**TPNW Why nuclear disarmament remains a lasting challenge**

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There can be no denying the fact that a world free from nuclear weapons would be free from many problems. The current move by the UN to enforce the Treaty on the Prohibition of Nuclear Weapons (TPNW) on January 22 is a positive initiative, albeit only ideally. The very objective of nuclear disarmament seems far away from reality as the goal of seeking nuclear disarmament, both regionally or globally is a mammoth challenge as it entails manifold impediments. It is mainly the nuclear deterrence -cum-security concerns of the Nuclear Weapons States that the TPNW faces a prompt resistance.

The Treaty on Prohibition on Nuclear Weapons –was adopted by the Conference (by a vote of 122 States in favour, with one vote against and one abstention) at the United Nations on 7 July 2017, was opened for signature by the Secretary-General of the United Nations on 20 September 2017. As for the compliance of the TPNW, some positive obligations are simple, such as submitting a declaration within 30 days of the treaty’s entry into force about the country’s nuclear-weapon status. Others may take more time, such as adopting additional safeguards agreements with the International Atomic Energy Agency (IAEA), implementing national laws, providing assistance to people and places harmed by nuclear weapons use and testing, and urging other states to join the pact.

Idealists have celebrated the coming into force of the TPNW as a game-changer that signals the death knell for nuclear weapons. Skeptics, on the other hand, doubt its effectiveness as the countries that have, or are believed to have, nuclear weapons (namely Britain, China, France, India, Israel, North Korea, Pakistan, Russia and the United States), the 30 members of the North Atlantic Treaty Organisations as well as Australia, Japan and South Korea, have declined to be signatories to the TPNW.

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The peace pragmatists argue that nuclear disarmament cannot be isolated from nuclear deterrence. Objectively speaking, nuclear deterrence/strategic balance holds paramount importance: The threat of a nuclear strike can deter both nuclear and non-nuclear attacks, the contemporary security scenario requires an evolution of deterrence rather than a discharge of the concept as a whole. In fact, nuclear weapons are still among the most powerful and intimidating weapons with which states can arm themselves, and the stability of a system based on deterrence still remains attractive, despite criticism against it. Credible deterrence and defence, based on an appropriate mix of nuclear, conventional and missile defence capabilities, remains a core element of NATO’s overall strategy to prevent conflict and war.

In case of India-Pakistan scenario, arguably, the acquisition of nuclear weapons, both sides have only supported a low-intensity conflict. Nuclear deterrence has a role also in averting conventional attacks in a regional context. The conflict between India and Pakistan exemplifies this point: in fact, despite the existence of sources of tension between the two countries, these actors have not engaged in major open hostilities since their development of a nuclear arsenal.

Some still argue that it was the Hiroshima tragedy that put an end to the heinous wave of killing and destruction in the Second World War. Since then, it is the universal horror of the nuclear holocaust which has prevented the outbreak of a Third World War. There were many occasions in the Cold War period when the United States and the Soviet Union were on the brink of war. But the threat of nuclear extinction prevented them from going to war. The same factor explains why India and Pakistan have not fought a war since 1971.

Legally and conventionally, the current treaty paves the way for horizontal and vertical polarization between the Non-Nuclear Weapons States (NNWS) and the Nuclear Weapons States (NWS). Nuclear Weapons States, including Pakistan opposed the treaty. Though ideally, the treaty holds leverage, yet practically it does not suit the security imperatives of the states and it is why neither the dejure nuclear states and nor the defacto nuclear states have any intention to sign the treaty. The Pakistan Foreign Office rightly recalled that the UN General Assembly in its session on nuclear disarmament in 1978 had agreed by consensus that the right of each country to security should be kept in mind while adopting disarmament measures. “Pakistan stresses that this Treaty neither forms a part of, nor contributes to the development of customary international law in any manner,” it said. Yet Pakistan is committed to the goal of a nuclear-weapons-free world through the conclusion of a universal, verifiable and non-discriminatory, comprehensive convention on nuclear weapons.

Opponents of the treaty, however, have maintained that the TPNW is divisive, could undermine the NPT, and risks further entrenchment of divisions and cleavages present in extant international nonproliferation and disarmament fora that may hinder further progress. It is logically argued that the Nuclear Non-Proliferation Treaty (NPT) and Missile Technology Control Regime (MTCR) — despite being the important tools– still face obstacles. Yet some still argue the real challenges to the Non-Proliferation Regime are the Nuclear Weapon States (NWS) themselves. Paradoxically, NWS promote the non-proliferation agenda but continue to practice vertical proliferation to serve their own interests. This is why the Comprehensive Nuclear Test Ban Treaty (CTBT) has not been yet enforced, while the future of proposed Fissile Material Cut-Off Treaty (FMCT) still remains uncertain.

And yet, there is convincing evidence that recognized nuclear states are not willing to totally eliminate their nuclear weapons. The club of five legal nuclear powers would like to have reserved some weapons long as any of the others do for the very end of maintaining a stable and credible deterrence. Euphorically, the Indian strategy makers believe to acquire more weapons either to exhaust or to have an advantage over Pakistan. This is the root cause of a nuclear arms race in South Asia. Unbridled India’s nuclear ambitions have warranted Pakistan to maintain its full spectrum nuclear deterrence capability. Notably, States that have nuclear weapons regard them as the ultimate guarantee of their security.

Nonetheless, this cardinal objective of nuclear disarmament can only be achieved as a cooperative and universally agreed undertaking, through a consensus-based process involving all the relevant stakeholders, which results in equal and undiminished security for all States. Conference on Disarmament – that is the sole body for elaborating treaties – has four items on its agenda. In order to address the concerns of state parties to the TPNW, the CD should give primacy to nuclear disarmament and also negotiate a treaty on negative security assurances. These two issues are ripe for discussion. In the present era of a nuclear arms race, what, seems possible is the adoption of measures aimed at unanimously neutralizing the importance attached to the possession of nuclear weapons, failing which, nuclear disarmament will ever remain as an unresolved challenge.

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