



The bomb has burst

A briefing following the current Dutch debate on nuclear weapons

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Introduction

There is no public support for the presence of nuclear weapons in the Netherlands. This is demonstrated by repeated opinion polls, and amongst politicians these weapons of mass destruction are also not popular. If the U.S. government would propose to the Dutch government today to station nuclear weapons in our country there would be no support for it. Unfortunately, these weapons are here and have been here for decades. Now is the right time to get rid of these weapons. There is a sympathetic American president, a Dutch Foreign Minister with a nice track record of previously expressed views on nuclear disarmament in the Netherlands and a parliament that has given this minister a clear mandate to act. What is needed is courage. Political courage to return these nuclear weapons to the U.S. Through this short briefing PAX calls on the government and parliament to gather courage and take concrete steps to make the Netherlands nuclear weapons free in 2014.

On October 24 2013, Minister of Foreign Affairs Timmermans sent a letter to parliament¹ in which he unfolds the Government's policy of promoting nuclear disarmament and non - proliferation. PAX published a substantive response to that letter², which concluded that the Minister rightly emphasized that disarmament and non - proliferation are mutually reinforcing, but the policy lacks substance on the disarmament side. The Minister confirmed in his letter that the Dutch attitude is inconsistent. On one hand, it is emphasized that any use of nuclear weapons would have catastrophic humanitarian consequences while on the other hand it is recognized that the Government remains ready to use these weapons of mass destruction.

Since October, there has been a lot of discussion and a lot has happened: Critical questions were asked in the House and partly answered. A resolution was adopted that prohibits a nuclear task for new fighter planes. Documents were leaked about a conflict between the Netherlands and the U.S. on security of nuclear weapons in the Netherlands and Ivo Daalder - until recently the U.S. Ambassador to NATO - reiterated that an agreement with Russia is not a prerequisite for the U.S. nuclear weapons in Europe to be returned to the U.S. Minister Timmermans stressed in Parliament that his commitment is to change the NATO policy on nuclear weapons in close cooperation with allies and within NATO and that his aim is to get rid of American nuclear weapons in Europe. At the same time it remains unclear how the Netherlands wants to achieve this. Previous attempts have failed due to a lack of consensus within NATO and to restart that

¹ Ministry of Foreign Affairs october 24th 2013 van Buitenlandse Zaken (24 oktober 2013): Policyletter on nuclear disarmament and non-proliferation. DVB/NW-293/2013, Directie Veiligheidsbeleid, Den Haag. : english translation here: <http://www.nonukes.nl/en/documentation/dutch-policy-letter-on-nuclear-weapons>

² Van Velzen, van der Zeijden, Snyder (Oktober 2013): Laat de Bom Maar Barsten. PAX, Utrecht.

discussion within NATO will not provide a different result. If the minister wants to take concrete steps, he must now take bold and decisive action, NATO will adapt.

The Netherlands referred to NATO nuclear policy when it explained why it didn't join the statement supported by 125 countries, (UN General Assembly First Committee, 2013) in which concern was expressed about the catastrophic humanitarian consequences of the use of nuclear weapons. The statement was, according to the Dutch interpretation, not in line with NATO policy. With this attitude the Dutch government undermines a major intergovernmental initiative which aims to give the 186 countries without nuclear weapons a much more important role in the disarmament process, which is now determined by the nine countries that do possess nuclear weapons.

This briefing provides a response to these developments and looks ahead to the forthcoming parliamentary hearing and debates on this subject, with the first planned for late January 2014.

Recommendations to the House:

- According to Minister Timmermans, Germany and England have received special permission from NATO to openly speak about nuclear weapons on their territory. The House could instruct the Minister to ensure that at least the same rules apply for the Netherlands, thus enabling a more mature discussion about the Dutch involvement in nuclear weapons. A visit to the nuclear weapons base Volkel, as the German Bundestag did to the German base Büchel, would be a logical next step.
- The House could ask the Minister to indicate what concrete steps he will now take to prevent the arrival of new (modernised) nuclear weapons to the Netherlands - in accordance with the motion passed Omtzigt. It appears that the minister has not acted on this resolution, nor has he provided a satisfactory explanation to the House. This should not be accepted by the Chamber.
- The House could ask the Minister whether he has reported to the U.S., that the Dutch parliament has decided that the JSF shall perform no nuclear task, what the reaction of the U.S. was and when exactly this will lead to the return to the U.S. of the B61 nuclear weapons that are currently stationed at Volkel Airbase. Again, the minister seems to want to ignore the motion. This should not be accepted by the Chamber.
- The House could ask the Minister how he is going to adapt his policies to reflect the explanation of former U.S. Ambassador Ivo Daalder that Russian consent is not required for the termination of the dependence on U.S. nuclear weapons in Europe.
- The House could ask the Minister to play a clear and constructive role in future discussions with regards to catastrophic humanitarian consequences of nuclear weapons, as opposed to the biased role over the past months.
- The House could ask the Minister to advocate the necessity to start negotiating a ban on nuclear weapons.

The state of affairs

After a period of 11 months of consultation and internal deliberations, on October 24, 2013 Minister Timmermans published a governmental policy with regard to disarmament, non-proliferation and arms control. This letter offered little more than a repetition of existing opaque and often inconsistent policies which parliament and civil society have already indicated need to be amended, modified or abolished. The letter resulted in a stream of questions and reactions in parliament and will be the subject of a hearing and a debate in parliament as well as a debate in the Dutch senate. In the last parliamentary debates the following matters were discussed:

Transparency

This government also seems unable to break the bad habit of not openly speaking with its own population and parliament about U.S. nuclear weapons that are stationed in the Netherlands. Questions raised in the House frequently forced the minister to hide behind the excuse that NATO agreements don't allow open discussion³. Even the question of when this agreement was reached to remain silent about the Dutch nuclear task encounters a wall of silence, judging by the response of the Minister during the recent budget debate: "I can not say that because it is part of the <secret> deal."⁴ Rightly, the Chamber asked why politicians in Germany and England speak much more openly about their nuclear tasks. The minister replied that those countries have stipulated a different, separate deal within NATO that allows them to speak in much more detail. A logical request to the minister would be that the government demand a similar deal within NATO, allowing the Dutch parliament and government to have a more mature debate without hindrance of the veil of secrecy that is now making discussions so difficult. Allowing a parliamentary visit to the nuclear weapons base in Volkel as the German Bundestag did at the Büchel airforce base would be a logical outcome of this new deal.

Modernization

By adopting the Motion Omtzigt in 2012 parliament turned against the planned modernization of the B61 nuclear weapons that are now placed in the Netherlands and four other European countries⁵. This fall (2013) the Minister explained - at the insistence of the House - that the Netherlands does not play any role of significance in decisions about modernization. He thus showed that the Netherlands does not have a decision-making role about the nuclear weapons that have been placed in the Netherlands and may be used in wartime involving Dutch pilots and Dutch fighter planes. Parliament rightly decided to force the Minister to make sure decisions are made where they should be made with issues this serious: in the Netherlands. On November 6, 2013, a motion of Van Dijk (Socialist Party) was adopted in which it was agreed that the F-35 (JSF) - that is planned to replace the current F-16 - will not perform nuclear tasks⁶.

A response from the Minister on how and when to implement this motion is expected to arrive prior to the debate on this subject in January following. Given previous answers from this government, it is expected that the Minister will argue that NATO agreements prohibit the Netherlands to make any unilateral decisions on the future of the nuclear weapons that are placed in the Netherlands. PAX believes it is important to reiterate that this is not formally correct. The decision to deploy NATO nuclear weapons is indeed taken by consensus within NATO, but

³ Dutch parliament, November 26th 2013): oral questions raised by MP Hachchi (D66) to the Minister of Foreign Affairs 2013Z23181.

⁴ Dutch parliament, November 26th 2013): oral questions raised by MP Hachchi (D66) to the Minister of Foreign Affairs 2013Z23181

⁵ Tweede Kamer (19 december 2012): Motie van het lid Omtzigt C.S.. 33 400-V Nr. 65, Tweede Kamer der Staten Generaal, Den Haag.

⁶ Dutch parliament (november 6th 2013): Resolution by Jasper van Dijk. 33 763 Nr. 14, Tweede Kamer der Staten Generaal, Den Haag.

decisions on specific locations, numbers and nuclear functions are explicitly the responsibility of the countries that have taken up such tasks. The Netherlands can - without violating NATO rules - make a decision to end the nuclear task and placement in the Netherlands and come to an agreement with the U.S. on when the removal will take place. The (secret) treaty that underpins the deployment of these weapons in the Netherlands is bilateral and may be terminated by one of the two parties, without NATO approval. In political terms it is perhaps not easy to stand up to NATO pressure and to communicate that the Netherlands is no longer willing to house nuclear weapons on its territory or to perform the nuclear task. This is clearly a matter that depends on political will, not on secret rules and regulations. The Motion Van Dijk once again proves that the Dutch parliament expects the Minister to have the courage to announce the fact that the Netherlands has decided to end its nuclear task within NATO (and not, as he intends as a topic of discussion).

Safety

This fall, the Chamber also raised the issue of the persisting doubts about the safety of aging nuclear weapons that are at Volkel airbase. The Dutch media and parliament have paid increasing attention to the risks and liabilities of nuclear weapons in the Netherlands. This has increased due to the book *Command and Control* by Eric Schlosser⁷ documenting decades of accidents with nuclear warheads as well as a television documentary about leaked diplomatic reports showing that the Dutch government has been arguing with the U.S. for decades on liability issues⁸. The refusal of the government to openly talk about nuclear weapons in the Netherlands seems to be a hindrance for the government itself. One of the results was that the province of North Brabant in November 2013 refused to approve an environmental impact report, arguing that the government refuses to make the necessary data available needed to determine the status of the security of the air base.

Reciprocity with Russia

In his policy letter Minister Timmermans once again emphasized that the removal of U.S. nuclear weapons from Europe can not be discussed separately from the Russian tactical nuclear weapons. The letter seems to imply that an agreement with Russia is necessary for this government according to NATO policies. But that is not what the cited NATO documents say. Ivo Daalder, until recently Ambassador to NATO on behalf of the U.S., confirmed once again in a speech⁹ on November 15th 2013 that the NATO Deterrence and Defense Posture Review (DDPR) does not talk about Russia's consent, that it does not give Russia the right to veto what [NATO] does and that it is possible to further reduce, and even end, the dependence on U.S. nuclear weapons in Europe¹⁰.

It would be foolish if NATO would allow Russia an informal veto in NATO decision making. The idea of reciprocal reduction of nuclear weapons is based on the assumption that Russia wants to get rid of U.S. nuclear weapons from Western Europe, just as we would like to get rid of Russia's nuclear weapons. However, this assumption does not hold. The presence of U.S. nuclear weapons in Northern, Western and Southern Europe is no real military threat to Russia, but does offer Russia a perfect political excuse not to have to discuss any changes in their own nuclear arsenal.

^{7 7} Schlosser, Eric (2013): *Command and Control*. Allen Lane Publishers, London.

⁸ KRO Brandpunt Reporter (12 september 2013): Ruzie Nederland met VS over atoombommen. KRO, Hilversum. Documentary can be seen on-line: http://reporter.incontxt.nl/seizoenen/2013/afleveringen/12-09-2013/ruzie_nederland_en_vs_over_atoombommen (29-12-2013)

⁹ Daalder, Ivo (15 november 2013): Luncheon Keynote Conversation with Ivo Daalder. Atlantic Council, Washington DC. Bekijk online: http://www.youtube.com/watch?v=gla0_r_wsWQ&feature=share&list=PLrmyxz4eulD8Cqkh2t62Dm7veh-iVdYQQ

¹⁰ Daalder, Ivo (15 november 2013): Luncheon Keynote Conversation with Ivo Daalder. Atlantic Council, Washington DC. Bekijk online: http://www.youtube.com/watch?v=gla0_r_wsWQ&feature=share&list=PLrmyxz4eulD8Cqkh2t62Dm7veh-iVdYQQ

Looking ahead

The motions Omtzigt and van Dijk provide Minister Timmermans with the mandate he needs to announce within NATO that the current Dutch nuclear tasks can no longer be carried out by the Netherlands. Backed up by the parliament and a large majority of the Dutch population nothing stand in the way of the Minister to decide together with the United States to end the deployment of American nuclear weapons in Netherlands in the near future. In the coming weeks, there are some important moments:

Parliamentary debate

At the end of January both the First and the Second Chamber are planning hearings and debates in which the aforementioned issues can be addressed. PAX believes that these debates provide an excellent opportunity to provide Minister Timmermans with a clear, binding and realistic mandate that will lead to the termination of the deployment of nuclear weapons in the Netherlands and the termination of the Dutch nuclear task within the foreseeable future. The motions Omtzigt and Van Dijk form an excellent basis for that purpose.

Mexico

On February 13th and 14th in Nayarit (Mexico), the Second International Conference on the catastrophic humanitarian consequences of nuclear weapons will be held. The Netherlands has built a double position on this issue in the recent months. On the one hand it is clear that the Netherlands welcomes the new emphasis on the humanitarian consequences. The Netherlands asked attention for the catastrophic nature of nuclear weapons during its contribution to the annual meetings of the 1st Committee of the UN General Assembly in October in New York¹¹ and also in it's statement at the High Level Meeting on Nuclear Disarmament in the Non - Proliferation and Disarmament Initiative (NPDI). The NPDI called on all countries to participate in the continuation of the Oslo conference in February in Mexico, and will also be focusing on the catastrophic humanitarian consequences of nuclear weapons at its next meeting in April in Hiroshima¹².

On the other hand in recent months the government has made claims that NATO policy is holding the Netherlands back on this issue. During the NPT meeting in April in Geneva¹³ and during the UNGA First Committee meetings¹⁴ in October The Netherlands refused, despite pressure from both friendly countries and civil society, to support a joint statement because of the sentence "It is in the interest of the very survival of humanity that nuclear weapons are never used again, under any circumstances."¹⁵ These statements were considered by the Netherlands as incompatible with NATO policy. However, the statement of New Zealand was endorsed by 125 countries, including NATO countries.

¹¹ UN General Assembly 1st Committee (17 oktober 2013): Statement by Mr. Henk Cor van der Kwast, permanent representative of the Kingdom of the Netherlands. UNGA 68: First Committee, New York. Beschikbaar on-line: http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com13/statements/18Oct_Netherlands.pdf

¹² http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/HLM/26Sep_NPDI.pdf

¹³ http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/prepcom13/statements/24April_SouthAfrica.pdf

¹⁴ http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com13/statements/21Oct_Joint.pdf

¹⁵ UN General Assembly 1st Committee (21 oktober 2013): Joint Statement on the Humanitarian Consequences of Nuclear Weapons. UNGA 68: First Committee, New York. Beschikbaar on-line: http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com13/statements/21Oct_Joint.pdf

In the run-up to the Mexico conference, the Chamber could tell the Minister that NATO policies does not have to be and can not be in the way of a the Netherlands playing a constructive role on this issue. More attention to the catastrophic consequences of nuclear weapons further stigmatizes nuclear weapons and puts pressure on the nine countries with nuclear weapons to start a result oriented process to outlaw and eliminate them. Both goals fit well with the Dutch approach.

The Nuclear Security Summit

On March 24th and 25th, the third Nuclear Security Summit (NSS) will be held in the Netherlands. Although the focus of this conference is mainly on the security of nuclear materials, it also provides a platform to announce concrete steps to make the Netherlands a nuclear weapon free country.

The NPT meeting 2014 (New York)

At the end of April the NPT Preparatory Committee meeting will be held. This year, all countries are expected to submit their reports on how the 64 action items from the NPT meeting in 2010 have been implemented. These reports form the basis for the discussions that will take place during the NPT Review Conference next year. The NPT countries have agreed to submit these this non - mandatory reports. What exactly is reported on is the choice of each contributor, but it can explicitly deal with fissile materials as well as the deployment of nuclear weapons in the reporting state. It would be embarrassing if the Netherlands can not report any concrete progress regarding their own role in the nuclear weapons task, again. The announcement that the Netherlands will get rid of its nuclear task in accordance with the motion Van Dijk provides solace here. The Chamber must call upon the minister to take the necessary measures now, in order to be able to announce this historic step in April in New York.

There are many paths that can lead to a nuclear-free Netherlands. Without pressure from the Chamber the risk exists that the Minister will be organising one consultation after the other within NATO without any result. The outcome of the consultations is actually already known: France, Hungary and Lithuania will not voluntarily agree to the removal of nuclear weapons from Europe. PAX advises the Chamber to look at the possibilities for the government to announce the end of the Dutch nuclear task this year after bilateral consultations, in accordance with the motion Van Dijk.