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# NATO's nuclear Posture and Burden Sharing Arrangements: an Italian perspective

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**Personal report based upon a roundtable held on June 15, at the Istituto Affari Internazionali, Roma, Italy<sup>1</sup>**

On June 15, 2011 the British American Security Information Council (BASIC) in cooperation with the Istituto Affari Internazionali (IAI) hosted a roundtable in Rome to explore the issue of “NATO’s Nuclear Posture and Burden Sharing Arrangements: an Italian Perspective.” The main points raised at the roundtable were as follows:

- The Alliance’s Deterrence and Defence Posture Review (DDPR) will need to answer a fundamental question regarding the future of NATO: deter whom, how and from what.
- In general participants agreed that forward deployed TNW have little meaningful strategic or military value in the current security scenario. However, some maintained that they still have some political and symbolic value and may retain a certain deterrence effect in some scenarios (albeit unlikely).
- Participants differed on the issue of whether extended deterrence is strengthened by the physical presence of TNW in Europe. Many expressed the view that their presence masks

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deeper and more fundamental lack of trust and confidence in the future of US commitment, diminished solidarity within the Alliance and long term uncertainty over relations with Russia.

- Participants stressed the need to engage Russia constructively whilst also addressing some NATO allies' security needs.
- They agreed that the compatibility of TNW with the Nuclear Non-proliferation Treaty (NPT) raises a number of issues.
- Removing TNW from European soil would concretely demonstrate European countries' commitment to nuclear disarmament.
- The stationing of US TNW on European territory sets a dangerous precedent of forward deployment on other countries' territories that could in future be repeated in more dangerous circumstances.

Italy's current position was explored in detail. The main points raised were:

- Participants agreed that the military value of TNW in Italy has drastically weakened, and that the status quo is probably untenable.
- Historically, the reason for hosting nuclear weapons on Italian territory was the acceptable "Italian path to the bomb" and the prestige associated with this.
- Italy has adopted a low profile on this particular issue due to a lack of political leadership, public awareness and thus of any pressing interest. But also, a deeply rooted elite strategic culture prioritises multilateralism and has meant a preference for the status quo over any difficult conversations to seek an alternative consensus.

## Key Insights and Observations

The DDPR will be a long and complex exercise, one that will require time and patience. ***Participants agreed that the DDPR will need to answer a fundamental question regarding the future of NATO: deter whom, how and from what.***

One participant expressed the view that it was wise for NATO to postpone any decision regarding TNW, as NATO still needs time to "metabolize" the major changes laid out in the US Nuclear Posture Review (NPR). The Obama administration has developed a new approach based on two elements: the vision of a world free from nuclear weapons and a reduced military role for such weapons. The Alliance should now adjust to these changes.

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***Participants differed on the issue of whether extended deterrence is strengthened by the physical presence of TNW in Europe.***

The “Asian model” of extended deterrence and its possible application to the European context was discussed at length. This model involves extended deterrence without the physical presence of nuclear weapons. Japan, South Korea and Australia are under the American nuclear umbrella, however not only are the weapons not deployed on their territory but also there are no nuclear weapons related exercises, burden sharing agreements or consultations. In the latest US nuclear posture review the Administration withdrew the nuclear tipped cruise missiles that had previously been explicitly linked to nuclear guarantees for East Asia from notional deployment, assuring its allies that its nuclear umbrella remained intact.

Participants expressed different views on whether this model could be transferable to Europe. Some highlighted that NATO members, due to their geopolitical location, have different security needs, threat perceptions, and conceptions of deterrence, and that in any case there were significant noises of disquiet from East Asian allies suggesting that the arrangements there did not provide full assurance. Above all, doubts on the applicability of the Asian model to Europe related to a strong sense that the issue of the physical presence of arsenals in Europe is a proxy for deeper and more fundamental issues, such as ***lack of trust and confidence in the future of the US commitment, diminished solidarity within the Alliance, and long term uncertainty over relations with Russia.***

Options for NATO were explored.

***Participants stressed the need to engage Russia constructively whilst also addressing the security needs of those NATO allies that most feel threatened, in particular the Baltic States.*** But participants were sceptical on the real possibilities of a serious engagement with Russia over the TNW deployments themselves as NATO deployments transparently have very little value, while Russia values its own for entirely different reasons (as a compensation for its conventional capability inferiority vis-à-vis NATO, US and China). Such conventional inferiority has made Russia feel even more dependent on its nuclear (strategic and non strategic) arsenals in recent years.

Participants discussed the opportunity of unilateral instead of such bilateral approaches, but were generally split on this issue. Different views were also expressed as to nuclear sharing alternatives. Despite agreeing that NATO should elaborate a new nuclear sharing mechanism that does not rest on forward deployment of nuclear weapons, participants were divided on concrete technical and political options. The deployment of nuclear-armed submarines in the Mediterranean Sea, for example, was discussed and seen as a possible alternative to TNW despite the crisis stability and militarily unnecessary risks associated with it.

***The compatibility of TNW with the NPT and with other international treaties raises a series of compliance issues:***

- The US is the only country that deploys nuclear weapons on other countries’ territory. This means that the European host countries, which are signatories of the NPT as non nuclear weapon states (NNWS) are quasi-nuclear weapons states, with the implied ability to deploy US nuclear weapons at a time of extreme crisis. Such status, however, is not recognized in the NPT

which only provides for nuclear weapons states (NWS) and non nuclear weapons states. As such, the status of host countries is questionable.

- The forward deployment of TNW on European territory is considered by some a violation of the spirit (if not the letter) of the NPT with regard to Art. 1, Art. 2 and Art. 6. NATO members argue that nuclear sharing complies with the NPT, on the basis of an interpretation that the NPT does not apply during war. The Italian government has maintained that: 1) the NPT was ratified after Italy signed the (classified) agreements to host nuclear weapons on its territory, arrangements that were known to other signatories to the Treaty at the time of signing; and 2) the “dual key” system implies no transfer of the weapons or their control from the US to Italy whilst the treaty applies.
- As for the compatibility of the use or threatened use of nuclear weapons with humanitarian law, the International Court of Justice (ICJ) Advisory Opinion of 1996 was unclear on whether in the extreme case of self defence the use or threatened use of nuclear weapons is lawful or unlawful. It did, though, give clear direction that the threat or use of nuclear weapons for any other purpose was unlawful.
- The indiscriminate use of nuclear weapons is unlawful under Protocol 1 of the Geneva Convention. The US, however, did not ratify such Protocol and is not bound by it. European host states, at the time of ratification, meanwhile added a reservation whereby Protocol 1 would be only applicable to conventional weapons. The reservation intentionally omitted nuclear weapons. This position would need to be clarified as it is not compatible with the ICJ Advisory Opinion.
- Is the use of nuclear weapons a war crime? The Statute of the International Criminal Court refers to the use of certain classes of weapons as a war crime. However, it does not include nuclear weapons in its provisions.

***Removing TNW from European territory would concretely demonstrate NATO countries’ commitment to nuclear disarmament*** and would put an end to the last remaining case of forward deployment of a country’s nuclear arsenals on the territory of another. However, obstacles to their removal still remain and include the strong opposition from some NATO allies, and the issue of relations with Russia.

## Italy

### The weight of history

Historically, Italy has developed a specific disposition when it comes to nuclear weapons. Italy started to concretely think about nuclear weapons in 1953-54 when, under the Eisenhower Administration, they became the cornerstone of US strategic thinking. In the same years, the nuclearization of NATO created a two tier Alliance, and, as a consequence, Italy had a strong desire to be in on the inside, sensitive after

the humiliating defeat in World War 2 to being left out of the circles of power. ***Hosting nuclear weapons on the Italian territory was, in this respect, the Italian path to the bomb and the associated prestige.***

It is unclear whether nuclear weapons remain an instrument of prestige and status today. They clearly have a diminished value in the Italian position, which embraces the process of delegitimization of TNW; however, ***a deeply rooted strategic culture that prioritizes multilateralism has translated into procrastination in the interests of maintaining consensus within NATO.*** TNW are still credited with some residual political value (reassurance) in the view of some NATO allies.

### **Current approach**

***Italy has adopted a low profile as a result of a lack of political leadership and public awareness.*** It has developed a passive attitude, whereby in the words of one participant, “Italy waits until Washington asks.” Furthermore, Italy’s foreign policy tends towards ‘*conservatism*’, supporting the status quo until the weight of opinion shifts. “Old reflexes” to keep the Americans coupled to European security and the urge to be among ‘those who count’ still strongly inform Italian policy makers’ mentality.

Different sections of the Italian establishment (Government, Parliament, Ministry of Foreign Affairs, Ministry of Defence and the Air Force) have different agendas on this particular issue. The Air Force, in particular, supports the maintenance of TNW to maintain a common capability and training space, as well as status.

### **Why is it urgent to promote discussion on TNW?**

It has been very difficult to provoke a discussion or advocate a more active role for Italy. Nevertheless, ***participants agreed that the status quo is untenable.***

- The forward deployment of TNW in Europe is problematic from an international perspective as non-nuclear weapon states party to the NPT call into question the legality of the practice of nuclear sharing under the NPT regime.
- Forward deployment of TNW sets a precedent that may be used by other countries in future to deploy their own nuclear weapons outside their territory, encouraging worldwide proliferation.
- Italy’s passivity, coming from a European country which is a signatory of the NPT, weakens the international regime and harms Italy’s reputation in international fora.
- The clock is ticking. It is quite possible that Germany may leave the burden sharing system unilaterally, with Belgium and The Netherlands possibly following suit. If that were the case, Italy and Turkey would become the only two host states. Such a scenario would have deep political and economic consequences, and call into question the future viability of NATO burden sharing and would possibly not be sustainable.
- Promoting the cause of removal could create political capital.

### **Conclusion**

Given the ambiguities underlying Italy's position, the general view was that the government should clarify this. Ambiguity does not serve Italy and does not serve the long term interests of the Alliance. A more active Italian pro-disarmament participation in the current debate over nuclear weapons in Europe could be highly valued by the United States.