

Working Paper
for Panel I on substantively addressing concrete effective legal
measures, legal provisions and norms that will need to be concluded
to attain and maintain a world without nuclear weapons
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**The Nuclear Powers and the Vexed and
Vexing Issue of Human Extinction**

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Summary: This paper affirms that achieving an effective legal regime for outlawing nuclear weapons and diplomatically disarming nuclear powers rests on transforming world public opinion, particularly among the nuclear states themselves and in the American extended family of “extended deterrence” allies—non-nuclear NATO states, Australia, South Korea and Japan. Millions of people in these states are skeptical, complacent and uninformed or indifferent about nuclear weapon dangers and about the myths, fallacies, gratuitous callousness and absurdities which define nuclear deterrence theory. Above all people are astonishingly unaware of the real risk of human extinction which lies in the huge number of high alert thermonuclear weapons still deployed by the Big Nuclear Two--and also in the risk of a famine catastrophe in the developing world and beyond if an Indo-Pak nuclear war erupts from existing conflict in the sub-continent. The OEWG should move rapidly to draft a nuclear weapon ban treaty and a nuclear disarmament convention to show the world that there is an alternative to the nuclear powers’ dishonesty and complacency about the mortal dangers of their own weaponry for themselves and for all of us.

The irrefutable scientific consensus that nuclear winter is an existential threat to humanity’s survival—affirmed jointly in the eighties by Ronald Reagan and Mikhail Gorbachev—is still widely met with a shrug of disbelief or indifference.

Of course poorly informed, mistakenly complacent opinion is valuable for those governments who continue to believe, or believe that they need to believe, in nuclear weaponry. But it’s a health hazard for the rest of us. There are many ways to work against this situation for the better, and it’s helpful that 125 countries have signed on to the Humanitarian Pledge put before the UN General Assembly (UNGA) last year and aligned themselves with the Third International Conference on the Humanitarian Impact of Nuclear Weapons in 2014 when Austria delivered its own Pledge to “fill the legal gap for the prohibition and elimination of nuclear weapons”—which was a main reason why the OEWG “to take forward multilateral nuclear disarmament” is meeting again in Geneva this year.

However the revised and renewed Humanitarian Pledge as it emerged at the UNGA in December 2015 has a striking but rarely recognized shortcoming, which seems to derive from the powerful and otherwise salutary influence of NGO and ICRC anti-nuclear campaigning in recent years.

This Pledge says many true and important things but nowhere mentions the nuclear winter effect arising from multiple weapon attacks on cities. This was already responsible for fears of human extinction in the 1980s and the scientific consensus about it is now very strong. So it is extraordinary how much the UN's Humanitarian Pledge stresses the effects of "a nuclear weapon explosion", ie, one explosion. This phrase recurs in no less than five of the twelve paragraphs in the Pledge, while there is not one paragraph mentioning the deadly link between multiple nuclear weapon explosions and the potential extinction of humanity. The best the Pledge can do is affirm "that it is in the interest of the very survival of humanity that nuclear weapons are never used again, under any circumstances."

Happily, though, a bizarre paragraph in the Austrian Pledge was dropped in the UNGA version:

"The immediate, mid- and long-term consequences of a nuclear weapon explosion are significantly graver than it was understood in the past and will not be constrained by national borders but have regional or even global effects, potentially threatening the survival of humanity." (emphasis added)

Just one explosion? Really? How could that be?

There seems to be an unspoken consensus between many anti-nuclear governments and much of the anti-nuclear NGO world that campaigning and conferencing explicitly on the multiple alert weapons/human extinction danger is in bad taste, offensive or insensitive while also unduly hostile to the big nuclear powers, who after all must be brought eventually on board the good ship nuclear disarmament. But if the diplomatic and campaigning rhetoric remains murky and pusillanimous, can the public itself be brought on board the good ship in sufficient numbers to effect real change?

At the Human Survival Project at Sydney University we have tried to avoid any roundabout, euphemistic, unduly respectful or indirect approach to "engaging" the nuclear powers and the global community on the ultimate danger of nuclear weaponry. Last year we launched an International Peoples Tribunal on the Nuclear Powers and Human Extinction to be staged in Sydney next July. Its prosecution will indict the nine nuclear powers, naming individual heads of state and government, as follows:

General Indictment

The nine nuclear powers—US, Russia, UK, France, China, India, Pakistan, Israel and DPR Korea—are hereby charged collectively and individually with endangering or tending over time to endanger

continued human existence as a result of postures, plans, policies and weaponry which would, if ever committed to large-scale nuclear attack on another party or parties, cause not only “prompt” deaths in the tens or hundreds of millions and end human civilisation as we have known it, but precipitate catastrophic global cooling from stratospheric ash and smoke--lasting years, terminating global food production and starving all surviving human populations to death in a universal and unavertable famine.

We believe the hegemonic “one weapon on one city” focus of anti-nuke diplomacy and campaigning can only reinforce the nuclear states’ most favoured narrative on nuclear danger which is riding high after the Brussels attacks by IS in February. A one-bomb Islamist nuclear terrorist is now being held up in many places as the greatest nuclear danger on the planet .

In reality the biggest threat is also a terrorist—or rather a gang of terrorists--**state terrorists**: the nuclear powers, and especially the Big Two *capos*, the US and Russia. These two hold over 90 per cent of global arsenals and probably constitute over 90 per cent of the immediate danger of human extinction, where IS does not rate at all.

As Steven Starr says, *a propos* the Sydney Tribunal:

‘Therefore, it seems to me that we have to demand not only the immediate **elimination** of all nuclear weapons and nuclear arsenals, which pose a clear and present danger to continued human existence, but also to state that the **possession** of nuclear weapons must be criminalized, because possession guarantees that nuclear weapons will eventually be used.’

Possession implies intent. Any nation that possesses nuclear weapons has plans to use them, plans for mass murder that must be constantly reviewed and updated, which require delivery systems, training, manufacturing infrastructure, and over time the general acceptance that the use of these weapons is a “necessary evil” (email, 4 April 2016)

It is truly weird that the Big Two state terrorists have created a situation where their colossal, much-vaunted first strike “assets” alone will probably kill all of their own populations even if totally successful in knocking out the arsenal of the Thermonuclear Other--a situation wryly called SAD, Self Assured Destruction, by Alan Robock. Sad, indeed—especially for all who love this planet, as Helen Caldicott would say.

The main practical effect of those 900 high alert missiles apiece held by the two ex superpowers has been to ensure that the hated Other will also build and keep a SAD sized arsenal on high alert. But there is an alternative to this bizarre irrationality: it is called disarmament and can be pursued with the Other and others, as well as solo. And there is no danger in unilateral self disarmament if the Other is, well, rational—as nuclear deterrence theory assures us he is!

With arguments like these, and in the physical absence by boycott of the nuclear powers, the present OEWG should make a clear commitment to averting human extinction as its main priority, and should not hesitate to call out the nuclear powers on the irresponsibility, the callousness, the mortal danger, the self-defeating

absurdity of their nuclear postures. In the permanent human emergency which defines the nuclear era so far it should move rapidly to draft those treaty measures for banning nuclear weapons and promoting a convention for total nuclear disarmament which are the holy grail of human safety. The short-term aim behind would be to name and shame the nuclear know-nothing powers and so exert decisive pressure on them for a change of heart and mind in the longer run.