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## **The Legality of the NATO Nuclear Sharing Program Under the Nuclear Non-Proliferation Treaty**

**Abstract:** The paper analyzes the NATO Nuclear Sharing program, a “sharing” nuclear weapons program for part of the North Atlantic Treaty Organization (NATO) members. The studies’ goal is to depict the nature of the NATO Nuclear Sharing program and its legality under the Nuclear Non-Proliferation Treaty (NPT). Based on the studies’ main goal, the paper answers the following questions: what is the international non-proliferation regime, and what are the components? What are the NATO Nuclear Sharing program objectives, and can they violate the NPT? How does Donald Trump’s policy influence the present shape of the NATO Nuclear Sharing program? The theoretical part of the study was based on a review of literature, acts of international law, and military doctrine. It contributed to established the fact and correlation between this. Empirical research was conducted on the synthesis, which was used in formulated conclusions. The conclusions regarding the legality of the NATO Nuclear Sharing program under the NPT can be a field of study about the non-proliferation and denuclearisation issue. In conclusion, the main idea of the NATO Nuclear Sharing program is outdated. It is contributed to the wakening of efforts to non-proliferation and denuclearisation.

**Keywords:** nuclear weapon, NATO, non-proliferation, denuclearisation.

### **Legalność programu udostępniania amerykańskiej broni jądrowej w świetle traktatu o nieprolifracji broni jądrowej**

**Abstrakt:** W artykule poddano analizie założenia amerykańskiego programu udostępniania broni jądrowej (NATO Nuclear Sharing) wybranym państwom Sojuszu Północnoatlantyckiego. Celem opracowania jest przedstawienie istoty programu udostępniania broni jądrowej oraz jego legalności względem traktatu o nieprolifracji broni jądrowej (NPT). W artykule, na podstawie przedstawionej literatury przedmiotu badań, udzielono odpowiedzi na następujące pytania: co to jest międzynarodowy reżim nieprolifracji broni jądrowej i jakie elementy go współtworzą? Jakie są założenia programu udostępniania broni jądrowej (NATO Nuclear Sharing) oraz czy naruszają

one NPT? W jaki sposób polityka prowadzona przez Donalda Trumpa wpływa na obecny kształt programu NATO Nuclear Sharing? W opracowaniu jako metodę badawczą zastosowano analizę literatury, aktów prawa międzynarodowego oraz doktryny wojskowej, dzięki czemu ustalono fakty i zachodzące między nimi współzależności. Drugą z zastosowanych metod jest synteza, która pozwoliła na sformułowanie wniosków. Poruszone w artykule kwestie związane z istotą nieprolifracji broni jądrowej, a także programem udostępniania broni jądrowej stanowią płaszczyznę do dalszych i pogłębionych badań w zakresie nieprolifracji i denuklearyzacji broni jądrowej przez jej posiadaczy. Głównym wnioskiem wynikającym z opracowania jest przede wszystkim anachroniczność założeń programu udostępniania broni jądrowej, a tym samym podważenie działań nieprolifracji i denuklearyzacji broni jądrowej.

**Słowa kluczowe:** broń jądrowa, NATO, nieprolifracja, denuklearyzacja.

## Introduction

Research on physics and chemistry field conducted, among others, by Ernest Rutherford, Richard Becker, as well as by Enrico Fermi, and Leó Szilard constituted a milestone in the development of these scientific disciplines by discovering neutrons and then using them in the process of atomic nucleus fission. On the other side, using neutrons to fission the uranium nucleus gave rise to constructing a new and so far the most potent weapon, whose characteristics are: self-sustaining nuclear reaction (so-called chain reaction) and the release of huge amounts of energy. The use of nuclear weapons by the U.S. in 1945 gave both political and military predominance to a state possessing this type of weapon. The military advantage that comes with the ownership of nuclear weapons meant that these weapons were (and still are) for many countries and non-state organizations the object of desire. Therefore, numerous initiatives and actions have been taken, among others by the International Atomic Energy Agency (IAEA), focused on the non-proliferation, denuclearization, and development of work of a purely peaceful nature (e.g., in medicine, energy, or technology). The program that closely corresponds to non-proliferation and denuclearization issues is NATO Nuclear Sharing – a program of sharing nuclear weapons to countries associated with the NATO alliance.

Despite the fact that almost thirty years have passed since the end of the Cold War and the Warsaw Pact dissolution, the program operates in an unchanged form and assumptions. The validity of the program's functioning has been repeatedly questioned by numerous international political commentators and representatives of many countries or international institutions – including the IAEA. The lack of real moves on the part of the U.S. and NATO members, as well

as the dynamism of changes in the world, meant that it is justified to undertake research in this area. The author's intention is to present the main assumptions of the NATO Nuclear Sharing program in the context of the provisions of the Nuclear Non-Proliferation Treaty (NPT).

Collected in research's work analyzes, opinions and comments will allow to confirm falsify the thesis: maintaining the unchanged form and assumptions of the nuclear weapons access program as part of the NATO alliance is a serious violation of the key assumptions of the NPT, and further continuation of the program might be the basis for an increase in the erosion tendency, and as a consequence the collapse of the nuclear non-proliferation regime.

### **Nuclear non-proliferation regime**

The use of nuclear weapons by the U.S. in 1945, followed by successful tests by Russia in 1949, Great Britain in 1952, France in 1960, and China in 1968, significantly influenced the advantage in the military and political sphere of five countries (Treaty on the Non-Proliferation of Nuclear Weapons, 1968, art. IX). The successive spreading of the group of countries with nuclear weapons in their arsenal forced its current disposers to develop mechanisms to stop the uncontrolled spread of nuclear weapons. The international non-proliferation regime<sup>1</sup> of nuclear weapons was based on two main elements: on Non-Proliferation Treaty (NPT) and the activities of the International Atomic Energy Agency (IAEA). The Treaty on Non-Proliferation of Nuclear Weapons is a legal mechanism regulating issues related to, inter alia, the possession, sharing, or obligation to disarm arsenals from nuclear weapons of states, and also includes aspects connected with the development of work and research solely on the peaceful use of nuclear energy. The most important provisions resulting directly from the NPT are its four articles, which contain all states' rights and obligations - parties to the treaty. In Article IX, the authors of the treaty divided this into two opposing categories of countries: legal disposers of nuclear weapons, which means countries that before January 1, 1967, have built nuclear weapons and conducted its tests, as well as all other countries called nuclear-free states. The introduction of such a division was intended to give direct rights and obligations to individual parties to the treaty.

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<sup>1</sup> The nuclear non-proliferation regime should be seen as a set of multilateral, unilateral, bilateral, formal and informal commitments, whose overriding idea is to limit and, as a consequence, completely stop the spread of nuclear technology bearing the features of militarily useful and individual elements of nuclear weapons.

The first two articles are related directly to horizontal non-proliferation, which means one that is intended to prevent the expansion of the group of countries holding nuclear weapons (Treaty on the Non-Proliferation of Nuclear Weapons, 1968, art. IX).

In Article I of the NPT, countries that legally possess nuclear weapons are required to “not transfer or control nuclear weapons or other nuclear explosive devices to anyone directly or indirectly, or to provide assistance, non-encouragement or non-harassment in any way any state not having nuclear weapons for the production or other means of obtaining nuclear weapons or other nuclear explosive devices and for the control of such weapons or explosive devices” (NPT, 1968, art. I). Article II imposes an obligation on non-nuclear weapons and states to “not take or control nuclear weapons or other nuclear explosive devices from anyone, directly or indirectly, to not produce or otherwise obtain nuclear weapons or other nuclear explosive devices, and not to apply and not receive any help in the production of nuclear weapons or other nuclear explosive devices (NPT, 1968, art. II). No less important provision of this treaty is art. VI, in which legal nuclear disposers were obliged to take effective actions aimed at reducing their nuclear arsenals. The same article imposes an obligation on countries that do not have nuclear weapons to take initiatives regarding universal denuclearization (NPT, 1968, art. VI). Furthermore, a provision important for the entire non-proliferation regime is a provision requiring all countries to carry out work having only the features of its peaceful purpose (NPT, 1968, art. VI section 2) or taking initiatives for locally created nuclear-free zones (NPT, 1968, art. VII). The cited article VII is fully in line with the activities of non-proliferation, denuclearization, and peaceful work on the development and use of nuclear energy because one of the critical conditions determining the possibility of creating such a nuclear-free zone is the “freedom” of the area from weapons and militarily useful nuclear technology.

The International Atomic Energy Agency is the second element that co-creates the non-proliferation regime. The Agency, based on the adopted statute, is the body used to verify the degree of compliance by individual countries of the assumptions arising directly from the NPT. The basics of international law discussed with NPT are strongly correlated with IAEA competencies. This organization, founded in 1957 as supranational and autonomous in relation to the UN, and its overarching idea is “the pursuit of the use of nuclear energy for

peaceful purposes; to improve health and living standards around the world” (The Statute of the IAEA, 1956, art. II). In order to implement the flagship postulate that has been saved in the IAEA Statute, the Agency has numerous but limited powers. Key provisions providing international transparency in work carried out using radioactive materials have been included in Article III of the NPT, chapter XII of the IAEA Statute and circulars (Bryła, 2006, p. 89). As opposed to the division into two categories of countries introduced in Article IX of the NPT, the Agency distinguishes four groups of countries<sup>2</sup>, specifying in detail the framework and scope of the Agency’s control function vis-à-vis the countries of individual groups, thus introducing four types of security. The first type of security (IAEA, 1972) applies only to countries referred to as non-nuclear and radioactive materials used in these countries for peaceful purposes only. Countries that have been qualified to this group of safeguards have at the same time been obliged to recognize the IAEA as a superior international institution competent for control. In accordance with the provisions of the NPT, countries undertook all materials under the control of the Agency and nuclear facilities owned. The Agency limits itself to controlling only the declared quantity of radioactive materials possessed and the declared purpose of facilities with their real size and purpose. Based on the commitments of INFCIRC/153, the Agency can only inspect facilities and materials that have been notified by the state, thus assuming that each state has a fully transparent policy regarding the quantity of nuclear material held and the purpose of the facilities. The inability to verify potentially undeclared materials or facilities is a major impediment to the IAEA’s control function (1972, pp. 1–15).

Based on the data provided by the IAEA as of September 2019, there are 175 countries that have signed a comprehensive security protocol (IAEA, 2020). The second type of safeguards (IAEA, 1965) applies to countries that are considered non-nuclear, but those countries have not ratified the agreements concluded in the NPT and imported nuclear technology and materials. This type of security allows the Agency only to control materials listed in special inventories, and their purchaser must declare that he will not use the technology for non-peaceful purposes. Thus, as with INFCIRC/153 collateral, the Agency has to rely only on the supposition that the country assumedly has an open policy in the field of work and

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<sup>2</sup> Countries known as legal dispatchers of nuclear weapons and other countries which under the NPT cannot dispose of nuclear weapons.

use of radioactive materials (IAEA, 1965, pp.1–10). The third type of safeguards concerns a group of five countries considered as legal nuclear weapons owners. Based on the NPT agreement, states possessing nuclear weapons were not obliged to sign additional documents enabling inspection of the IAEA. Nevertheless, they have signed additional safeguard protocols that specify the degree and scope of control but only for fissile material and civilian facilities. Serious objections may be raised by the fact that the Agency cannot control military facilities. They thus cannot verify, for example, the number of nuclear warheads declared by the state. The inability to carry out full and transparent control of the state's nuclear capabilities makes it difficult to undertake denuclearization initiatives between nuclear weapons disposers.

The last type of security applies to countries that do not have nuclear weapons but are willing to conclude agreements with the IAEA on security in the indefinite future. This special type of security covers newly created countries or those without international recognition. The IAEA's<sup>3</sup> monitoring functions are extended by its close cooperation with the UN Security Council. It manifests itself through a number of activities included in the statute of the organization, and the most important of these included supporting the UN's efforts to ensure international peace, security, and nuclear disarmament. Furthermore, in the event of identified international peace and security violations, the IAEA may notify the Security Council, which is the responsible authority mainly for maintaining international peace and security.

At the same time, the statute requires the IAEA to inform the Security Council and the General Assembly of violations of the NPT treaty by a Member State. On the other hand, if a country violates the treaty provisions for a long time; the IAEA may apply to the Security Council to impose sanctions (The Statute of the IAEA, 1956, art. III section B). The rights and obligations of the States Parties to the NPT, thus understood, as well as the scope of the IAEA's obligations, constitute the basis and framework for co-creating a non-proliferation regime. Despite the idealistic assumptions of a world free of nuclear weapons, in retrospect, it should be said that the assumptions of the international regime of non-proliferation of nuclear weapons (non-proliferation, denuclearization, and peaceful use of nuclear energy) and developed mechanisms for controlling states have proved ineffective.

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<sup>3</sup> IAEA distinguishes between performing control in two modes: preventive and special (ad hoc).

This is exemplified by countries such as India, Pakistan, North Korea, and others<sup>4</sup>, which despite the operation of the non-proliferation regime, have acquired non-legal nuclear weapons. Moreover, the requirement of denuclearization also had a half-effect due to the fact that the main disposers of nuclear weapons (so-called legal dispatchers) did not eliminate their arsenals but only depleted them.

### **NATO Nuclear Sharing Program**

The growing conflict on the military and ideological level as well as the deepening economic differences between the two powers after World War II – the U.S. and the USSR – changed the geopolitical relations in the world for almost half a century. The resulting military alliances were to guarantee mutual military deterrence and effective and adequate response in the event of a direct armed conflict. The construction of a nuclear weapon by the U.S. undoubtedly gave an advantage over the USSR, which at the beginning did not absorb such advanced weapons and nuclear technology. In the face of the USSR's advantage in the number of conventional weapons over the U.S. and NATO, American nuclear weapons were seen as the only effective tool to fight the enemy. An example would be the development of NATO's first strategic document (developed at ministerial level) containing a provision stating that an effective strategic bombing of all opposing target forces had been carried out (NATO, 1949, pp. 2–3).

The USSR's actions aimed at breaking the US military and technological advantage forced American politicians to make even stronger efforts to develop a military advantage over their opponent. To this end, American President H. Truman delivered a message to Congress on March 12, 1947. The main assumption of the presidential message (also known as the so-called Truman Doctrine) was to help countries that make efforts to weaken the USSR's political and military influence in the world (Truman, 1947). One of the forms of assistance to strengthen the American and allied presence on the old continent, which was part of the Truman doctrine, was the NATO Nuclear Sharing program - the nuclear weapons sharing program. Although it was never officially directed against the USSR and satellite states, his assumptions closely corresponded to the growing cold war tension. The program was initiated in the 1950s, and the following countries were

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<sup>4</sup> Other states that came into possession of nuclear weapons include, for example, South Africa, which gave up nuclear weapons in 1992, former Soviet republics (Ukraine, Belarus, Kazakhstan), which, after the collapse of the USSR, absorbed nuclear weapons within their sovereign states.



included: Canada, France, Great Britain, Germany, Italy, Turkey, Belgium, and the Netherlands. American nuclear weapons have been deployed in these countries - members of the NATO alliance (later NPT signatories and IAEA members). This program used the non-strategic (tactical) nuclear weapon. Non-strategic nuclear weapons compare to tactical nuclear weapons, are characterized by shorter range, lower yields, and are intended primarily for battlefield operations. In addition, non-strategic delivery systems tend to carry warheads with smaller yields and are typically fitted for hitting a specific target (Falks & Kreieger, 2008, pp.78–79). The key assumption of the newly created program was to increase the level of nuclear deterrence and, in the event of direct armed assault, the possibility of successfully repelling the attack with the help of American nuclear weapons located in Europe. Though using a non-strategic nuclear weapon can be accepted considered a deterrent effect intended for Europe.

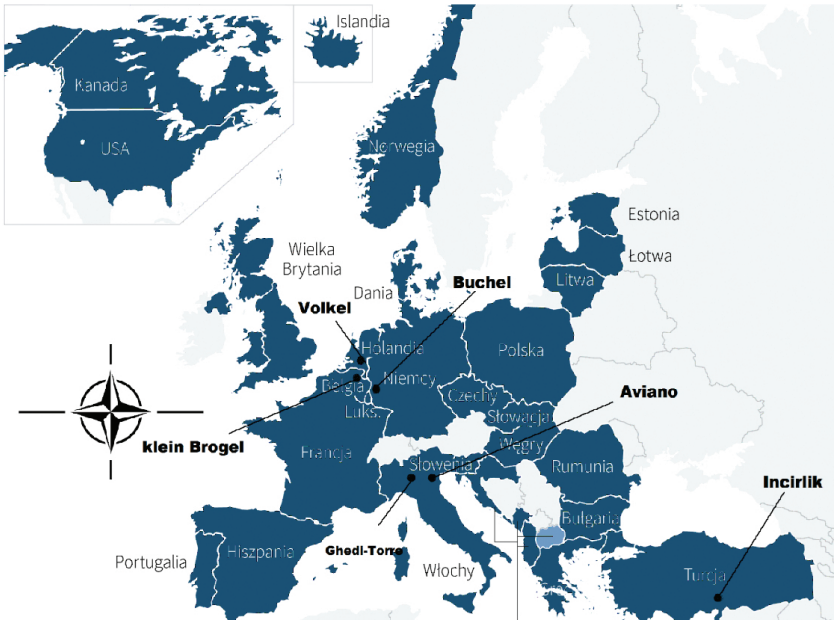
The assumptions to the discussed program included that in the event of a military confrontation, American nuclear weapons (which are constantly under American command) will pass under the national command of participating countries in the program. The nuclear weapon sharing program within the NATO alliance has also been part of the official military doctrine trend, which was common to the entire alliance – Mutual Assured Destruction (MAD) – a doctrine of mutual destruction. In its assumptions, this doctrine contains, inter alia, that avoiding military confrontation in the era of cold war tensions is built by building a nuclear arsenal with a force that exceeds the enemy's nuclear capacity. This same American administration and military personnel pointed to important political significance, their military role, and their crucial deterrent purpose by nuclear weapon (Eldridge, 20004, p.12).

During the early years of the program, the U.S. involvement consisted of delivered and placement in Europe about 9 000 – 10 000 non-strategic nuclear warheads. In the following years, the program was transformed in numbers of nuclear warheads and the NATO defense strategy used. The United States began to reduce these forces in the late 1970s, with the numbers of non-strategic nuclear warheads declining from more than 7,000 in the mid-1970s to below 6,000 in the 1980s, to fewer than 1,000 by the middle of the 1990s (Nonstrategic, 2020, p.11). Changes in the number of nuclear weapons in Europe were results directly from the strategy adopted by NATO. On the other hand, NATO's strategy was responded



to the political and military situation in Europe. Currently, five countries<sup>5</sup> (being both NPT signatories and IAEA members) are active beneficiaries of the program. Despite the fact that the U.S. side has never published an official and comprehensive report on the discussed program (including, among others, the number of heads located in individual databases and their type), based on fragmentarily published information, it is possible to estimate the approximate and current size of the program. The Turkish air force is assigned approximately 50 B61 nuclear bombs, which are deployed at Incirlik Air Base. The Italian Air Force is assigned approximately 40 B61 nuclear bombs, which are deployed at Aviano Air Base and Ghedi Air Base. The Belgian air force is assigned approximately 20 B61 nuclear bombs, which are deployed at Kleine Brogel Air Base. The German air force is assigned approximately 20 B61 nuclear bombs, which are deployed at Büchel Air Base. The Dutch air force is assigned approximately 20 B61 nuclear bombs, which are deployed at Volkel Air Base (ICAN, 2020). According to the numbers and type of nuclear warhead in Europe, the total number of U.S. non-strategic nuclear weapons in Europe is about 150 warheads.

Picture 1: American non-strategic nuclear weapons in Europe.



Source: Credi, 2019.

<sup>5</sup> Germany, Belgium, the Netherlands, Turkey, Italy.

Along with the first American transport of nuclear weapons to Europe, American politicians and representatives of the military environment had to deal with issues related to its storage, use, and its use by national commands. No less important issue was the legality of the quoted program in the light of the developed non-proliferation mechanisms. The first attempt to legalize the discussed program was the American interpretation of art. I and II NPT, which explained that the NPT contains provisions about “non-transfer of weapons, technology and its components”, as well as “non-acceptance” by non-nuclear weapons, technologies and others. The American nuclear weapon is physically located in another state’s territory that is constantly under the American command (commanded by an American citizen). Only the state of war and the transfer of weapons under national command could violate the first two articles of the NPT. With the end of the Cold War, the international community began to emphasize even more the universal idea of denuclearization, non-proliferation, and the need for the peaceful nature of conducting work with nuclear energy. During the cyclical NPT<sup>6</sup> review conferences, the legitimacy of the U.S. nuclear weapons access program was repeatedly questioned, as well as the American position on the interpretation of art. I and II NPT - considering them too liberal and hypocritical. Interpretation issues were raised, for example, by Mexico, which during a review conference in 1995 called for a change in the U.S. regarding the interpretation of art. I and II of the treaty in the context of the discussed program. As a result, the U.S. side issued a statement, which was included in the report summarizing the review conference, in which it maintains: “There are different interpretations of the provisions in question, especially with regard to the states parties to the treaty. Interpretations should be analyzed through the prism of the regions and countries involved”. An attempt to harmonize the interpretation of the NPT in 1998 was made by Egypt, whose goal was to develop a common position for the international community (which was adopted at the review conference in 2000). The parties’ developed a common position to the treaty eliminated legal gaps in interpretation, and a uniform position was included in the text summarizing the review conference. It was established that “all art. NPTs are binding on all states - parties at all times and in all circumstances”.

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<sup>6</sup> Such conferences are held every 5 years, the last one was held in 2015 (the next conference will be held in 2020).

The future of the NATO Nuclear Sharing program should be analyzed from the perspective of statements by American politicians because they are primarily responsible for the shape and the strength of NATO. Considering the contemporary role and strength of nuclear weapons in Europe and NATO, the Nuclear Sharing program should consider whether non-strategic nuclear weapons still have a relevant political and deterrent role? From the statements and actions of the former U.S. President Barak Obama, it could be concluded that the program was losing importance and was to be subjected to gradual extinction. An example of this was the reduction of U.S. nuclear weapons launched during the presidency of B. Obama from the RAF air base, where Americans stored about 110 nuclear warheads. Referring to the policy pursued by the incumbent president – Donald Trump, one can get the impression that the American president does not see the need to continue his predecessor's policy regarding American nuclear capabilities. According to guidelines adopted after the NATO summit<sup>7</sup> concerned not only conventional NATO capabilities but also nuclear capabilities for an enduring commitment to the defense of all NATO allies. For example, after Warsaw NATO Summit pointed to the important role of nuclear deterrence in alliance security; in particular, it indicated an important role of the USA force as a supreme guarantee of the security of the Allies. Additionally, the independent strategic nuclear forces of the United Kingdom and France have a deterrent role of their own and contribute to the overall security of the Alliance. Moreover, the allies reaffirmed that NATO's nuclear deterrence posture also relies, in part, on United States' nuclear weapons forward-deployed in Europe and on capabilities and infrastructure provided by Allies concerned (Nonstrategic, 2020, pp.16–17). According to a different type of style of making politics between B. Obama and D. Trump should deduce during B. Obama's presidential term, the nuclear weapons were marginalized. The examples for this were attempts to nuclear disarmament weapons in Europe. The current president's style of politics is characterized by attempts to develop nuclear deterrence capability.

### **Conclusions**

The assumptions of the NATO Nuclear Sharing program were set in a period of particularly strong tensions between two antagonist blocks of the state.

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<sup>7</sup> Wales in 2014, Warsaw in 2016, Brussels in 2018.

The program has survived to modern times despite the change in geopolitical and military realities. Based on the collected and analyzed facts, normative documents, and reports, it can be stated that maintaining American military bases equipped with American nuclear weapons in Europe and Turkey is primarily one of the barriers in shaping correct political relations between the U.S. and Russia, as well as between Russia and Western countries (participating or supporting this program). The physical presence of American nuclear weapons and insufficient knowledge about, among others, its quantity, nature, degree of modernization, or deployment in individual bases makes it difficult to undertake practical actions resulting from both bilateral and multilateral nuclear arms control systems being developed<sup>8</sup>. Russia's implementation of individual stages of reduction nuclear arsenals depends on the degree (or its lack) of withdrawing American nuclear weapons from Europe. By the same token, in the absence of real actions in the field of denuclearization, there is a violation of Art. III NPT. Furthermore, the deployment of U.S. nuclear weapons throughout Europe is one of the conditions that prevent creating a European nuclear-free zone. A necessary condition for the creation of such a zone is the freedom of the area from all types of militarily useful nuclear technology, including nuclear weapons, thereby through the NATO Nuclear Sharing program, art. VII NPT decides on the possibility of undertaking bottom-up initiatives for the creation of nuclear-free zones. Establishing a uniform interpretation of art. I and II NPT should be binding and strictly observed by both the USA and other active members of the program in question. Based on establishing an official interpretation, the quoted entries can be said that both the U.S.A. and other countries violate Art. I and II NPT by maintaining the discussed program. During the process of analyzing the program, it should be noted that the American policy of maintaining and making available nuclear weapons to European countries and Turkey infracts Art. I and II NPT – saying that nuclear weapons are not available or not accepted, violates Art. III NPT – talking about taking all actions aimed at reducing its nuclear arsenals indirectly breaches Art. VII NPT – talking about creating atom-free zones in the world.

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<sup>8</sup> During and after the Cold War, numerous bilateral treaties were signed between the US and USSR (Russia), which in their assumptions concerned the issue of non-proliferation and denuclearization. The most important of them include, for example, the Strategic Arms Limitation Treaty (SALT I) - treaty on the restriction of strategic armaments, Strategic Arms Reduction Treaty (START I) - the treaty on the reduction of strategic armaments.

Undertaking actions aimed at building an international nuclear non-proliferation regime was an attempt to counter the uncontrolled proliferation of militarily useful nuclear technology and weapons. The introduction of the division into two opposing categories of countries was a spark of conflict from the very beginning and numerous abuses. The first group (privileged) legally possessing nuclear weapons, which due to its hegemonic position is a permanent member of the UN Security Council, the second group – the rest of the states that must accept the situation. Despite the development of legal assumptions and control mechanisms, the international non-proliferation regime has been broken many times. Thus, established prevention and control mechanisms proved to be only an idealistic vision of a world free of nuclear weapons. It is important to note that attempts to break the established legal order were made not only by non-nuclear states but also by nuclear-armed states. An example of double standards in the policy of states guarding international peace and security is even discussed in the nuclear weapons access program within the NATO alliance. Despite the end of the Cold War, geopolitical changes, and a uniform collegiate interpretation of the NPT provisions, the program has survived to this day in a virtually unchanged formula. Thereby, when two parties break the commitments developed over 50 years earlier, it may be necessary to redefine the adopted assumptions that guided the non-proliferation regime's creators. The voices of countries and supranational organizations about the necessity of full and transparent nuclear weapon delegation under the IAEA and the UN's supervision are increasingly emphasized. The establishment of new rules that will be uniform for all international actors can be the basis for building a new international order without nuclear weapons. Assumptions of full denuclearization, although seeming to be a reasonable postulate, will be unacceptable to the existing nuclear weapons disposers.

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