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Nuclear Weapons in Europe – A Question of Political Will

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On May 27th, 2005, the global non-proliferation regime suffered a serious setback. The Review Conference of the Nuclear Non-proliferation Treaty, the NPT, failed after four long weeks of negotiations. No consensus was achieved on how to renew and strengthen the underlying bargain of the regime since it entered into force: The non-nuclear weapon state parties to the treaty have promised to permanently give up the nuclear weapons option. In return the nuclear weapons states promised to pursue nuclear disarmament.

After the conference failed, UN Secretary-General Kofi Annan warned that this could seriously risk a weakening of the regime. He urged the heads of state and government intending to convene for a UN-Summit in September to take action. "If multilateral forum falter, leaders must lead. This September, more than 170 heads of state and government will convene in New York (...) I challenge them to break the deadlock on the most pressing challenges in the field of nuclear non-proliferation and disarmament."¹

Long before September NATO's Nuclear Planning Group (NPG) is scheduled to

meet at the defence ministers level on June 9th, 2005. It will be the first meeting after a break of eighteen months. The NPG is the main body of NATO for consultations and decision-making on nuclear issues. It is responsible for discussing the nuclear posture of the Alliance, its requirements for nuclear weapon systems, delivery systems, readiness and strategy as well as the potential use or non-use of nuclear weapons. But aside from the military dimension the NPG is also NATO's forum for consultations on issues of nuclear arms control and non-proliferation.

This paper argues that the present NPG meeting offers an urgently needed opportunity to make a substantial contribution to remove the deadlock on both nuclear non-proliferation and nuclear arms control. Above all it should make the decision to remove all remaining sub-strategic nuclear weapons from Europe. Thus the NPG could help to create early incentives which may assist the UN Secretary-General in building up momentum for the September UN Summit.

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Withdrawing Stumbling-Blocks

The time is right to decide to remove the remaining sub-strategic U.S. nuclear weapons from Europe. A continuation of their deployment in Europe could only be justified if this would serve a clear, obvious and Alliance-wide agreed military purpose, which could not be achieved by any other means. But such a purpose does no longer exist. Presently, there is neither an agreement on a specific set of targets for these weapons nor on the specific role which can only be accomplished with these weapons. All potential roles could be realised either with submarine launched ballistic missiles or sub-strategic weapons deployed in the U.S.. To quote from a statement of the Pentagon's influential Defense Science Board on *Non-strategic nuclear systems*: "Office of the Secretary of Defense Policy should consider eliminating the nuclear role for Tomahawk cruise missiles and for forward-based, tactical, dual-capable aircraft. There is no obvious military need for these systems, and eliminating the nuclear role would free resources that could be used to fund strategic strike programs of higher priority. To a great extent, their continuation is a policy decision."²

Indeed, eliminating the nuclear role for dual-capable aircraft could free substantial resources. It would allow each of the European nations to decide to either substantially strengthen its capabilities for conducting conventional air force missions or to use the substantial resources spent on providing nuclear delivery systems for other tasks of transformation and modernization.³ In addition, USAFE and European air forces could save the resources presently allocated for special personnel required solely for the nuclear role.

During the foreseeable future the military requirement for deploying U.S. nuclear weapons in Europe is likely to be further reduced. Some European air forces currently providing aircrafts and pilots for NATO's nuclear missions have already decided to concur with the Defense Science Boards suggestion and will phase out their

nuclear-capable aircraft. Italy and Germany both plan to replace their nuclear-capable Tornado-aircraft with non-nuclear Eurofighters. Thus two of the larger NATO countries will also eliminate their requirement for U.S. nuclear weapons to be provided to them.⁴ Additionally, so far none of the other NATO states presently operating aircraft in a nuclear role has publicly announced a requirement for a future nuclear-capable version of the Joint Strike Fighter.

Moreover, signals emerging from several European NATO members indicate that European deployed sub-strategic nuclear weapons are no longer perceived to be an absolute necessity. The Belgian Senate unanimously passed a resolution to pursue the withdrawal of all remaining sub-strategic weapons. German Foreign Minister Joschka Fischer on May 2nd referred to a similar demand from various German politicians as a "reasonable initiative", which the government will "seriously" take into consideration.⁵ German Defence Minister Peter Struck announced on May 6th "that we will mention this issue in the relevant NATO bodies", and stated: "Together with those other allies, on whose territory nuclear weapons are deployed, we will deliberate this". Furthermore, Kurt Beck (SPD), Prime Minister of the State of Rhineland-Palatinate, which is the sole remaining federal state still housing nuclear weapons, added: "I completely share the view of the Federal Government that we no longer have a threat situation which justifies in any way maintaining this storage permanently. And therefore I endeavour to achieve a withdrawal of these weapons in concert with NATO".⁶ Even though in the short term no practical steps might follow these statements, since Germany is heading for early elections, they clearly indicate growing political will to support a possible withdrawal of these weapons.

Aside from the developments and arguments described above a number of important other reasons to support a decision on the withdrawal of these weapons exist:

First, despite longstanding promises, still no progress has been made to include the issue of sub-strategic nuclear weapons in the arms-control agenda. Furthermore, these weapons are at the core of growing worldwide concerns about nuclear weapons vulnerability in regard to proliferation and terrorist threats.⁷ By taking a decision to remove the sub-strategic nuclear weapons from Europe the NATO states could contribute to making sub-strategic weapons part of the arms-control agenda for the first time. Russia's Defence Minister Sergei Ivanov has stated on June 2nd, 2005, that his country is prepared to discuss sub-strategic nuclear weapons once they all are deployed on the territory of those countries owning them.⁸ This clear reference to NATO's sub-strategic nuclear weapons deployed in Europe indicates, that their withdrawal would create a strong incentive for Russia to overcome a longstanding impasse and to participate in discussions on sub-strategic nuclear weapons. Russia's own operational arsenal of sub-strategic nuclear weapons is diminishing continuously.

Second: During the NPT-Review Conference the Non-Aligned Movement repeatedly questioned whether NATO nuclear sharing was legal under the NPT and recommended, that all nations should refrain from nuclear sharing under any kind of security arrangement. The Non-Aligned Movement perceives nuclear sharing as a violation of commitments under both Article I and II of the Treaty (for details see attached background information). Taking a decision to remove NATO's sub-strategic nuclear weapons thus could strengthen the non-proliferation regime. NATO would simply take the problem off the table.

Finally, from an U.S. point of view a decision on a withdrawal now would be ideal timing. The U.S. is currently preparing for a major reduction of its European deployed forces under the Base Realignment and Closure Process (BRAC 2005). NATO's decision should be taken in context of this process. Deactivating the Munitions Special Support Squadrons and freeing the USAFE forces from nuclear weapons related tasks

will reduce the requirement for forces to be deployed in Europe. It will free capacities for conventional tasks and ease the burden for the limited number of USAFE squadrons remaining in Europe. Another factor which should be taken into account is, that at the moment fewer nuclear weapons are deployed in Europe than usual. About 130 weapons⁹ from Ramstein have already been evacuated for safety and security reasons. Thus deciding on a removal before the weapons are due to be returned from the U.S. could reduce expenditures as well as transportation risks. There is simply no point in returning these weapons to Europe, if there are no convincing military arguments for a long-term requirement for these weapons at Ramstein. Therefore, all involved decision-makers should place the burden of providing these arguments on the proponents for re-deployment. Taking the decision now also may eliminate the costs associated with exercising the option to develop a nuclear capable version of the Joint Strike Fighter.

Breaking the Habit of Old Convictions

Many of the arguments which have been fielded throughout 50 years of NATO nuclear history in favour of maintaining sub-strategic nuclear weapons deployed in Europe and in support of European air forces retaining the capability to deliver such weapons have either become obsolete or are of marginal relevance. The following examples illustrate this :

For many years already, providing nuclear capable delivery systems has ceased to be a prerequisite for full membership and full say of non-nuclear states in the Nuclear Planning Group. Both Canada and Greece, two non-nuclear states, which previously operated nuclear capable delivery systems, are still fully involved in the NPG. All new NATO-member states possess unconditional access to and a full say in the NPG even though none maintains nuclear delivery systems. Indeed, these states were assured explicitly before their accession that they would not become second-class members

because of not owning such systems. Thus, an old conviction has obviously lost its validity: The leverage of a single nation in NATO nuclear consultations does no longer depend on how deeply it has involved itself in providing the capabilities to carry out nuclear missions. Otherwise the assurances given to the new NATO-states could be regarded as worthless and they would be second-class members. In future NATO nuclear consultations on the use or non-use of nuclear weapons, special weight is given to the views of those states whose territories or armed forces would be most directly affected by a use of nuclear weapons. However, these consultations could never preempt the national decision reached by the nuclear powers and, in principle, these consultations would only be held, if time and circumstances would permit this .

Second: Withdrawing sub-strategic nuclear weapons from Europe neither implies a complete de-nuclearisation of NATO's strategic options nor an end of the concept of extended deterrence. Sub-strategic nuclear weapons could still be deployed by strategic aircraft and - in an emergency - both British and U.S. submarines carrying nuclear weapons could be assigned to NATO.

Even the argument, that only the deployment of nuclear weapons in Europe and European nations delivery systems can signal their willingness to carry their fair share of nuclear risks, roles and responsibilities has lost much of its former weight just as the role of nuclear weapons in NATO's strategy has diminished. This is revealed by various facts. By now the Nuclear Planning Group meets only once a year. Apparently few topics require regular consultations. While the number of sub-strategic nuclear weapons in Europe did remain constant for most of the last decade, the number of aircraft earmarked for nuclear roles, the number of bases and the number of NATO states participating in nuclear sharing have declined. The same can be said for nuclear readiness. Today it takes months rather than weeks or minutes to achieve full mission readiness for nuclear delivery systems.¹⁰ All this indicates, that the Pentagon's Defense

Science Board was right in concluding: "To a great extent, their continuation is a policy decision." The same holds true for their discontinuation.

The NPG meeting in June 2005 calls for a demonstration of political will. It is up to NATO's most senior consultation and decision-making body on nuclear issues, to agree on a withdrawal of the remaining sub-strategic nuclear weapons and to turn that decision into an incentive to strengthen both, nuclear non-proliferation and nuclear disarmament – in time for the UN Summit in September.

Background 1

U.S. Nuclear Weapons in Europe

Roughly 15 years after the end of the cold war there still are roughly 480 U.S. nuclear weapons deployed in Europe. This number remained unchanged for the past ten years. The outgoing U.S. President Clinton again authorized it in Presidential Decision Directive 74 in November 2000.¹¹ All weapons are free-fall nuclear B61-bombs. However there are three different models, B-61 Mod 3, B-61 Mod 4 and the B-61 Mod 10. All of them do have a variable yield. Users can choose from a selection of four yields, starting at 0.3 kilotons (KT) and going up to 170 KT for Model 3, 45 KT for Model 4 and 80 KT for Model 10. The Mod 10 bomb represents a redesigned Pershing-II-warhead. About 300 of these weapons are assigned to U.S. Airforce F-16 and F-15E aircraft de-

ployed throughout Europe. The remaining weapons are deployed for potential wartime use with several Allied nations' F-16 or Tornado aircraft under NATO nuclear sharing arrangements. At non-U.S. NATO bases weapons custody, safety and security is provided by U.S. Munitions Special Support Squadrons (MUNSS), all of which now operate under the 38th Munitions Maintenance Group at Spangdahlem AB, Germany. Besides the U.S. five NATO nations still operate dual-capable aircraft (DCA): Belgium, Germany, Italy, the Netherlands and Turkey. Weapons for USAFE-aircraft are deployed in Germany, Italy, Turkey and the UK. Details on the deployments as authorized in 2000 are contained in the following table.

Airbase	Unit	Vaults	Max. Cap.	Weapons	Remarks
Büchel AB, GE	JaboG 33	11	44	20	GEAF-Tornado IDS; 702 nd (formerly 852 nd) MUNSS
Ramstein AB, GE	86 th AW	54	216	max.130	86 th Operational Group; 37 th AS, probably serving as a European PNAF; one additional training vault
Spangdahlem AB, GE	52 nd TFW	0	0	0	38 th MMG, unit superior to all MUNSS units; home of USAF F-16's
Nörvenich AB, GE *	JaboG 31	11	44	0	604 th MUNSS deactivated in 1996; weapons removed in late 1995
Ghedi Torre AB, IT	6 th Wing Stormo	11	44	40	ITAF Tornado-IDS; 704 th (formerly 831 st) MUNSS
Aviano AB, IT	31 st FW	18	72	50	USAF-F16's
Kleine Brogel AB, BE	10 th Wing	11	44	20	BEAF F-16 aircraft; 701 st (formerly 52 nd) MUNSS
Volkel AB, NL	311 & 312 Sq	11	44	20	NLAF F-16 aircraft; 703 rd (formerly 752 nd) MUNSS
Lakenheath AB, UK	48 th FW	33	132	110	USAF-F15E aircraft
Araxos AB, GR*	116 th Wing	6	24	0	731 st MUNSS deactivated in 2001; A-7 Corsair aircraft
Incirlik AB, TR	39 th Wing	25	100	90	USAF F-16 aircraft
Akinci / Murted AB, TR*	4 th Wing	6	24	0	739 th MUNSS deactivated in 1996; vaults never became active; TRAF F-16 aircraft
Balikeshir AB, TR *	9 th Wing	6	24	0	39 th MUNSS deactivated in 1996; vaults never became active; TRAF F-16 aircraft
Total		203	812	480	

* Operated under caretaker status.

Since President Clinton's authorization Greece withdrew its A-7 aircraft from their nuclear role in NATO during 2001, probably for reasons of their age. Consequently the deployment of nuclear weapons and a MUNSS at Araxos AB was ended in 2001.

On May 22nd, 2005 'Der Spiegel' reported that all nuclear weapons had been temporarily removed from Ramstein-Airbase for safety and security reasons.¹² Indeed, Ramstein AB is currently undergoing major construction work, since all USAF functions at Rhein-Main AB are to be relocated to Ramstein and Spangdahlem. The article assumes, that the nuclear weapons at Ramstein were relocated to the U.S. and are scheduled to return once the construction at Ramstein will be finished by the end of 2005. This is likely to be correct, although a final proof is still missing. During spring 2004 Ramstein AB hosted visits by significant numbers of C-17A aircraft from the USAF's Primary Nuclear Airlift Force, which during peacetime is responsible for airlifting nuclear weapons. Moreover, during June 2003, a joint UK-U.S. nuclear weapons accident exercise (Dimming Sun 2003) was held in England. The exercise simulated the crash of a C-17A aircraft en route from Ramstein AB to Kirtland AFB in New Mexico, which hosts one of the two continental U.S. B-61 storage sites. The aircraft was loaded with four (unarmed) B-61 nuclear bombs. The purpose of the exercise was to test emergency response capabilities and procedures.¹³

The assumption, that the Ramstein weapons were moved to the U.S., is probably also correct. No other single European base would have had sufficient storage space in its WS3 vaults to accommodate the weapons from Ramstein, which is Europe's largest depot. Even if relocated to all other existing operational nuclear weapons storage sites in Europe the Ramstein weapons would have occupied nearly all the free space still available in their WS3-vaults.

WS3 vaults are underground safety magazines, which have been built into the floor of Protective Aircraft Shelters on all the

European airbases listed. Each vault can hold up to four weapons and serves as a "safe heaven" for them, even allowing for remote monitoring of the weapons. All nuclear weapons permanently deployed outside of the U.S. are deployed in WS3 vaults. In Europe no other nuclear weapons storage sites have been kept operational after the end of the Cold War.

Thus, as an interim solution, while the Ramstein weapons are awaiting their return, about 350 nuclear free-fall bombs are likely to be actually deployed in Europe these days. However, in May 2004 U.S. President Georg W. Bush signed the National Security Presidential Decision NSPD 35¹⁴, which authorizes the details of future nuclear weapons deployments in Europe. Nothing is yet known about the content of this document or any changes it may have initiated. While theoretically changes to the numbers authorized for Europe might have been ordered, NATO's most recent description of the Alliance's nuclear posture does not indicate any change.¹⁵

Background 2 Criticism of NATO Nuclear Sharing

The majority of the NPT signatories regards the concept of nuclear sharing as a violation of the treaty. Since 1998 more than hundred states co-operating in the Non-Aligned Movement (NAM) repeatedly have called on the NATO states to give up this policy. In a working paper from 1998 they proposed for the first time, that the state parties to the NPT should reaffirm their commitments to implement Article I and II of the treaty to the fullest:

"Nuclear-weapon states parties to the NPT reaffirm their commitment to the fullest implementation of this Article and to refrain from, among themselves, with non-nuclear-weapon states, and with states not party to the Treaty, nuclear sharing for military purposes under any kind of security arrangements."¹⁶ During the NPT Review Conference which ended on May 27, 2005 in New York they reiterated this position. "Nuclear-

weapon States, in cooperation among themselves and with non-nuclear weapon States, and with States not Parties to the Treaty, must refrain from nuclear sharing for military purposes under any kind of security arrangements", said Syed Hamid Albar, the Minister of Foreign Affairs of Malaysia on behalf of the Non-Aligned States. Ahmed Fathalla, the Head of the Egyptian Delegation added that "(...) assessing compliance with articles I & II compels us during this conference to review the policies and doctrines of some military alliances, such as "nuclear sharing" in order to determine whether they conform with the obligations of states under the NPT or not."

Article I and II of the NPT reads:

"Article I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

Article II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices."¹⁷

Despite the NAM criticism, NATO still believes its nuclear sharing arrangements to be in full compliance with the treaty. In an outspoken statement, U.S. Secretary of State Albright argued in 1997, that neither the technical dimension of nuclear sharing nor nuclear consultations in NATO violate the rules of the NPT in any way.

"This question of NPT Article I and its impact on NATO nuclear forces was debated at length during the negotiation of the NPT. All concerned accepted that the final language of Article I would not preclude the type of nuclear planning, basing, and consultative arrangements that have taken place in NATO since NPT entry-into-force in 1970."¹⁸

This position, stating that the practice of nuclear sharing is entirely in compliance with the NPT and – even more - that this was accepted by all state parties during the negotiations leading to the NPT, raises serious doubts. Most members of the NPT have probably signed the treaty without knowing exactly what NATO meant by nuclear sharing, or at least without knowing, how NATO interpreted the relation between the NPT and the technical dimensions of NATO's concept of nuclear sharing.

During the treaty negotiations Washington dug deep into its Machiavellian toolbox to bring nuclear sharing and NPT into a seeming compliance and possibly even negotiated under false pretenses.¹⁹

The thesis of NPT and nuclear sharing being in compliance rests on the unilateral interpretation of Article I and II by the U.S., disseminated in a document titled *"Questions on the Draft Non-Proliferation Treaty asked by US Allies together with Answers given by the United States"*. Attached to the ratification documents for the NPT this document was handed over to the U.S. Senate as a letter from then U.S. Secretary of State, Dean Rusk. It explained, why the United States regarded the existing design of nuclear sharing not as a violation of the treaty. It is frequently referred to as the Rusk-Letter.

Starting point of its reasoning is the assumption that everything not explicitly forbidden by the NPT is allowed. It goes on to declare the various elements of nuclear sharing as being permitted: The procedures on consultations and participation in the framework of the Nuclear Planning Group, the deployment of U.S. weapons on the territories of non-nuclear states in Europe and the

arming of non-nuclear states with delivery systems for nuclear weapons which belong to the U.S. At its core the line of argument always stays the same: Since only the U.S. President can authorise their use, control over them remains with the U.S. in peacetime and thereby guarantees observance of the NPT. Thus, no phrase of the treaty would explicitly prohibit any element of nuclear sharing.

However, the Rusk-Letter's most delicate problem concerns the following question: How should the use of U.S. nuclear weapons by delivery systems of non-nuclear states, for instance by a German aircraft with a German crew, during wartime be treated? Here, the control over a nuclear weapon is being transferred to citizens of a non-nuclear state. The Rusk-Letter provides a perplexing answer: In times of war the treaty does not apply anymore. The reasoning behind the U.S. conclusion is even more surprising: In case a war has broken out, the treaty could not fulfil its purpose anymore to prevent the proliferation of nuclear weapons and to prevent a war being fought with these weapons. Therefore the treaty ceases to be binding.

Indeed: the preamble of the NPT stated according to U.S. wishes that it is the purpose of the NPT "to prevent such (nuclear) war". In the U.S. interpretations this phrase is used to deduce the position that the NPT does not apply for times of war.

During the negotiations the legal advisor to the State Department, Leonard Meeker, already counselled against utilising such tricky interpretations and procedural fine print:

"Should we decide to leave the wartime exception implicit we would want to make perfectly clear at Geneva what we were doing, lest we later be accused of having negotiated a treaty under false pretenses."²⁰

But exactly this happened. Meekers warning was blown in the wind and the number of people aware of which interpretation the NATO states were actually intending to apply was kept to a minimum in a similar cunning fashion.

The letter with U.S. answers to the questions of European allies was not – as would have been usual practice – deposited as a national reservation which would have been accessible for all parties to the treaty. Instead, it was added only on July 9th 1968, eight days after more than fifty states had already signed the treaty, to the documents sent to the U.S. Senate for discussions on the national ratification of the NPT. According to the interpretations of the U.S. Administration, this procedure ensured, that the rest of the world was made aware of its content.

That such a situation, in which the vast majority of parties would sign the treaty in ignorance of the U.S. interpretations, was no accident but actually desired, is revealed in a letter of the then Undersecretary of Defence, Nicholas Katzenbach, written on April 10th, 1968:

"We do not believe it would be in our interest or that of our allies to have a public discussion of the US interpretations prior to the time when the NPT is submitted to the Senate for advice and consent."²¹

From this followed logically, that almost no party to the NPT outside of NATO really knew in detail under which most relevant interpretations NATO states signed the NPT. True, most of the NATO states deposited some kind of reservations along with their signature, which did refer indirectly to the interpretation offered by the Rusk-Letter, but none repeated the content or substance of the Rusk-letter.

Only at the third NPT Review Conference, due to a Swedish initiative, a wording countering the NATO interpretation was adopted in the final document. Since then, the treaty is valid "under all circumstances" – including times of war.²²

Until today, five of the non-nuclear NATO states possess delivery systems which are available for nuclear missions in case of war. Their crew is taught and trained in peacetime to prepare and carry out nuclear missions. Nuclear weapons would be provided by the U.S. and therefore are stored on the airfields of the European allies. During

times of peace they remain exclusively under the control and supervision of the U.S. Air Force. They could be handed over to the armed forces of the non-nuclear allies in times of war. In such a case, assuming that the U.S. President had authorised the use of nuclear weapons and proper release codes for the weapons had been transferred to Europe, U.S. MUNSS personnel would assist their hosts at the European nations airfield(s) to move nuclear weapons out of their vaults, load them onto the European nations dual capable aircraft and prior to the aircraft taxiing to the runway enter the release codes for the weapons' Permissive Action Link. Once the aircraft would start moving down the taxiway, the U.S. nuclear weapon would be under the control of the European host nations aircrew. Control over the weapon would be transferred to soldiers of a non-nuclear nation. NATO claims in its own defense that this does not constitute a transfer of control, since the mission, which the aircraft is going to conduct, would be a NATO mission. However, the Alliance's argument clearly contradicts NATO's other argument, that the treaty does no longer apply during wartimes. If the latter was true, NATO would never had a need to argue the former. Moreover, it can not be guaranteed, that all aircrews will always fly their missions as ordered.²³

Endnotes

¹ Kofi A. Annan, Break the Nuclear Deadlock, IHT, 30.5.2005

² Defense Science Board: Future Strategic Strike Forces, Washington, February 2004, p.5-13f.

³ As a very rough figure: Operating a wing of fighter bombers costs € 500 million per year.

⁴ On January 29th, 2001, the "Order of the Day", issued by the Air Force Chief of Staff outlined plans to adopt the "Air Force Structure 5" and stated, that the 31. and 33. Fighter-Bomber Wings "will be equipped with the multi-role capable EF 2000 between 2007-2010 and 2012-2015". The multi-role Eurofighter is not designed as a nuclear-capable aircraft. Parliamentary Secretary of State of the Ministry of Defence, Walter Kolbow, reassured the Bundestag in July 2004: "It is not planned and no steps are undertaken to make the Eurofighter weapon system capable for a mission with nuclear weapons." See: Deutscher Bundestag: Drucksache 15/3609, p.27. In addition, it can be regarded as highly unlikely that the producing states of the Eurofighter or the involved industry would be willing to provide the U.S. Administration with a deep insight into the used technology - which would be necessary in order to receive nuclear certification.

⁵ "Fischer begrüßt Forderungen nach Beseitigung von US-Atomwaffen", AFP, 2.5.2005

⁶ "Struck kündigt Vorstoß in der NATO zu US-Atomwaffen an", dpa, 6.5.2005

⁷ Most interestingly USAFE's 39th Wing at Incirlik AB in Turkey states: "Terrorist groups exist in Turkey. Incirlik AB has been identified as a potential target area from intelligence/OSI reports. (...) Incirlik has several potential target areas, these are: (1)Command Post (2)Hot Cargo Pads (3) Convoys (Aircraft Parking Loops /Areas." And: "Convoy movements are when (nuclear) weapons are most vulnerable." See: 39th Wing Nuclear Surety Manager: Commanders Guide to Nuclear Surety and Explosives Safety, Incirlik, without publication date (received by the author in May 2005, issued probably in 2004 or 2005), pp 10-11

⁸ Interfax, 2.6.2005

⁹ This figure is based on the assumption, that weapons for use with Memmingen Airbase, which had caretaker status in 2000, were not withdrawn to the U.S., when this base was closed in 2003. If they were withdrawn, this number must read 110. However the 130 figure is used throughout this entire paper.

¹⁰ NATO: NATO's Nuclear Forces in the New Security Environment, Brussels, 18.2.2005

¹¹ For the following also see: Hans M. Kristensen: U.S. Nuclear Weapons in Europe, Natural Resources Defense Council, February 2005, Washington DC and Otfried Nassauer: NATO's Nuclear Posture Review, BITS, April 2002, Berlin an the sources given in both publications.

¹² Ralf Beste and Alexander Szandar: "Atomarer Anachronismus", in: Der Spiegel, issue 21/2005, p.48-49.

¹³ Al Stotts: Accident Response Group Exercise Dimming Sun June 2003, NNSA Service Center, 12.1.2005, 13 p.; Hansard: Written Answers for 30 June 2003, Column 43W, London.

¹⁴ Joint Chiefs of Staff: JP-3-12 (Joint Nuclear Operations) Comment Matrix, Washington, 21.12.2004, p.133

¹⁵ NATO: NATO's nuclear forces in the new security environment, Brussels, 18.2.2005, chart 2 (accessible under <http://www.nato.int/issues/nuclear/sec-environment.htm>)

¹⁶ Working Paper Presented by the Members of the Movement of the Non-Aligned Countries, Parties to the Treaty, 1998 Preparatory Committee for the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons, 28. April 1998. Please notice, that the formula "among themselves" strongly indicates, that the NAM states also regard UK-US nuclear weapons related cooperation as a form of nuclear sharing.

¹⁷ Translation of the Treaty to be found at www.auswaertiges-amt.de

¹⁸ Written answers by Secretary of Defense Cohen in response to questions of Senator Harkin, posed at a hearing of the Senate Appropriations Committee October 21st, 1997

¹⁹ A more extensive and detailed presentation of these thoughts can be found in: Martin Butcher, Otfried Nassauer et.al.: A Question of Command and Control – NATO, Nuclear Sharing and the NPT, PENN Research Report 2000.1, Berlin, London, Washington, March 2000. The wording of the Rusk-Letter is reprinted on page 41.

²⁰ Leonard Meeker, "Proposed Revised Articles of US Non-Proliferation Treaty, Memorandum", US Department of State, Office of the Legal Advisor, Lyndon B. Johnson Library, 6. July 1966, original classification: Confidential.

²¹ Evans Gerakas, David S. Patterson, and Carolyn B. Yee (eds.) "*Arms Control and Disarmament*", Foreign Relations of the United States, 1964-1968. Volume X. United States Government Printing Office, Washington, 1997, S.574.

²² Final Declaration of the Third Review Conference of the NPT, reprinted in: Goldblat, Jozef, Twenty Years of the Non-Proliferation Treaty – Implementation and Prospects, Oslo, 1990, p.138ff.

²³ Confronted with the argument, that the pilot theoretically could conduct a mission different from the one assigned to him and thus a transfer of control could happen even within a NATO-planned mission, NATO usually argues that this was practically impossible. However, a recent guide for USAF commanders at Incirlik AB in Turkey mentions that possibility while describing nuclear weapons accident and incident reporting. According to the guide a "Nucflash" message about the accidental or unauthorized use of nuclear weapons by U.S. or allied forces has to be sent to higher headquarters inter alia, when an "unauthorized deviation from an approved flight plan by a nuclear armed ... aircraft" occurs. See: 39th Wing Nuclear Surety Manager: Commanders Guide to Nuclear Surety and Explosives Safety, Incirlik, without publication date (received by the author in May 2005, issued probably in 2004 or 2005), p.9

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