



Secret Blown: U.S.-Armed Nuclear NATO

With a U.S. flag imposed over half of Belgium, the insignia (above) of the U.S. Air Force's 701st Munitions Support Squadron, was mistakenly posted on social media. The 701st maintains twenty or so U.S. B61 hydrogen bombs stationed at Klein Broghe airbase in Belgium. While the transfer of nuclear weapons to other countries is never officially acknowledged by the United States or their NATO recipients, the insignia graphically boasts that U.S. bombs are part of the Belgian airbase's arsenal. The "open secret" of U.S. nuclear weapons being stationed at five European countries has often been accidentally revealed, made public in the press, and acknowledged by host country parliamentarians.

Germany to Buy U.S. F-35s to Carry New B61 Nuclear Bombs

Ending years of debate, Germany's minister of defense said March 14 that the country will purchase U.S.-made F-35 fighter jets to replace the Germany's PA 200 Tornado jet bombers, *EurAsian Times* reported March 16.

The F-35s can carry the U.S. nuclear weapons that are stationed in Germany under a program called "nuclear sharing." Defense Minister Christine Lambrecht said, "With the F-35 aircraft type, the task of nuclear sharing will be guaranteed in the future. The goal is to replace the Tornado by 2030."

Earlier reports suggested that Germany will buy 35 of the Lockheed Martin F-35s, at a cost of approximately \$80 million each, according to NBC News. Germany could have to pay over \$2.8 billion for the 35 warplanes which have been plagued with design, engineering and testing problems.

In a related event, the U.S. National Nuclear Security Administration, the Los Alamos National Lab and the Sandia National Lab announced in December 2021 that the first production model of the new nuclear gravity bomb called B61-12 had been completed, and that full-scale production would begin in May 2022 and run through 2026.

David Wiegandt, a senior manager on the program at Sandia Lab said, "The first production unit is the first War Reserve B61-12 built at Pantex [Texas] that meets all customer requirements...." The customer is the U.S. air force.

"There's something really special about this program," Wiegandt said in a Sandia press announcement. "It has really solid team members who believe in how to do sound engineering and really bring the future of safety and security into modern nuclear weapons."

Germany and four other NATO members plan to replace their current B61s with the new "model 12" bomb. The *Eurasian Times* reported that, "Germany stores 20 or fewer U.S. B61 nuclear gravity bombs at the Büchel airbase."

—*EurAsian Times*, March 16; DOE/Sandia National Lab, Feb. 2, 2022; and NBC News, March 7, 2021
Spring 2022

NATO and U.S. Lawmakers Urge Biden: End Nuclear "First-Use" Threat

Thirty-four current and former legislators from allied countries that are members of NATO (North Atlantic Treaty Org.) wrote to President Biden November 28 urging him to abandon the U.S. and NATO's policy of first-use of nuclear weapons. Biden could formally do so in his upcoming "nuclear posture review." The military NPR is the declassified description of attack plans for the U.S. nuclear arsenal.

"We do not believe that a first-use option is in the security interests of our countries or in the interests of NATO as a whole," the letter said, and its signers came from Belgium, Canada, Czech Republic, Denmark, France, Germany, Hungary, Luxembourg, Netherlands, Slovenia, Turkey, and the UK.

Foreshadowing Russia's February invasion of Ukraine, the letter warned of conflicts and tensions between nuclear-armed countries, of the risks that these conflicts could escalate, and castigated nuclear weapons threats, such as the Pentagon's and NATO's ongoing first-use policy, which contributes to international mistrust, uncertainty and alarmism. (See the Spring 2019 *Nukewatch Quarterly* p.3 for details about NATO first-strike policy.)

***'To initiate a war of aggression ... is not only an international crime; it is the supreme international crime, differing only from other war crimes in that it contains within itself the accumulated evil of the whole.'* — International Military Tribunal at Nuremberg**

The Europeans were followed two months later by 55 Democrats from the House and the Senate who urged Biden to declare a "no first-use" policy in a letter sent January 26. The lawmakers' letter called on Biden to use the Nuclear Posture Review to stop the deployment of a new Trident submarine warhead and halt development of a nuclear-armed sea-launched Cruise missile.

Cross-party delegations from European parliaments, the U.S. Congress, and the Russian parliament repeatedly endorsed the adoption of no-first-use policies in declarations adopted by the Parliamentary Assembly of the Organization for Security and Cooperation in Europe, including the Berlin Declaration July 11, 2018, and the Tbilisi Declaration, July 5, 2016.

Support has also come from more recent appeals like the 2021 'Open Letter to Biden and President Putin,' endorsed by over 1,200 political, military and religious leaders, legislators, academics, scientists, and other representatives of civil society from 69 countries. Over 400 of the endorsers were from NATO states and almost 700 from the United States. — *Air Force Magazine*, Jan. 26, 2022; *Unfold Zero*, Nov. 29, 2021

Abolitionists Convicted in German Courts

In recent court cases in Germany, several nuclear weapons abolitionists charged with trespassing, etc. at the nuclear-armed Büchel air force base have presented a defense of "crime prevention." The defense is based in large part on the analysis of nuclear weapons presented by Professor Francis A. Boyle in his book, *The Criminality of Nuclear Deterrence* (Clarity Press 2002).

In a nutshell, the argument is that because the air base's plans and preparations for attacks with the weapons (known as nuclear deterrence) amount to a criminal conspiracy to commit atrocities with indiscriminate weapons of mass destruction, nonviolent offenses committed in order to prevent that crime are excusable.

German courts that have heard protest cases stemming from the civil resistance to oust the U.S. weapons from Germany have ruled that the defense is not applicable. The judges have refused to hear expert witness testimony that could substantiate the defense, so the argument has gone unexamined by them. The local court nearest the base, in Cochem, the regional or appeal court in Koblenz, and the Constitutional Court (Germany's highest) in Karlsruhe have all ruled that the stationing of U.S. nuclear weapons in Germany (and their threatened use) is "legalized" by various, mostly secret "nuclear sharing agreements" between Berlin and Washington, DC. These court rulings ignore the Treaty on the Nonproliferation of Nuclear Weapons which explicitly prohibits nuclear weapons from being transferred from one country to another, and raise appeal issues that have been argued in several cases.

Marion Küpker and Stefanie Augustine both of Germany have appealed their trespass convictions to the European Court of Human Rights. Sometimes called the "Strasbourg court" after its location in France, the ECHR is the high court of the Council of Europe and it interprets the European Convention on Human Rights. The ECHR has not yet ruled on whether to hear this appeal.

If the ECHR in Strasbourg decides not to consider the appeal by Marion and Stefanie, several other similarly situated defendants, including Susan Crane of Redwood City, California and me, also intend to appeal to the ECHR.

Susan is scheduled for an appeal hearing at Regional Court in Koblenz this May 31, where she will contest several trespass convictions that have been consolidated into one case. The trespass charges against Susan and me stem from nonviolent "go-in" actions taken at the Büchel air base over the last few years.

An appeal hearing for me in Koblenz last December 9, resulted in conviction after the court refused to hear expert witness testimony regarding international law and the criminal status of U.S. nuclear weapons and war policy in Germany.

Defense attorney Anna Busl of Bonn presented detailed motions to the court explaining the need for the experts I wanted to call. But the judge ruled that there was no need to hear from the witnesses. An appeal brief contesting this conviction will be filed with the Constitutional Court by April 24.

— **John LaForge**

British Jurors Acquit Protesters who Toppled Racist Monument

Anti-racism, civil rights, and human rights activists celebrated the Jan. 6, 2022 decision of a jury to acquit four protesters who toppled the statue of slave trader Edward Colston. Jake Skuse, Rhian Graham, Milo Ponsford, and Sage Willoughby acknowledged pulling down the eyesore and throwing it in the River Avon in Bristol, England during a Black Lives Matter protest in 2020, but they contested the charges of criminal damage to government property.

The defendants argued that the statue was so indecent and potentially abusive that its existence constituted a crime, the *Guardian Weekly* reported. The *Epoch Times* noted that the Colston statute "glorified a slave trader involved in the enslavement of over

84,000 black men, women, and children as a 'most virtuous and wise' man."

Attorney General Suella Braverman responded to the verdict by saying she was considering an appeal to "clarify the law" because the not guilty verdict was "causing confusion." The acquittals cannot be overturned and there cannot be a retrial without fresh evidence. Nile Gardiner, a former aide to Prime Minister Margaret Thatcher and director of the Margaret Thatcher Centre for Freedom at the Heritage Foundation, told the *Telegraph* that the verdict had set "an extremely dangerous precedent" that gives mobs a green light to "tear down statues across the country," begging the question: "Dangerous to what?"