

The Future of Multilateral Disarmament and Non-Proliferation Treaties

by

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I wish to begin today by thanking you – not just for the privilege of speaking here today, but for something much more important. I thank you for your collective efforts on behalf of international peace and security. Since its origin, the United Nations has benefited enormously from the information, ideas, and support from private foundations and philanthropists, in particular the financial support this unique community has provided to non-governmental groups and individuals who work in this difficult field. Secretary-General Kofi Annan has referred to civil society as “the new Superpower” – and though there are many issues on the UN agenda that demand the attention of all the peoples of the United Nations, I believe this new Superpower can and must play vitally important roles in shaping the future of multilateral efforts in the specific fields of disarmament and non-proliferation.

Indeed, the subject of my remarks today – namely, “The *Future* of Multilateral Disarmament and Non-Proliferation Treaties” – is not foreordained. It will depend entirely upon activities of human beings – people who lead, people who care, people who seek a safer world, and people who understand that such a goal can only result from extensive cooperation –

cooperation that is broad enough to span the globe, yet deep enough to be appreciated at the grass-roots of all our societies. To a large extent, the future of these particular treaties depends on the level of support and understanding they enjoy throughout civil society, which brings me back to the importance of financial support from funders like you.

One need only look at the history of efforts to ban atmospheric nuclear tests in the late 1950's and 1960's – the success of that effort was undeniably dependent upon strong political support from within civil society. The recent campaign to ban landmines – which earned one non-governmental organization the Nobel Peace Prize – is another illustration of the great contributions that civil society can make in shaping the development and evolution of global norms in the difficult field of international peace and security. Once the popular imagination is stirred, and funds are available to help perform the necessary research and organizational tasks, one would be foolish to deny the potential effectiveness of “people power” in shaping the global agenda in this field.

In terms of multilateral legal norms, we have, as you know, the Biological Weapons Convention (BWC) and Chemical Weapons Convention (CWC) which respectively ban both the proliferation and even the possession of these two deadly weapons of mass destruction (WMD). The Nuclear Non-Proliferation Treaty (NPT) bans the proliferation of nuclear weapons and creates a legal obligation on each of its parties “to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.” I cannot talk today about multilateral legal norms with respect to nuclear-weapon delivery vehicles – such as missiles or long-range bombers – because such norms have yet to be created. These three treaties, therefore, constitute the very heart what might be called the “rule of law” for disarmament and non-proliferation. Other treaties reinforce such norms – including the Comprehensive Nuclear-Test-Ban Treaty (which has not yet entered into force) and treaties establishing four regional nuclear-weapon-free zones.

As many of you know, the First Committee of the General Assembly is now considering over 50 resolutions on a full gamut of issues on the multilateral disarmament and non-proliferation agenda. I have been following closely the debates over these resolutions and am struck by the support these three WMD treaties continue to enjoy in the world community. I am impressed with the extensive references in these statements to the importance of the “rule of law” and multilateralism in all issues relating to international peace and security. This support for the rule of law is further illustrated by repeated references to the importance of compliance with the global norms contained in these treaties and the need to enforce such norms, if and when they are violated.

These twin themes of compliance and enforcement, therefore, are evidence of the widespread support that exists in international society for strong treaty-based regimes governing these especially deadly weapons. There is, to be sure, room for improvement in these areas. The overwhelming international concern voiced over the intention of the Democratic People's Republic of Korea to leave the NPT shows the continuing support that the treaty continues to

enjoy throughout the world – we would not see such concern if the treaty did not matter. Similarly, recent disturbing reports concerning the implementation of IAEA safeguards in Iran have led to an outpouring of international concern and renewed efforts to encourage Iran to agree to conclude and implement the enhanced safeguards provided in the Additional Protocol. In statement after statement in the First Committee, I have heard repeated references to the need for compliance in these cases, and for compliance in general with respect to these treaties. This is powerful evidence of the value the world community continues to attach to this structure of global legal norms aiming at the elimination of all WMD.

For our purposes today, another theme from the First Committee concerns the close complementary relationship between progress on disarmament and non-proliferation. In short, there is no simple, one-way relationship between these two great pillars of international peace and security – they are mutually-reinforcing means of enhancing the security of all. There is wide understanding in the world today that disarmament is unlikely to be achieved in a world where WMD continue to proliferate. Similarly, I believe that it is unrealistic to hope that non-proliferation efforts alone can succeed without concrete, demonstrable progress in achieving disarmament goals. And it goes without saying that significant progress in disarmament and non-proliferation will help enormously in alleviating the horrible danger that terrorists will one day acquire their own weapons of mass destruction – a danger that should only inspire further efforts to advance a responsible disarmament and non-proliferation agenda.

With respect to the NPT, efforts are now underway to prepare for the third session of the Preparatory Committee in 2004 – this is essentially the last step before the next NPT Review Conference in 2005. There is little doubt that the treaty is facing some difficult challenges in the years ahead. Though it has achieved near-universal membership, the treaty still faces two harsh realities: in the 33 years since the NPT entered into force, four states beyond the treaty's five nuclear-weapon States have acquired nuclear-weapons capabilities and some 30,000 nuclear weapons reportedly continue to exist. Thus -- whether considering disarmament or non-proliferation – there is obvious room for improving the treaty's track record with respect to both issues.

I believe the future of this treaty will depend largely upon how its member states are able to sustain its fundamental norms, while addressing new challenges. Many non-nuclear-weapon States Parties continue to cite the need for binding security assurances against the threat or use of nuclear weapons – a theme repeated many times in statements before the First Committee. Efforts are also needed to ensure that existing member states conclude their relevant safeguards agreements with the IAEA, as many have yet to do. And, as I have suggested, the world must continue to encourage the DPRK to abandon its nuclear-weapons pursuits and re-join the NPT, and to encourage Iran to adopt the Additional Protocol and implement it in full. Unlike the Chemical Weapons Convention, the NPT still lacks an institutional infrastructure -- it has no permanent secretariat and provides no specific means of enforcement other than the referral of violations to the Security Council.

I believe the future of the NPT will also be influenced significantly by the fate of the CTBT – a treaty, let us recall, that was a key part of the “package deal” that led to the indefinite extension of the NPT in 1995, a treaty whose value was strongly reaffirmed at the 2000 NPT Review Conference, and a treaty that has long been endorsed by overwhelming majorities in the General Assembly. The continued stalemate at the Conference on Disarmament on many nuclear-related issues –including nuclear disarmament, the cut-off of the production of fissile nuclear materials, and security assurances – will also affect the broader climate shaping the future of the NPT. Furthermore, continued problems bringing nuclear-weapon-free zones fully into force – such as the Pelindaba Treaty and the Protocol to the Bangkok Treaty – coupled with difficulties in creating new zones – such as the one proposed for Central Asia – will only add new uncertainties and concerns to an international security agenda already overburdened.

Though I have emphasized today the importance of the NPT, I do not intend to neglect the issues shaping the future of the CWC and BWC. In reviewing the many speeches in the First Committee – and the broad participation of States Parties of these conventions at their respective review conferences – I am struck by the strong level of support these treaties continue to enjoy in the world community. They have already made significant advances toward universal membership -- the Chemical Weapons Convention now has 155 member States, closely followed by the Biological Weapons Convention, with its 148 parties. As agreed at the BWC Review Conference resumed in 2002, the States Parties will hold three annual one-week meetings on specific issues relating to the treaty. This year, the members of the BWC focused their efforts on strengthening national legislation to implement the treaty; next year, they will consider international responses to possible uses of such weapons; and in 2005, they will address the issue of establishing a code of conduct for scientists who work in related fields. The treaty’s next Review Conference will be no later than 2006.

As for the Chemical Weapons Convention, the States Parties held the treaty’s first Review Conference this year and adopted a Political Declaration reaffirming their commitment to implement their many responsibilities under the treaty, including with respect to verification. The Review Conference also recommended that the treaty’s Executive Council, with the cooperation of the Secretariat, develop and implement a “plan of action to further encourage, in a systematic and coordinated manner, adherence to the Convention and to assist States ready to join the Convention in their national preparations to implement it.” Though several member states have faced serious technical and financial obstacles in physically destroying remaining stockpiles of chemical weapons and related agent materials, the CWC continues to receive broad support and will likely continue its incremental progress toward universal membership. The BWC and CWC would benefit enormously from increased membership from states in the Middle East region, in particular, over the years ahead.

I do not, however, intend today to leave you with any grounds for complacency about the future of any of these key treaties. There is, without question, much work that remains ahead to bring these treaties closer to universal membership, to strengthen compliance and verification, to ensure that treaty norms are solidly grounded in national laws and regulations, to ensure that the

relevant treaty-based institutions have the resources they need to do their jobs, and to build support and understanding of these treaties among the general public.

After reviewing just some of the major challenges ahead, I want to underscore the importance of your own work in defending the deeper principles and values embodied in these great treaty regimes. Individual citizens, groups, governments, and international organizations will all have important roles to play in strengthening the implementation of these regimes. This will be a long road indeed, one requiring the close cooperation of many actors, in many fields, and on many dimensions of interaction.

I urge you to support efforts that are practical in nature – efforts, in short, that are likely to produce concrete results. Yet I also ask you to consider that sometimes such results may not materialize for years to come – as, for example, is often the case in investments in the field of education. Never forget that the future of virtually all the goals of the UN Charter – if not the future of the planet itself -- ultimately depends on the world's ability to preserve and strengthen these particular norms.

With patience and sustained support, and an appreciation of the value of ever-expanding alliances and coalitions, you can accomplish much indeed. Please accept my very best wishes for the success of your own efforts on behalf of multilateral disarmament and non-proliferation norms. Please also accept my warm welcome to the United Nations, the world's common forum for working to achieve these goals.