peacekeeping operations.

2.4 Deterrence and Christian ethics

With respect to deterrence it would seem appropriate to first explore some ethical dimensions. We do not attempt here to describe a position of our churches on deterrence but rather briefly highlight some possible concerns from a perspective of Christian ethics. At the heart of the Christian faith is the incarnation of Christ through whom we can see God at work in our world. The challenge for Christians is to not only relate the gospel to personal transformation but to understand its implications for our relationships with others and thus *peace* cannot be detached from the *gospel of peace*⁵. To a vast majority of our church members it would seem implausible that nuclear weapons could ever be used in the context of a 'just war'. The enormous destructive power of nuclear weapons and their purpose as a weapon of terror is inimical to the

⁴ Judge Mohammed Bedjaoui presided over the ICJ's 1996 Advisory Opinion on the legality of the possession and use of nuclear weapons.

⁵ Ethics of defence, Church and Society Council, Church of Scotland, May 2009

gospel of peace demonstrated in the life of Jesus. For this reason the legitimacy of influencing one's adversary through the threat of nuclear weapons is, for many, at least highly questionable. Deterrence relies on convincing an adversary that there are circumstances in which the UK is capable of using such weapons and this must inevitably reflect on our moral character and standing as a nation. A threat is not a non-violent act. Yet there exists a danger that society becomes accustomed to the presence of nuclear weapons and places an unjustified reliance on the threat of nuclear retaliation as a deterrent. In section 5 we say more about our Churches' desire to work on an international agenda based around collaboration to address common threats to human security. Meanwhile a predominant understanding of the application of Christian ethics to our world today would imply that reliance on nuclear weapons and the contested notion of deterrence must never become a part of the normative state in international relations. Consequently the redefining of deterrence to address potential future threats presents further ethical problems. The logic behind the use of nuclear weapons as an insurance policy against potential future threats would seem to have greater value as a justification for proliferation than it does as a guarantor of security.

2.5 Nuclear deterrence, extended deterrence and UK nuclear weapons

It is contested whether nuclear deterrence has been effective in the past⁶. It is now suggested that the nuclear component of deterrence would be less reliable in a world in which nuclear technology is proliferating than it was when the nuclear weapons states were allied to major power blocs⁷. The Ministry of Defence maintains that the UK's nuclear weapons represent an important contribution to security in the Euro-Atlantic arena. Engaging for a moment with the argument for deterrence, how might we assess the significance of the UK's nuclear weapons in deterring nuclear strikes from future hostile states? The US currently has 14 nuclear submarines and is committed to maintaining a nuclear SSBN fleet in the Pacific, a fleet in the Atlantic and the ability to 'surge' additional submarines in times of crisis⁸. The US Trident missiles have a range of at least 7,000 miles. The risk of a serious degradation in our future relationship with the US is negligible and if one accepts the logic of deterrence, it is quite feasible for the UK to shelter under the US provision to the NATO umbrella along with Germany, Poland and other European states that possess a significant armed forces capacity. This is not an ideal scenario. We do not place trust in the logic of deterrence, but suggest that this argument requires consideration and responses from those who might. We engage later with other implications of a change in our nuclear status.

We must also consider the implications of any future change in Britain's nuclear status for extended deterrence. Our premise in this consideration is that the political decision-makers, of whatever party, are generally of the opinion that the NATO alliance is vital to the UK's security interests. An orthodox approach to the question of extended nuclear deterrence might argue that NATO increases global stability and supports non-proliferation by offering extended deterrence to NATO and non-NATO allies. The UK, it is suggested, must make a contribution to

⁶ For example, Ward Wilson, *The Myth of Nuclear Deterrence*

⁷ George Shultz, William Perry, Henry Kissinger and Sam Nunn; *Deterrence in the Age of Nuclear Proliferation*, Wall Street Journal, March 2011

⁸ US Nuclear Posture Review April 2010,

NATO nuclear burden-sharing. The keenest need for extended deterrence is probably felt in East Asia (by South Korea and Japan, for example) in relation to North Korea, but this theatre is a very long distance from the UK⁹. Some countries in Eastern Europe look to NATO for reassurance vis-a-vis a perceived potential threat from Russia. While nuclear-sharing is a symbol of NATO cohesion, Eastern Europe gains reassurance from indications of NATO political support and conventional military capacity in the region. In practical terms we must ask whether the UK's weapon system makes any tangible contribution to NATO's extended nuclear deterrence. Our willingness to invest substantially in the nuclear component of NATO's collective security arrangements no doubt contributes to a sense of stability of the alliance. But beyond this there is no evidence that NATO friends or allies particularly value the British contribution to a NATO nuclear deterrence. If our investment in the NATO nuclear umbrella has little or no practical utility in the eyes of our allies today, the value of this symbolism will erode further as NATO continues to adapt and reform.

2.6 The changing nature of deterrence doctrine

The concept of deterrence has already undergone significant development since the Cold War when our nuclear weapons were on hair-trigger alert. It is likely to undergo further transformation within NATO posture over the coming years. In an increasingly multi-polar world we have an unparalleled capacity to mobilise NATO and other international support for an overwhelming conventional response to hostile military action. The 2010 US nuclear posture review recognises that the US increasingly relies on non-nuclear assets to offer assurances to allies and partners. This requires a strengthened role for forward US conventional presence in the Pacific and effective theatre ballistic missiles.

In contrast in its discussion of deterrence and coercion the 2010 UK Strategic Defence and Security Review made no reference to evolving strategic concepts and yet, in our view, this is highly relevant to the decisions that face the UK today. An enhanced role for non-nuclear aspects of deterrence does not preclude continued investment in nuclear weapons, but it does diminish further the value of a nuclear deterrence doctrine and consequently the value of the return on the very substantial investment required to maintain a nuclear weapons programme.

2.7 Giving up nuclear weapons - UK and US nuclear postures

The former Prime Minister, Rt Hon Gordon Brown MP, signalled that the UK might be prepared to act early on our own disarmament ambition if that would be helpful to disarmament negotiations. In his Lancaster House speech of March 2009 Brown stated that "as soon as it becomes useful for our arsenal to be included in a broader negotiation, Britain stands ready to participate and to act". A Downing Street official elaborated, "If we are serious and we do

⁹ And on the edge of, or a little beyond, the stated range of a Trident missile in a submarine on patrol in the mid-Atlantic.

actually want to energise the discussion [on multilateral disarmament], we need to take an open position on our own nuclear deterrent.”¹⁰

Notwithstanding the US/UK mutual defence agreement, there is a clear rationale for quite distinctive UK and US disarmament measures. We note that the US and UK never have had an equivalence in weapons systems or in the overall force posture to which those systems contribute. The United States, even with the reductions in warhead numbers agreed in the New START Treaty are still for the moment committed to maintaining a ‘triad’ of SSBN, ICBM and air-launched missiles. The UK in contrast has been content with a single nuclear weapons platform.

The US and UK have employed quite distinctive nuclear weapons strategies albeit under a coordinated NATO posture. It therefore follows that their disarmament tracks may well traverse different paths while complementing to an overall NATO strategy. In asserting the commitment of the United States to a world without nuclear weapons President Obama has nevertheless reiterated the established US position that “as long as nuclear weapons exist, we will retain a strong deterrent.” The UK has never made a similar pledge. It has been suggested that, if the conditions are right, the UK could relinquish nuclear weapons at a point when US and Russian warheads are reduced to a matter of hundreds.

There is sound logic for divergent disarmament paths. Any unilateral gestures on disarmament on the part of the US have a greater potential to introduce a destabilising effect if, for example, allies were to feel vulnerable as a result. As we have already argued that this hardly applies to the UK’s nuclear capability. The UK’s minimum deterrent posture could very reasonably comprise zero warheads while we continue to forge a strong partnership with the US and other NATO states in the area of conventional military and non-military aspects of deterrence.

2.8 The unpredictability of disarmament processes

The International Commission on Nuclear Non-Proliferation and Disarmament (ICNND) urge a further START agreement with a view to bringing Russian and US warheads down to no more than 1,000 for each by 2020. If this were to be the general direction of travel the case for cancelling the Trident submarine replacement programme would become overwhelming. At the very least we would find ourselves in an uncomfortable position of modernising our deterrent at great expense to the UK defence budget while the US and Russia were heading in the direction of a minimum deterrent. The timescale urged by the ICNND is challenging. But if timescales associated with warhead reductions were to be a decade longer than those urged by the ICNND the UK, having already reached a minimum deterrent two decades earlier, would come under substantial pressure to demonstrate further commitment to disarmament. This would likely entail a suspension of continuous at-sea deterrent, coinciding with the planned introduction of submarines to service. While it is difficult to predict disarmament affairs over the next 20 years, we must acknowledge that the strategic context presents very significant risks associated with

¹⁰ Julian Borger, Diplomatic Editor, The Guardian, 17 March 2009

the proposed outlay of over £26 billion. Serious questions must be asked as to whether such a risk can be justified at a time when the UK needs to find ways to reduce its national debt.

2.9 Opportunities arising from a decision not to commit to a replacement of Trident submarines

Whether the UK remains a nuclear weapons power or makes an irreversible decision to embark on a road to complete nuclear disarmament, our diplomatic influence on individual states is likely remain modest. However, there are opportunities that might arise from a commitment by the UK to the elimination of our nuclear weapons if specific conditions are met. Firstly this would provide significant impetus to the already rapidly growing global civil society movement calling for the elimination of nuclear weapons and implementation of universally applied strict verification regime.

Secondly, a structured commitment to zero will enable our ministers and diplomats to offer strong UK support in particular areas (such as, for example, advocating for India, Pakistan and Israel to sign-up to the non-proliferation treaty) with greater credibility abroad and less fear of accusation of the UK government applying double standards. The UK's diplomatic efforts in international non-proliferation and disarmament forums would most likely continue to support positions that preserve consensus among our allies. Nevertheless, for some time we would have a unique status that might afford an opportunity for creative use of the UK delegation in the NPT Review process and other international forums.

Ultimately it is crucial that arguments put forward for a radical change in our nuclear posture are principled arguments (not simply based on cost) and are understood to be foundational to ethics as well as taking into consideration the UK's national security interests. In this respect our Churches will continue to argue that a strong UK influence in international affairs and a defence and security capacity appropriate to our current needs are all compatible with a decision not to sustain an expensive continuous at sea deterrent capability beyond the life of the current Vanguard submarines.

3. If it should, is Trident renewal the only or best option that the U.K. can and should pursue?

3.1 Continuous at Sea Deterrence and life extension

We don't intend here to propose specific options for alternatives to the existing Trident submarine platform as we expect that others might be able to offer the Commission more valuable perspectives. We do however wish to comment briefly on Continuous At Sea Deterrence (CASD) and the life extension options.

It seems rather excessive that, while it is acknowledged that there are no hostile nuclear threats facing the UK, it is suggested we nevertheless need to have undetectable Trident missiles deployed twenty-four hours a day and seven days of every week. Drawing back from operating continuous at-sea deterrence would appear to an achievable action for the UK at this juncture. It is through changes in status and posture rather than reductions in number of warheads, that

the UK will most convincingly demonstrate a balanced approach to the three pillars of the Non-Proliferation Treaty.

The government has determined that the current fleet of Vanguard submarines could be operated to at least 2028 and provide continuous at sea deterrence until that date. We would suggest that further examination is given to the possibilities of extending the life of some of the four Vanguard submarines beyond the proposed timescale of 2028. In order to have greater clarity on decision points facing Parliament, it would be helpful to know to what extent the life of the Vanguard submarines can be further extended without major refit or refuelling by utilising the existing fleet on a less intensive operational cycle.

4. What more can and should the UK do to more effectively promote nuclear disarmament, non-proliferation and nuclear security?

4.1 Mapping paths to zero

In 2005, in an open letter in *the Guardian*, a group of senior UK Church leaders¹¹ asked our government to outline the conditions under which they would be content to forego the UK's nuclear arsenal.¹² ¹³ At the time, the Ministry of Defence was unable to put on record a substantive response, other than to indicate that they could see no conditions under which this might be advisable in the foreseeable future.¹⁴ We acknowledge that there exists a general movement towards transparency and accountability, nevertheless the UK government's lack of clarity on this question is little improved today. Our government accedes to a responsibility "to negotiate in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control." In our view, this requires a willingness on the part of the UK openly to explore possible paths to zero. We may not be able to predict the path in its entirety or attach reliable timescales. However, the chronology of the likely landmarks on the way is crucial to the decisions that both nuclear and non-nuclear weapons states face in the coming years. The 13 steps negotiated at the Nuclear Non-Proliferation Treaty Review Conference in 2000 provide a basis from which to work but lack a chronology. In contrast, the recommendations of the International Commission on Nuclear Non-Proliferation and Disarmament map the components of a minimisation phase and an elimination phase. They suggest that analysis and debate should begin on the conditions necessary to move from a minimisation point to an elimination phase.

It is regrettable that the delegations of the five recognised nuclear weapons states, in their public discourse, focus only on the next incremental step in non-proliferation and disarmament. At the 2010 NPT Review Conference the UK government joined with China, France, Russia and

¹¹ Rt. Rev. Barry Morgan, The Archbishop of Wales, Revd. David Coffey, General Secretary of the Baptist Union, Revd. Will Morrey, President, The Methodist Church, Revd. Sheila Maxey, Moderator, The United Reformed Church, Dr Alison Elliot, Moderator, The Church of Scotland

¹² <http://www.methodist.org.uk/index.cfm?fuseaction=openogod.archiveDetail&year=2005&newsid=34>

¹³ The same question was later posed in the report by the Mission and Public Affairs Council of the Church of England titled "The Future of Trident", 2006 (page 8, para 35).

¹⁴ In addition the Ministry of Defence attempted to be as specific as they could regarding the purpose of the UK's nuclear weapons to demonstrate that continued investment was justified

the United States to reject a call from a majority of NPT member states for the UN General Secretary to convene a conference to explore further a five-point proposal on nuclear disarmamentⁱ. The delegations of the five recognised nuclear weapons states appear to take the view that serious discussion around the future shape of an international treaty leading to the elimination of nuclear weapons is premature. It is too risky to the vital task of consensus building and therefore is ultimately unhelpful at this point in time.

In rejecting the offer of the UN Secretary General it is, in our view, incumbent on the governments of the five recognised nuclear states¹⁵ to propose alternative means through which they will enter into a serious exploration of the path to zero. While appreciating the mutual obligations on all NPT member states we stress the obligation of the five nuclear powers to demonstrate commitment and intent. We have referred earlier to the seriousness that we attach to this obligation. The international community needs a master plan for a route to zero – or at the very least, one or two possible scenarios which, however challenging, we all agree are achievable.¹⁶ An analysis of the road to zero and the place of the UK within it would enable the UK government to offer a response to the question asked by UK church leaders in 2005. More importantly, it would provide a firmer basis for an evaluation of the options with regard to Trident renewal that the UK will face over the coming years. This inter-governmental work is clearly not a role for the Conference on Disarmament as it is currently constituted.

We urge the UK Government to develop a twin track approach that enables discussion with policy think-tanks, academics and NGOs in order to raise awareness among MPs, members of political parties and the media. This debate must be internationalised involving members of the delegations of other governments in order to build support for realistic proposals for a road map to zero nuclear weapons.

4.2 The evolving concept of burden-sharing and tactical nuclear weapons within NATO

In July 2010, through its Church and Society Commission (CSC), the Conference of European Churches (CEC) issued a public statement in advance of the NATO Strategic Concept Review of 2010.¹⁷ The CSC offers this analysis to inform future NATO reform, including the current NATO Defence and Deterrent Posture Review.

In 1967, NATO's famous Harmel Report restored consensus in a NATO that had been severely divided by putting the traditional task of defence and the new challenge of 'detente' on equal footing. The Harmel report restored faith in a NATO that was, in its own words, "a dynamic and vigorous organization which is constantly adapting itself to changing conditions." The CEC/CSC statement draws attention to the irony that dynamism and vigour is being undermined by continued frequent reference to the Harmel report as NATO's paradigm 20 years after the end

¹⁵ We will argue in the next section that the recognised nuclear weapons powers must take more seriously the second part of Article VI of the NPT namely to pursue negotiations in good faith "and on a treaty on general and complete disarmament under strict and effective international control".

¹⁶ Some may argue for a series of mutually supporting treaties within or beyond the NPT in the early stages with a Convention on Nuclear Weapons arriving much later.

¹⁷ Conference of European Churches, Public Statement, Time to consider the role of nuclear weapons in NATO's strategic concept, 2010, csc.ceceurope.org/fileadmin/filer/csc/Nuclear_Disarmament/Final_CSC_Statement_on_NATO_s_Strategic_Concept_2010.pdf

of the Cold War. NATO is no longer defined by competition between two competing blocs. NATO's responsibility of territorial defence in the Euro-Atlantic region has broadened and is best served by investing in cooperation and confidence building in Europe and internationally. The relationship with Russia will remain complicated and highly relevant and we cannot anticipate that the security paradigms of Europe/US on the one hand and Russia on the other will coincide. Nevertheless, the CSC/CEC statement argues that today redefining (extended) deterrence and security cooperation in Europe are two sides of the same coin. The statement suggests five principles for a new nuclear policy for NATO, all of which support withdrawal of the remaining US tactical nuclear weapons from five non-nuclear European NATO member states. This would strengthen NATO's credibility in arms control and non-proliferation, as it would end all doubts about compliance with Articles I and II of the NPT (which prohibit any transfer of nuclear weapons to non-nuclear weapon states). The statement also addresses the question of Russian tactical nuclear weapons advocating transparency, relocation and eventual elimination.

In March 2011, IKV/Pax Christi (Netherlands) published a study based on interviews with the 28 NATO government delegations to examine attitudes towards withdrawal of US tactical nuclear weapons from Europe. The report, *Withdrawal Issues*,¹⁸ is revealing. Fourteen delegations support withdrawal while a further ten would not oppose withdrawal. Only three (France, Hungary and Lithuania) oppose ending the deployment. The report examines attitudes across NATO delegations and assesses how the hitherto diplomatic stalemate on removal/reductions of TNW might be overcome.

We urge the UK government to support new approaches to addressing the issue of tactical nuclear weapons in Europe and to engage with policy/campaign groups and faith-based organisations on the redefinition of burden-sharing in the NATO context.

4.3 Continued UK leadership in strengthening verification regimes

A world free of nuclear weapons can only be achieved if we develop technologies to support verification and can agree robust procedures for compliance. The UK government voiced its intention to exercise leadership on disarmament, declaring that the UK would become a 'disarmament laboratory'. The UK has joined with Norway in pioneering techniques for verifying compliance with disarmament of warheads that does not require the State to reveal sensitive technology. We understand that this may continue with Norwegian inspectors given access to sensitive nuclear facilities in the UK and would encourage further initiatives to build confidence in the capacity to verify disarmament.

Similarly in the context of non-proliferation and nuclear security we note the UK government's continued support for universalization of the IAEA Additional Protocol that sets the standard for verification. Should a Fissile Material Cut-off Treaty be agreed the verification regime will be faced with an additional workload. We encourage the UK to work to ensure that the IAEA and other elements of the international verification are appropriately resourced and able to meet the challenge of providing assurance of state compliance on disarmament and non-proliferation.

¹⁸ *Withdrawal Issues*, What NATO countries say about the future of tactical nuclear weapons in Europe, <http://www.nonukes.nl/media/files/withdrawal-issues-report-nospread.pdf>

5. Postscript – public debate

The subject of nuclear weapons is highly emotive not only as a consequence of their awesome destructive power but also due to the sense of power and prestige that they can bestow on those who hold them. The extent to which our continued attachment to nuclear weapons is dependent on a need to maintain a national self-image as a leading political entity in world affairs is maybe a matter for conjecture. It is not easy for such perspectives to enter the realm of political debate. For example, the government response to the Defence Committee in 2006 on the question of the status afforded to the UK by our nuclear weapons judged that this was not an appropriate topic for discussion. The government response to the Committee promised to “set out more fully the factors we believe are relevant to the current and any possible future minimum nuclear deterrent by the UK when we publish a White Paper.” (See Appendix 2)¹⁹

Yet a perceived relationship between our continued commitment to Trident and Britain’s ‘place in the world’ is further illustrated by former Prime Minister, Rt Hon Tony Blair’s recent perspective on Trident (see Appendix 3). This could hardly stand in starker a contrast to the government’s response to the Defence Committee and the whole logic and tenor of the 2006 White Paper to which, in the role of Prime Minister, he contributed the forward. The former PM’s perspective undoubtedly reflects instincts held by others in positions of influence many of whom will have had less opportunity than Tony Blair to evaluate the strategic context or engage with detailed arguments.

As has been suggested, “It needs to be acknowledged openly that one of the key reasons for the UK or other countries having such weapons is in fact to do with *kudos* and *prestige*. If this is really what having these weapons is about, that needs to be right out in the open and challenged strongly. It is little wonder that some non-nuclear nations may wish such weapons in order to achieve its ‘developed nation’ status!”²⁰ The Church of England, House of Bishops report in 2005 stated that the nuclear weapons debate “needs to be conducted with much greater honesty and consistency.”²¹ When we speak of the need to delegitimize nuclear weapons in security paradigms, we must think long and hard as to what that might mean in the UK political context at this time.

Our Churches share a world view that causes us also to be predisposed to come to the debate from a particular direction. As churches we share a desire, alongside many others, to work for a world in which human security is increasingly based around a shared commitment to tackle global threats such as climate change or addressing terrorism and its underlying causes. This agenda seeks to place emphasis on building international relations on the basis of co-operation and collaboration (increasing the use of treaty agreements and strengthening the role of the UN and other international institutions) and placing the utility of ‘hard power’ in this context.

¹⁹ The Future of the UK’s Strategic Nuclear Deterrent: the Strategic Context: Government Response to the Committee’s Eighth Report of Session 2005–06, July 2006

²⁰ Ethics of defence, Church and Society Council, Church of Scotland, May 2009,

²¹ Church of England House of Bishops, *Countering Terrorism: Power, Violence And Democracy Post 9/11* (September 2005), p.88

As nuclear technology proliferates, new nuclear-capable states can be encouraged to exercise constraint on weaponisation if the attraction of nuclear arms can be dulled. Several influential voices are pointing to the urgency for concrete steps on non-proliferation and disarmament.²² There is a growing global civil society movement, typified for example by Global Zero, that has a momentum of its own but which may gather further strength as perceived global threats of financial crises and climate change cause the relevance of nuclear weapons to be reduced in the minds of many.

The UK context is quite distinctive and public support for nuclear weapons is clearly divided in the UK as it is in other nuclear weapons states. Opinion polls are not necessarily always a reliable indication of public opinion and can be contradictory. Nevertheless we can probably note a couple of trends; one is a steadily growing opposition to further investment in nuclear weapons which has accelerated as a result of the cuts in public sector spending.

A second is a reduced awareness and knowledge of nuclear weapons since the 1980s. If the public and their leaders lose awareness, there is a danger of complacency. There must be a concern that without a keen global awareness of nuclear terror, leaders may be tempted to push against the established limits, risking use.

However, in the UK context we can note that in Scotland, where the debate is very live, public and political opinion is overwhelmingly opposed to nuclear weapons, especially as they are housed in Scottish waters. Civic and political bodies in Scotland, including a wide range of faith communities, the Scottish Government and trade unions have clearly articulated their principled position on Trident. These views are perceived to have been ignored by successive Westminster Governments and this feeds directly into the wider debate on devolution. The Scottish Parliament is set to consider a resolution which would call for the removal of nuclear weapons from Scottish soil.²³ While this can be resisted by Westminster any political party seeking to maintain the Coulport and Faslane naval bases' support of nuclear weapons would do well to take into account the political costs of this policy in Scotland.²⁴

The policy discourse around Trident is undoubtedly challenging. This is in part due to the complexity and range of the options with which we are faced and the difficulty of assessing those options with any objective yardstick. The opportunity afforded by the establishment of the BASIC Trident Commission to test the arguments in this debate is valuable. For us the strength of the ethical arguments at this time is quite clear and we are grateful for the opportunity to make this contribution.

For further information contact:-

Steve Hucklesby, Policy Adviser, Joint Public Issues Team (Baptist, Methodist and United Reformed Churches working together). hucklesbys@methodistchurch.org.uk

²² For example, Baroness Shirley Williams statement in support of the UK Churches campaign around the 2010 NPT Review Conference <http://www.endnuclearweapons.org.uk/endorsements.htm>

George P. Shultz, William J. Perry, Henry A. Kissinger and Sam Nunn. *A World Free of Nuclear Weapons*, The Wall Street Journal January 4, 2007; Page A15

²³ <http://scotlandonsunday.scotsman.com/scotland/SNP-to-call-for-removal.6772334.jp>

²⁴ It could be argued that the less intense awareness of nuclear weapons offers greater latitude to political parties to set the agenda with less political risk to their core constituencies.

Appendix 1

From *Trident and International Law*

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Good Faith, International Law and Elimination of Nuclear Weapons - HE Judge Mohammed Bedjaoui

(Page 90 – postscript)

“I have been asked to give a personal opinion on the legality of a nuclear weapons system that deploys over 100 nuclear warheads with an approximate yield of 100 kt per warhead.

....

“In accordance with evidence heard by the court it is clear that an explosion caused by the detonation of just one 100 kt warhead would release powerful and prolonged ionising radiation, which could not be contained in space or time, and which would harmfully affect civilians as well as combatants, neutral as well as belligerent states, and future generations as well as people targeted in the present time. In view of these extraordinarily powerful characteristics and effects, any such use of such a warhead would contravene international and humanitarian laws and precepts. In other words, even in an extreme circumstance of self-defence, in which the very survival of a State would be at stake, the use of a 100 kt nuclear warhead (regardless of whether it was targeted to land accurately on or above a military target) would always fail tests of controllability, discrimination, civilian immunity, and neutral rights and would thus be unlawful.

....

“The modernisation, updating or renewal of such a nuclear weapon system would also be a material breach of NPT obligations, particularly the unequivocal undertaking by the nuclear-weapon states to ‘accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament’ and the fundamental Article VI obligation to negotiate in good faith on cessation of the arms race and on nuclear disarmament, with the understanding that these negotiations must be pursued in good faith and brought to a conclusion in a timely manner.”

Appendix 2

The Future of the UK's Strategic Nuclear Deterrent: the Strategic Context:

Government Response to the Committee's Eighth Report of Session 2005–06, July 2006

Conclusions of the Defence Committee Report:-

International Impact

Before any decisions on the future of the deterrent are made, it will be important to consider whether the possession of nuclear weapons enhances the UK's international influence and status and whether this contributes to the justification for retention of a strategic nuclear capability. (Paragraph 57)

It is clear that there is a difference of views and no clear consensus that international influence is, of itself, a reason to retain the strategic nuclear deterrent. We recommend that the MOD make clear whether the Government believes the possession of a nuclear deterrent is an important contributor to the UK's international influence. (Paragraph 65)

Government Response: -

11. We maintain the current nuclear deterrent, not because of the status it gives us, but because of its role in deterring acts of aggression, in insuring against the re-emergence of major strategic military threats, in preventing nuclear coercion, and in preserving peace and stability. We will set out more fully the factors we believe are relevant to the current and any possible future minimum nuclear deterrent by the UK when we publish a White Paper.

Appendix 3

From: - A Journey

**Tony Blair,
Publisher - Hutchinson, September 2010**

“We agreed the renewal of the independent nuclear deterrent. You might think I would have been certain of that decision, but I hesitated over it. I could see clearly the force of the commonsense and practical arguments against Trident, yet in the final analysis I thought giving it up too big a downgrading of our status as a nation, and in an uncertain world, too big a risk for our defence. I did not think this was a “tough on defence” versus “weak or pacifist” issue at all.

“On simple, pragmatic grounds, there was a case either way. The expense is huge, and the utility in a post-cold war world is less in terms of deterrence, and non-existent in terms of military use. Spend the money on more helicopters, aircraft and anti-terror equipment? Not a daft notion.

“In the situations in which British forces would be likely to be called upon to fight, it was pretty clear what mattered most. It is true that it is frankly inconceivable we would use our nuclear deterrent alone, without the US –and let us hope a situation in which the US is even threatening use never arises – but it’s a big step to put that beyond your capacity as a country.

“So, after some genuine consideration and reconsideration, I opted to renew it. But the contrary decision would have not have been stupid. I had a perfectly good and sensible discussion about it with Gordon [Brown], who was similarly torn. In the end, we both agreed, as I said to him: Imagine standing up in the House of Commons and saying I’ve decided to scrap it. We’re not going to say that, are we? In this instance, caution, costly as it was, won the day.”

ⁱ See output from Main Committee I, 24 May 2010