

The Crises Testing Arms Control

By Patricia M. Lewis

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The arms control system built during and after the Cold War is under enormous stress and is fraying at the edges. It once enabled significant improvements in international security but is in danger of not withstanding the resurgence of tensions in recent years. Urgent action is now needed to prevent the proliferation of nuclear, chemical, and biological weapons, as well as cluster bombs and anti-personnel mines.

politique étrangère

The events of recent years have opened a pause for reflection on the role that arms control has played in the wider effort of international, collective security over the last 80 years.

In the context of Russia's brutal land-grab war against Ukraine since 2022 and yet another horrendous conflict in the Middle East, the shocking United States (US) pull-back from the North Atlantic Treaty Organization (NATO) and the United Nations (UN), including the proposals of invading Greenland¹ and Canada,² has increased an already high sense of insecurity and fears of conflict escalation throughout the world.

In January 2026, the *Bulletin of the Atomic Scientists'* Doomsday Clock was moved forward by 4 seconds to 85 seconds before midnight.³ An

1. T. Wilson, "Trump Doubles Down on Greenland Ahead of Davos Visit, Saying There Is 'No Going Back'", BBC, January 21, 2026, available at: www.bbc.co.uk.

2. M. Stevis-Gridneff, "How Trump's '51st State' Canada Talk Came to Be Seen as Deadly Serious", *The New York Times*, March 7, 2025, available at: www.nytimes.com.

3. "It Is Now 85 Seconds to Midnight", *The Bulletin of the Atomic Scientists*, January 27, 2026, available at: <https://thebulletin.org>.

indication of global risks in terms of nuclear war, climate change and other global threats, including pandemics. The ticking Doomsday Clock also reflects the reduced restraints in arms control, nonproliferation and disarmament agreements.

The Response

The response to global insecurity has been different in different parts of the world. For most countries, and particularly middle powers and developing countries, the problem is seen as one of far too much military expenditure and unbridled hard power –the current global spending on weapons and militaries is upwards of \$2,718 billion.⁴ Such countries turn to international law and rely on the obligations of states that have been made within international treaties such as the nuclear Non-Proliferation Treaty (NPT),⁵ the Comprehensive Nuclear Test Ban Treaty (CTBT),⁶ the Chemical Weapons Convention,⁷ the Biological Weapons Convention (BWC),⁸ the Mine Ban Convention (MBC),⁹ the Cluster Munitions Convention (CCM)¹⁰ and the Treaty on the Prohibition of Nuclear Weapons (TPNW).¹¹

In other parts of the world, particularly in regions close to the action –Europe, the Middle East and Asia–, there has been a call to arms. For the most part, there has been an emphasis on more agile conventional weaponry such as drones and versatile weapons platforms, better logistics and cyber defense/offence. There has, however, also been an uptick in interest regarding acquiring nuclear weapons, given that the long-held belief in the extended deterrence guarantees from the US to its allies looks now to be in doubt. Most recently, the United Kingdom (UK) announced that it was looking to allow US nuclear weapons on board US aircraft to be flown by Royal Air Force crew and President Emmanuel Macron of France announced major changes in French nuclear strategic doctrine and increases in the nuclear stockpile.¹²

4. "Unprecedented Rise in Global Military Expenditure as European and Middle East Spending Surges", Stockholm International Peace Research Institute, April 28, 2025, available at: www.sipri.org; X. Liang, N. Tian *et al.*, "Trends in World Military Expenditure, 2024", Stockholm International Peace Research Institute, April 2025, available at: www.sipri.org.

5. Treaty on the Non-Proliferation of Nuclear Weapons (NPT), 1968, available at: <https://legal.un.org> and <https://www.un.org>.

6. Comprehensive Nuclear-Test-Ban Treaty (CTBT), 1996, available at: www.ctbto.org.

7. Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC), 1993, available at: www.opcw.org.

8. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BWC), 1972, available at: <https://digitalibrary.un.org>.

9. Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (MBC), 1997, available at: www.apminebanconvention.org.

10. Convention on Cluster Munitions (CCM), 2008, available at: www.clusterconvention.org.

11. Treaty on the Prohibition of Nuclear Weapons (TPNW), 2017, available at: <https://treaties.un.org>.

12. "Speech by the President of the Republic on France's Nuclear Deterrence", Élysée, March 2, 2026, available at: www.elysee.fr.

In addition to Russia developing its military nuclear capability, President Vladimir Putin,¹³ senior politicians, military¹⁴ officers and political commentators have been making veiled and direct threats to use nuclear weapons against Ukraine and against NATO within the context of the war against Ukraine. Indeed, in October 2022, the US intercepted chilling intelligence that suggested that these threats might be more than just posture and threat but about to be made real with short-range, battle-field nuclear warheads (often called “tactical nuclear weapons”).¹⁵ President Joe Biden took immediate action, setting up meetings with high-level Russian officials and their US counterparts. The information was shared with Allies and the concerns communicated to China’s President Xi Jinping and India’s Prime Minister Narendra Modi –both of whom made public statements warning Russia not to use nuclear weapons.^{16,17}

Despite this major, global nuclear threat, there seems to be a collective amnesia about the massive risks involved –fear of nuclear use is being used as a tool without considering what could possibly go wrong and increasingly countries have lost awareness. The world has come close to nuclear weapons use on several occasions¹⁸ and luck –particularly in respect of the individuals involved– has played an inordinate role. This should provide us with little comfort.

There is a serious conundrum at the heart of the new nuclear weapons policies. The increasing talk among world leaders of the possible use of nuclear weapons and the increasing threat of war suggests that they do not believe in the current nuclear weapons capabilities and postures ability to deter –they are assuming, prudently, that deterrence will either fail or it is essentially already absent. And yet, their response thus far has been to call for more nuclear weapons in their defense policies, while not calling for a similar investment in diplomatic, arms control approaches that would help provide the transparency and stability that nuclear strategies require. It is a recipe for catastrophe.

13. P. Sauer, “Putin Announces Partial Mobilisation and Threatens Nuclear Retaliation in Escalation of Ukraine War”, *The Guardian*, September 21, 2022, available at: www.theguardian.com.

14. H. Cooper, J. E. Barnes and E. Schmitt, “Russian Military Leaders Discussed Use of Nuclear Weapons, U.S. Officials Say”, *The New York Times*, November 2, 2022, available at: www.nytimes.com.

15. D. E. Sanger, “Biden’s Armageddon Moment: When Nuclear Detonation Seemed Possible in Ukraine”, *The New York Times*, March 9, 2024, available at: www.nytimes.com.

16. S. Lau, “China’s Xi Warns Putin Not to Use Nuclear Arms in Ukraine”, *Politico*, November 4, 2022, available at: www.politico.eu.

17. “PM Modi’s Views on Nuclear Weapons Impacted Russia amid Ukraine War: CIA Chief”, *NDTV*, December 18, 2022, available at: www.ndtv.com.

18. P. Lewis, H. Williams, B. Pelopidas and S. Aghlani, “Too Close for Comfort: Cases of Near Nuclear Use and Options for Policy”, Chatham House, April 2014, available at: www.chathamhouse.org.

The Importance of Arms Control

Arms control has had many impacts and purposes over the last century. It has its roots in two, separate but intersecting, fields of study and resulting international law.

The first is in the field of humanitarian action, in which the effects of weaponry on humans, other animals and the environment have been the spur for constraint on both behavior and types of weapons. The second is international security and the spur to increase stability and predictability to prevent war.

The Humanitarian Strand

Both strands of thought can be thought of as drawing on “the dictates of the public conscience”. The Martens Clause¹⁹ was developed to cover behavior that is not addressed in extant international norms and treaties. Formulated at the 1899 Hague Peace Conference²⁰ and coded in the 1907 Hague Convention²¹ (and therefore embedded in current International Humanitarian Law) states: “Until a more complete code of the laws of war has been issued, the High Contracting Parties deem it expedient to declare that, in cases not included in the Regulations adopted by them, the inhabitants and the belligerents remain under the protection and the rule of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity, and the dictates of the public conscience.”

The dictates of the public conscience are not fixed of course, and they vary from one culture to another and through time; however, they have become increasingly collective as they are integrated and globalized through international agreements and treaties. In a way perhaps more significant, when there are no agreed international legal constraints, the Martens Clause requires governments to act according to what publics can accept as civilized, humane and within their conscience.

It is on this basis that the 1925 Geneva Convention prohibiting the use of chemical and biological weapons was agreed. This led to both the BWC and

19. R. Ticehurst, “The Martens Clause and Laws of Armed Conflict”, *The International Review of the Red Cross*, Vol. 37, 1997, available at: www.onlinelibrary.ihl.org.

20. “1899 Hague Peace Conference”, The Peace Palace, Carnegie Foundation, available at: www.vredespaleis.nl.

21. “The Hague Convention of 1899 (II) and 1907 (IV), Respecting the Laws and Customs of War on Land”, in: J. Brown Scott (ed.), *The Hague Conventions and Declarations of 1899 and 1907; Accompanied by Tables of Signatures, Ratifications and Adhesions of the Various Powers, and Texts of Reservations*, New York: Oxford University Press, 1915, pp. 101–102, available at: <https://archive.org>.

CWC and is the basis for criminal proceedings and international action against the use of chemical weapons on Kurds in Iraq and Iran, against Iranian soldiers in the Iran-Iraq war, in the Syrian war, and as a weapon of murder in Salisbury, UK. Without this approach that considers the “dictates of the public conscience”, much of the legal prohibitions on the use of such inhumane weapons would not exist. This has also been true for the development of other measures to prohibit inhumane weapons, such as blinding laser weapons, landmines and cluster munitions. It is also the basis for the PTBT and by extension the CTBT, given the inhumane and long-term consequences on human health and the environment. Likewise for the TPNW, which treats nuclear weapons as inhumane, citing the catastrophic humanitarian consequences that would result from any use of nuclear weapons and prohibiting their use, threat of use and existence –thus placing them on the same legal footing as chemical and biological weapons.

The 1996 CTBT, while not yet fully in force,²² proscribes nuclear tests in all environments, whereas the 1963 PTBT²³ prohibits all nuclear weapons tests in the atmosphere and at sea.

The test ban treaty negotiation, led at the time by the US, was a signal that the highly competitive Cold War arms race between the US and Russia was over. The CTBT meant that nuclear weapons could be kept safe *via* computer modelling and zero-yield checks (carried out in the extant underground tests sites) but new types of warhead designs would remain on the drawing paper and in the computer simulations, never to be deployed. If nuclear weapons tests were to restart in the US, Russia and China, a new qualitative and quantitative nuclear arms era would have begun.

The CTBT negotiation set the scene for the 1995 indefinite extension of the NPT and was supported by, and in turn provided support for, the significant arms reduction *via* bilateral treaties between the US and Russia/USSR.

Following the first attacks of the nuclear-capable Oreshnik on Ukraine in 2024,²⁴ obviously with conventional warheads on these occasions, President Donald Trump requested his officials to investigate the possibility

22. D. Kimball, “The CTBT, the Global Nuclear Test Moratorium, and New U.S. Threats to Break the Norm”, *Policy White Papers*, Arms Control Association, December 22, 2025, available at: www.armscontrol.org.

23. Partial Test Ban Treaty (PTBT), 1963, available at: <https://treaties.un.org>.

24. “Russia Has Used Its Hypersonic Oreshnik Missile for The First Time. What Are Its Capabilities?”, The Associated Press, December 9, 2024, available at: www.ap.org.

of restarting nuclear weapons tests. More recent reports have confirmed that restarting nuclear testing is under active consideration in the US.²⁵

But treaties banning chemical, biological, nuclear weapons tests, land-mines and cluster weapons are also straightforward arms control treaties and stem from the same root as other international security measures.

The International Security Strand

Security-focused arms control focuses primarily on increasing security for the parties to the agreement, their allies and neighbors, and for international security more generally. At their heart is risk reduction *via* increased transparency and predictability, and by forming relationships between adversaries.

Nuclear arms control has mostly been a process between the two largest nuclear weapons possessors –the US and Russia. Starting in the 1960 with attempts to halt nuclear weapons testing altogether –and if such a measure had been achieved in the early 1960s, the Cold War would have been very different– and going on to reduce the over numbers of nuclear weapons, eliminate the most destabilizing systems and practices and increase transparency *via* national and cooperative verification and monitoring measures.

The nuclear treaties and agreements that were negotiated included the 1972 and 1979 Strategic Arms Limitation Treaties (SALT I & II),²⁶ the 1972 Anti-Ballistic Missile Treaty (ABM),²⁷ the 1974 Threshold Test Ban Treaty (TTBT),²⁸ the 1976 Peaceful Nuclear Explosions Treaty (PNET),²⁹ the 1987 Intermediate-Range Nuclear Force Treaty (INF)³⁰ and the 1991-2010 strategic arms reduction treaties (START/SORT/NEW START).³¹ In addition, there were reciprocal, unilateral measures such as the 1991 Presidential Nuclear Initiatives.³²

The INF Treaty was perhaps the most extraordinary bilateral nuclear treaty. Negotiated near the end of the Cold War by Presidents Ronald Reagan and Mikhail Gorbachev, the treaty eliminated and

25. D. E. Sanger and W. J. Broad, "Newly Unbound, Trump Weighs More Nuclear Arms and Underground Tests", *The New York Times*, February 10, 2026, available at: www.nytimes.com.

26. Strategic Arms Limitation Talks (SALT) I, 1972, available at: www.armscontrol.org and SALT II, 1979, text available at: www.armscontrol.org.

27. Anti-Ballistic Missile (ABM) Treaty, 1972, available at: www.armscontrol.org.

28. Threshold Test Ban Treaty (TTBT), 1974, available at: www.armscontrol.org.

29. Peaceful Nuclear Explosions Treaty (PNET), 1976, available at: www.armscontrol.org.

30. Intermediate-Range Nuclear Forces (INF) Treaty, 1987, available at: www.armscontrol.org.

31. Strategic Arms Reduction Treaty (START I), 1991, START II, 1993, and New START, 2010, available at: www.armscontrol.org.

32. Presidential Nuclear Initiatives (PNIs), 1991, available at: www.armscontrol.org.

prohibited ground-launched intermediate-range (500–5,500 km) nuclear missiles. In going for what was dubbed the “zero option”, whereby all ground-launched missiles with this range were banned, the requirements for verification became far more simple: any discovery of a single weapon would be a violation, so no complex counting and monitoring measures were needed. However, in a display of “out-yessing” the US, Russia agreed to the most intrusive forms of on-site inspections ever established in such a treaty, including at production sites and sensitive military installations. The treaty also involved the cooperation of countries where these missiles had been stationed. Despite the INF Treaty’s successful implementation and the Special Verification Commission working well throughout its years of implementation and inspections, the worsening security environment eventually caught up with the Treaty and the US withdrew in 2019,³³ with Russia withdrawing in 2025.³⁴

Added Benefits of Arms Control Allies

Bilateral and multilateral arm control, disarmament and non-proliferation treaties have been fundamental in increasing international security and reducing the risks of nuclear weapons use, including at the most dangerous moments of the highly unstable Cold War. They not only dramatically reduced the number of nuclear weapons held by Russia and the United States, they eliminated a whole class of nuclear weapons (intermediate range nuclear missiles), put in place risk reduction practices and –perhaps most importantly– established accepted, and often intrusive, verification and monitoring measures along with a routine set of legally-required cooperative bodies where officials would meet to discuss issues and problems with the implementation of the treaties.³⁵

These agreements and processes enabled the opposing sides to learn so many things, such as what was important to them, how they understood the other, and the instituted transparency, thus increasing predictability and transparency. Indeed, they helped stabilise the deterrence framework. All this is now being lost.

The treaties also created an environment in which professional and, to a limited extent, personal relationships could develop, thereby increasing

33. C. Mills, “Demise of the Intermediate-Range Nuclear Forces (INF) Treaty”, *Research Briefing*, No. 8634, House of Commons Library, September 17, 2019; P. Sonne and J. Ismay, “Russia Says it Will Stop Abiding by Missile Treaty”, *The New York Times*, August 4, 2025, available at: www.nytimes.com.

34. P. Sonne and J. Ismay, “Russia Says It Will Stop Abiding by Missile Treaty”, *op. cit.*

35. J. R. Walker, *Britain and Weapons of Mass Destruction Verification*, Barnsley: Pen and Sword Military, 2025.

understanding of each other's positions and creating enough trust to work through some of the difficult implementation problems. It was not perfect of course –indeed, part of the process has been to accuse each other, often in public, of non-compliance– but at least there were ways of checking on compliance through means of verification and monitoring and means to discuss these problems “offline” should they wish.

Ever since 2002, when the US withdrew from the ABM Treaty, the international legal security framework has been fraying at the edges. The grounds cited for withdrawal from the US-Russia nuclear treaties have primarily been about persistent treaty violations, and these accusations have been both ways. The problem is that, while non-compliance is very serious, when a state removes itself from a treaty the mechanisms for enforcing compliance no longer have effect.

These mechanisms may well be inadequate, but when they are the only tools at the disposal of states, the alternative is to have no effective tools at all. Withdrawal from international legal instruments results then in hurting the parties that are obeying the law far more than the impact on the non-compliant party. In the end of course, every country –and every person in every country– suffers because we all become less secure, less safe.

The Risks of Further Proliferation

When North Korea announced its withdrawal from the NPT, the other States Parties were deeply distressed, even though accusations about the Democratic People's Republic of Korea's non-compliance with the Treaty were well-founded and long-standing. Indeed, many countries –particularly countries within the EU– still do not formally recognise North Korea's withdrawal as legitimate, despite North Korea having tested nuclear warhead explosions underground, tested long-range missiles that could carry nuclear warheads, and behaved aggressively in the region. The NPT parties have still not collectively recognised what is fact because they hope that, at some point, the government of North Korea will change –either *via* a change of heart or a transfer of power–, at which point the “prodigal son” will return to the family.

In the case of Iran, there are similarities and differences. Negotiated in 2015, the Joint Comprehensive Plan of Action (JCPOA) was –like all negotiations– a compromise. No doubt from the perspective of all parties, it had its flaws but its main purpose –to uphold the NPT and ensure that Iran was kept from having the technical capability to make nuclear weapons for at least a decade– was realised. In President Trump's first term,

however, the US withdrew from the agreements, leaving the EU, Russia, China and Iran to try –and fail– to salvage the deal.

The situation with Iran is currently in disarray. The bombing of nuclear sites in the 12-day war in June 2025 may have destroyed much of Iran's enrichment capability but –at the time of writing and during the US-Israeli March 2026 war on Iran– it would appear not to have destroyed the 400 plus Kg of 60% enriched uranium (60% HEU)³⁶ whereabouts of which have yet to be revealed to the International Atomic Energy Agency (IAEA). It is always possible that the bombing has strengthened the resolve of Iran (and possibly other countries) to hold onto its nuclear capability for as long as possible in the hope that the development of the capability might one day prove to deter the US and Israel. So it would appear that the nuclear installation bombings in June 2025 did not achieve the desired outcome and left the IAEA unable to conduct inspections and report on Iran's programme. In addition, the NPT has suffered from the withdrawal of the US from the JCPOA. As seen also with the CTBT, when a major negotiator cannot fulfil its promise and obligations to an agreement because of domestic political change, trust in the international system of legal obligations diminishes starkly.

Similarly, when States Parties to the MBC and the CCM withdraw because they border an aggressive Russia that has landmines and cluster munitions, where is their support for international law? International law and its supporters should be able to withstand changes in the international security environment. Russia's threat is real, but withdrawing from international legal instruments undermines all the other strenuous efforts to uphold international law and thus ultimately undermines international security.

The Rupture

As a result of the current “rupture” in the international system and international law leading a reversion to the “might is right” pre-1945 world ordering, unless urgent and collective action is taken, the world will likely see a new wave of nuclear weapons proliferation and a renewed interest from several countries in other types of inhumane weaponry such as chemical and biological weapons, cluster munitions and landmines. This is not in the collective interest.

36. F. Crellin, “Much of Iran's Near-Bomb-Grade Uranium Likely to Be in Isfahan, IAEA's Grossi Says”, Reuters, March 9, 2026, available at: www.reuters.com.

Is there a way to halt this trend and establish a new type of international arms control for a new type of international security? One for which, as Mark Carney put it, “the power of legitimacy, integrity and rules will remain strong, if we choose to wield them together”.³⁷ Carney also called for creating and building new institutions and agreements that function for today’s world, not for the past. I would add that we need to build any new agreements to function effectively for the future, not just for the world as it is now. We need to “weather-proof” our treaties and institutions so that they can withstand whatever the future brings. One of the major problems that we have encountered in our post-Cold War treaties is that, for the most part, they were negotiated when the sun was shining, when relationships were good and improving and –for the most part– nobody thought to include provisions for when relationships broke down and things fell apart. They were negotiated when trust was high and the awfulness of the Cold War seemed to belong to the past. However, now that trust is broken, we have to develop agreements that are far more clear-eyed and do not depend on trust or even building trust –we have verification instead.³⁸

The Reframe

There are some key issues that we need to embed in whatever new approach we take for regulating arms in this new, ruptured security environment.

The first is that treaties work best when both humanitarian concerns and international security are deeply valued and at the heart of each negotiation. This requires a real understanding about the purpose of an agreement and what benefits it might bring to each party. It also means working in like-minded groups –there will be some agreements that will work for some and not all– that is fine. Trying to get every UN member state to agree on the text of a security agreement is just a recipe for a watered-down, meaningless treaty. Whereas, keeping the focus of what is important for the countries involved leads to far more effective security measures that others can join later if they wish.

We cannot ignore accusations of non-compliance. These need to be taken up in the treaty bodies, and when needed to the UN Security Council and to the UN General Assembly. Other bodies such as regional

37. “Davos 2026: Special Address by Mark Carney, Prime Minister of Canada”, World Economic Forum, January 20, 2026, available at: www.weforum.org.

38. H. Chalmers, “Resource Page for the UN Group of Scientific and Technical Experts on Nuclear Disarmament Verification (GSTE-NDV)”, Verification Research, Training and Information Centre, September 3, 2025, available at: www.vertic.org.

security and regulatory bodies can also play an important role in addressing the concerns. While the ability to withdraw from a treaty in cases of force majeure is an important principle in international law, the commitment to international security should be so high as to make that a rare exception rather than what has lately been more commonplace.

Another important aspect to help states reframe for this new security environment is to ensure that negotiating parties understand and keep at the centre of their action how arms control treaties can support international security, particularly in preventing and deterring conflict. In focusing on conflict prevention, countries could reduce the stove-piping that has grown in international security. Making the links between weapons systems and behaviours, with an emphasis on risk reduction behaviours, will help the international system reframe the security environment. And increasing the emphasis on transparency and verification measures for the purposes of stability will likewise assist when relationships deteriorate.

* * *

International agreements need to be better “weather-proofed” –we tend to negotiate treaties when conditions are favourable, but that approach can lead to overly optimistic drafting. Treaties need to work when the security environment is poor far more than we need them to function when countries are getting along peacefully. One of the problems created in the sunshine of the 1990s was an attitude that to require stringent verification and transparency measures was “unfriendly” and “untrusting” at a time when Russia and the US were seen as partners, no longer as enemies. In 2002, following the conclusion of the SORT Treaty negotiations, US Secretary of State Colin Powell remarked: “With respect to this treaty and this agreement, the United States initially did not think we needed a treaty; we did not need to legally bind one another... because the Russians are friends. We’re no longer enemies. The Cold War is over... But as we continued our discussions, the Russian side felt that it would be more stabilizing, and it would be more understandable to the peoples of both nations if we made this a legally binding agreement between the two nations, so that there would be predictability in the future. After President Bush and President Putin are no longer in office, there would be something that people could look at and say, ‘This is what they accomplished.’”³⁹ If only that could be said today.



39. “Joint Press Availability with US Secretary of State, Colin L. Powell, and Russian Federation Foreign Minister, Igor Ivanov”, North Atlantic Treaty Organization, May 14, 2002, available at: www.nato.int.

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