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For use after 10 a.m. Eastern Time, October 7, 2003  
Washington, D.C. National Press Club Press Conference

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**PRESS RELEASE**

**U.S. Usable Nukes Policy Creates Conflicts for NATO Countries**

**Allies May Soon Be Torn between NATO and their Non-Proliferation Obligations if  
U.S. Tests Nuclear Weapons  
New Report Calls for De-Nuclearized NATO**

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*Washington, D.C. Oct. 7, 2003:* The obligations of the North Atlantic Treaty Organization (NATO) allies of the United States under the Nuclear Non-Proliferation Treaty (NPT) and the Comprehensive Test Ban Treaty (CTBT) are coming into increasing conflict with their membership in NATO because of the nuclear policies of the United States. The new analysis is contained in a report, entitled *NATO and Nuclear Disarmament*, issued today by the Institute for Energy and Environmental Research (IEER), a non-profit organization based in Takoma Park, near Washington, D.C. It is being released as NATO Defense Ministers prepare for a meeting in Colorado Springs, the city that is host to NORAD, the North American Aerospace Defense Command.

The report comes amidst growing controversies between the United States and Europe on a number of issues, including the U.S. pre-emptive war strategy in Iraq. The report reveals that the European Union draft security strategy calls for "pre-emptive engagement" to promote justice and the rule of law.

"The contrast between U.S. policy with its emphasis on pre-emptive war and the emerging European consensus on the rule of law and pre-emptive engagement is striking," said Dr. Arjun Makhijani, principal author of the report and president of IEER.

The report analyzes the nuclear non-proliferation and disarmament obligations of the NATO allies of the United States, all of whom have ratified both the NPT and CTBT, focusing on its non-nuclear NATO allies. U.S. policy is now in violation of the commitments that it made to the other parties to the NPT in 1995 and 2000 at the review conferences of that

treaty, according to the report. Specifically, U.S. policies of developing usable nuclear weapons such as "bunker busters" and "mini-nukes" and U.S. plans to maintain a readiness to test nuclear weapons are in conflict with those commitments.

"NATO acquiescence, or worse, participation in the potentially nuclear-tipped war policies of the United States would be very dangerous for European, U.S., and world security," said Dr. Makhijani. "On the contrary, the NATO allies of the United States, and particularly its non-nuclear NATO allies, like Germany and Canada should formally inform the United States that its aggressive nuclear policies are producing conflicts for them between their NATO membership and their non-proliferation and test ban treaty obligations."

The report recommends that the NATO allies formally inform the United States that the conflict between NATO membership and NPT obligations would become severe if the United States tests a nuclear weapon.

NATO policy maintains the option of first use of nuclear weapons, even though use of nuclear weapons by NATO is considered a very remote contingency. According to the analysis in the report, U.S. NATO allies are implicated, at least implicitly, in U.S. nuclear policies because NATO policy explicitly includes reliance on nuclear weapons as well as nuclear weapon sharing with non-nuclear allies in time of war.

"All of the NATO allies of the United States have ratified the CTBT," said Nicole Deller, a consultant to IEER and an analyst of international law relating to security treaties. "Even though the test ban treaty is not yet in force, under the laws of treaty-making, countries like Germany and Canada and Belgium that have ratified it are bound by its object and purpose." Ms. Deller is the principal editor of *Rule of Power or Rule of Law?* (published in 2003 by Apex Press) analyzing U.S. behavior with respect to nine security-related treaties.

The analysis in the report claims that all parties to the NPT are obligated to do their part to achieve complete nuclear disarmament. While this obligation falls heavily on the nuclear weapons states that are party to the treaty, including the United States, six non-nuclear NATO allies of the U.S. actually host U.S. nuclear weapons. They are Belgium, Germany, Greece, Italy, Netherlands, and Turkey. U.S. nuclear weapons are also stationed in Britain. The United States is the only nuclear weapon state to have nuclear weapons stationed on the territory of other countries.

"The NPT is under severe pressure and might fall apart if events continue to drift in the present direction," said Dr. Makhijani. "On the one hand, there are nuclear ambitions of North Korea, which has withdrawn from the NPT, and possibly Iran, which is a non-nuclear party to the NPT. On the other, the United States is in a 'do-as-I-say-not-as-I-do' mode that is quite contrary to the rule of law. The year-and-a-half before the next review of the NPT in 2005 is a particularly crucial time to try to save it."

The report recommends that the NATO allies of the United States:

1. Formally and immediately inform the United States that a nuclear test would put their obligations under the NPT and CTBT in conflict with their NATO membership. This communication should stress the need to make the nuclear test moratorium permanent and for the U.S. to ratify the CTBT to help stem the slide toward proliferation and nuclear chaos.
2. Make a binding and formal commitment that NATO will not use nuclear weapons against non-nuclear NPT parties and express this commitment as part of an explicit and unconditional no first use nuclear weapons policy for NATO.
3. Work for a de-nuclearization of NATO including withdrawal of U.S. nuclear weapons now stationed in six non-nuclear member states of NATO and Britain and an end to the nuclear sharing arrangements, which are of dubious legality at best under the NPT, according to the report.

"The NATO allies of the United States affirmed their obligation to a test ban and to irreversible steps to nuclear disarmament at the NPT Review Conference in the year 2000," said Ms. Deller. "The U.S. is renegeing on several of its commitments, and it is incumbent on the NATO allies not to be complicit in U.S. actions that are undermining both the NPT and the CTBT."

This report recognizes that U.S. allies may have limited leverage, but they have more than any other countries. Moreover, the U.S. need for support in Iraq after it had opted for a course that bypassed the U.N. indicates that opinion in the U.S. may also be shifting.

"A de-nuclearized NATO would not only mean a more secure Europe, but also a more secure United States and a more secure world," said Dr. Makhijani. "NATO works on a consensus of its members. It is time for the allies of the United States to take a stand for non-proliferation, disarmament, and security and help their most powerful friend onto the path of respect for its international treaty commitments."