



UNDERSTANDING THE NUCLEAR WEAPONS BAN TREATY

On July 7, 2017, following three international conferences on the humanitarian impact of nuclear weapons, which were held in Norway, Mexico and Austria in 2013-2014, and two rounds of negotiations at the headquarters of the United Nations (UN) in New York, UN member states adopted the first legally binding instrument to ban nuclear arms officially known as the Treaty on the Prohibition of Nuclear Weapons (TPNW). On the voting day, 122 UN member states approved the treaty, one voted against (the Netherlands) and one abstained (Singapore). It is worth noting that all five *de jure* nuclear powers (China, France, Russia, the United Kingdom and the United States) and all four *de facto* nuclear states (India, Israel, North Korea and Pakistan) boycotted the talks and declined to endorse the treaty. The TPNW was opened for signature on September 20, 2017 and has since been signed by 59 countries with 10 of them ratifying it. The treaty will come into force once 50 states have ratified it. On October 6, 2017, the International Campaign to Abolish Nuclear Weapons also known as ICAN, a coalition of civil society organizations from across the world, was awarded the Nobel Peace Prize for spearheading the process of achieving a treaty-based prohibition of such weapons.

Until now, unlike other types of weapons of mass destruction, biological (Biological Weapons Convention, 1972) and chemical (Chemical Weapons Convention, 1997), nuclear weapons have not been subject to a prohibition under the international law. The proponents of the treaty believe that outlawing nuclear weapons altogether is necessary to avoid disastrous consequences that any use of one of about 15,000 nuclear warheads currently stockpiled worldwide would entail, potentially threatening the survival of humanity. Although in its 1996 Advisory Opinion the International Court of Justice concluded that the threat or use of nuclear weapons is contrary to the international humanitarian law – a set of rules that governs the use of all weapons in armed conflicts, it nevertheless left undecided if threatening to use or using nuclear weapons is lawful in extreme cases of self-defense in which the survival of a state is at stake. The TPNW, therefore, fills this grey area as it clearly establishes in Article 1.1 (d) that it is prohibited under any circumstances to use or threaten to use nuclear weapons, as well as to develop, test, produce, acquire, possess or stockpile it, as stated in Article 1.1 (a). Other main provisions of the TPNW also include

the prohibition of a transfer of nuclear weapons to other countries and their receipt (Article 1.1 (b) and (c)) or a deployment of such weapons in the territory of a state party (Article 1.1 (g)) and provide for victim assistance (Article 6.1) and environmental remediation (Article 6.2).

There are, however, those who attack the treaty on the ground that even if it enters into force it can never be implemented since no nuclear-armed state was involved in its drafting nor intends to sign it. In the wake of the treaty's adoption, the United States, the United Kingdom and France, who emerged as the leaders of the treaty's opponents, issued a joint statement declaring that they will never sign, ratify, or adhere to it. Their opposition is based on the view that instead of addressing genuine international security concerns posed by the nuclear rogue states like North Korea, the document erodes the Non-proliferation Treaty (NPT), a landmark document addressing the global proliferation of nuclear weapons as it limits the status of nuclear-weapon states (NWS) to China, France, Russia, the United Kingdom and the United States. Once in force, the TPNW will make it unlawful for any state party to engage in any security relationship with a country that relies in part upon nuclear weapons for its own security. This particular consideration made those non-nuclear weapons states, including all of the NATO members and East Asian countries that rely on the U.S. nuclear umbrella for their security to oppose the treaty. It is even argued that the TPNW risks damaging the cause of non-proliferation since without the U.S. security umbrella some East Asian state may be forced to reconsider their non-nuclear status. Instead, it is suggested to further strengthen the already existing framework of the NPT, which calls for the NWS "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race ... and to nuclear disarmament" (NPT, Article 6).

It is also argued that the TPNW poses a risk to the global security architecture by derailing the deterrence effect of nuclear weapons, which led to the decline in inter-state wars since 1945, especially between major powers, out of fear that conventional wars may escalate into nuclear wars. Critics dismiss the treaty on its failure to recognize this and the fact that currently there is no momentum for disarmament as the global major powers in their strategic calculus still rely on the possession of nuclear weapons

for ensuring their security. To illustrate, the United States in its new Nuclear Posture Review, which describes the role of nuclear weapons in the U.S. national security strategy, declared a willingness to heavily invest in developing sophisticated nuclear capabilities, while Russian President Vladimir Putin in his latest address to the Federal Assembly presented advanced models of nuclear weapons delivery systems. The growing rivalry between the two major NWS does not provide the level of confidence required for the abolition of nuclear weapons. This leads to another criticism, which is the lack of rigorous verification and enforcement conditions in the TPNW. Although, it is clear that no NWS would disarm unless their peers did, the provisions of the treaty stipulate that a state that possesses or controls nuclear weapons at the time that it becomes a state party must immediately remove its weapons from operational status not later than a deadline to be established by the first meeting of states parties, in accordance with a legally binding, time-bound plan (Article 4.2). This leaves open the possibility that each nuclear state would interpret the timeline in its own way leading to a different speed of fulfillment of disarmament obligations. Consequently, mutual distrust may arise between the NWS preventing them from disarming. Moreover, the treaty does not clearly assign the body, which would verify the elimination of nuclear weapons as it gives the role to a vague "competent international authority". Therefore, it can also be argued that the text of the treaty itself does not withstand the test of being carefully drafted.

All in all, it is clear the TPNW is no instant panacea in achieving a world without nuclear weapons – one of the UN's longest-standing objectives, first declared in 1946. Although the global stock of nuclear weapons has significantly dropped over the last three decades from a peak of 70,000 in mid-1980s to less than 15,000 as of today, still much remains to be done, and the TPNW is viewed to be only one approach in realizing the global zero goal. Many express their skepticism about how and if this goal can ever be reached. But those who strive for achieving universal denuclearization by looking at the successful examples of the treaties outlawing biological weapons, chemical weapons and land mines, goals once also viewed as utopic, hold the view that the TPNW is a big leap forward in the disarmament process.

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Politics, Foreign Affairs and Security

- During his official visit to Bern, President of Iran Hassan Rouhani met with President of Switzerland Alain Berset to discuss ways of expanding relations between the two countries in all areas of mutual interest, focusing on the situation with the U.S. withdrawal from the Iran nuclear deal.
- During his official visit to Baku, Chief of the General Staff of the Armed Forces of Turkey Hulusi Akar met with President of Azerbaijan Ilham Aliyev to discuss bilateral cooperation in the field of defense. In addition, the parties also exchanged views on cooperation prospects.
- During his official visit to Tehran, Minister of Foreign Trade of Uzbekistan Jamshid Khodjaev met with Director of the Organization for Investment, Economic and Technical Assistance of Iran Mohammad Khazaei to discuss the creation of a joint investment committee in a bid to increase the volume of bilateral trade and strengthen cooperation in energy, transportation, and tourism.
- During his official visit to Bishkek, Interior Minister of Iran Abdolreza Rahmani Fazli met with Deputy Prime Minister of Kyrgyzstan Zhenish Razakov to discuss the agreement on cooperation between the two countries in the spheres of security and law enforcement.
- During his official visit to Moscow, U.S. National Security Adviser John Bolton met with President of Russia Vladimir Putin and Foreign Minister of Russia Sergey Lavrov to discuss the current state of bilateral relations. The parties also exchanged opinions on the topical issues of the international agenda, including the situation around Syria and Ukraine.
- During his official visit to Bishkek, First Deputy Minister of Foreign Affairs of Belarus Andrei Yevdochenko met with Deputy Minister of Foreign Affairs of Kyrgyzstan Nurlan Abdrakhmanov to discuss the state and prospects of the Belarus-Kyrgyzstan relations, focusing on the expansion of cooperation within international organizations. The parties signed the cooperation plan between the Ministries of Foreign Affairs of Belarus and Kyrgyzstan for 2018-2019.

Economy, Finance and Energy

- During his official visit to Hong Kong, Deputy Minister of Economy

and Sustainable Development of Georgia Genadi Arveladze met with Secretary for Commerce and Economic Development of Hong Kong Edward Yau Tang-wah to sign a mutual free trade agreement (FTA). It was noted that the FTA would provide a platform for both parties to take their bilateral economic and trade relations to a new level, while offering ample opportunities for Hong Kong businessmen to tap the Georgian market and the Caucasus covered under the Belt and Road Initiative.

- The Council of the European Union adopted the allocation of €1 billion of macro-financial assistance to Ukraine. It was noted that these funds would be used to cover Ukraine's financing needs and support economic stabilization. The European Commission in coordination with the Council will prepare a memorandum outlining the assistance conditions, which must be ratified by the Ukrainian Parliament.
- According to the Economic Development Ministry of Russia, the forecast of the country's GDP growth in 2018 was worsened from 2.1% to 1.9%. The Ministry also lowered its forecast for Russia's GDP growth in 2019 from 2.2% to 1.4%. The new forecast shows that inflation in Russia increased from 2.8% to 2.9%-3.1% in 2018, while the forecast for 2019 was raised from 4% to 4.3%.
- According to the Finance Ministry of Belarus, as of June 1, 2018, the country's external debt totaled \$16.4 billion, which is a \$332 million decrease from the beginning of the year. In January-May 2018, external state borrowings totaled \$1.064 billion, including \$600 million in Eurobonds, \$377 million borrowed from the Russian government and banks, and \$52.7 million borrowed from the International Bank for Reconstruction and Development. Moreover, \$33.1 million and \$2.1 million were borrowed from Chinese banks and the European Bank for Reconstruction and Development, respectively. Since the beginning of 2018, Belarus spent \$1.309 billion to repay its external debt.
- According to the Statistics Committee of the Ministry of National Economy of Kazakhstan, in May 2018, the inflation rate in the country amounted to 0.2% totaling 2.4% in January-May 2018. It was noted that annual inflation reached 6.2%, which is within the target corridor of 5%-7% set by the

National Bank of Kazakhstan for 2018.

- The Ministry of Economy of Kyrgyzstan announced its plans to impose a ban on the exports of crude oil for six months (June-November 2018). According to the Ministry, the annual demand is 1.5 million tons of oil, while the annual production is about 130,000 tons. Oil refineries operate at 50-70% of their capacity due to the shortage of crude oil.
- The Parliament of Azerbaijan approved the draft amendments to the law on the state budget for 2018, according to which budget revenues will be increased by 1.983 billion manats (\$1.16 billion), or by 9.9%, to 22.110 billion manats (\$12.99 billion), while budget expenditures will be increased by 2.014 billion manats (\$1.18 billion), or by 9.6%, to 23.061 billion manats (\$13.55 billion). The state budget deficit is forecasted at 951 million manats (\$558.59 million), which will be equal to 1.3% of Azerbaijan's GDP in 2018.

Society and Culture

- According to the Board of Directors of the Asian Development Bank (ADB), it approved a grant of \$6.5 million as additional funding for the ongoing project to improve water management in the Panj river basin in Tajikistan. The additional funding will be accompanied by a \$5 million grant from the Green Climate Fund (GCF), which will be administered by the ADB.
- According to the Ministry of Agriculture of Kazakhstan, the country banned the imports of poultry products from 36 Russian farms. This decision was made in connection with the outbreak of highly pathogenic avian influenza in the Kursk, Penza and Samara regions of Russia registered by the International Epizootic Bureau.
- The Council of the Republic of Belarus, the upper chamber of the National Assembly, the country's parliament, ratified the intergovernmental agreement on visa-free travel with China. In line with the document, Belarusians will be able to stay in China visa free for up to 30 days during one trip, but not more than 90 days a year. The same rule will apply to Chinese citizens. If a person wants to stay in the country for more than 30 days or engage in educational and professional activities, he or she will need a special visa. Visa-free travel covers private trips, business trips, and touristic trips.