

Opening Remarks

**The Secretary-General's Five-Point Proposal for Nuclear Disarmament
And the Road Ahead for the Nuclear-Weapon States**

by

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**Strengthening the International Nuclear Non-Proliferation Regime:
Promoting a Successful NPT Review Conference in 2010**

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Ladies and gentlemen, distinguished participants and guests. I wish to thank the Chinese People's Association for Peace and Disarmament, the Institute of Applied Physics and Computational Mathematics, and Pugwash Conferences on Science and World Affairs, for organizing this timely meeting. I had the privilege of serving as Brazil's ambassador to China in the late 1990's and I am grateful indeed for this opportunity to return to this great country and to meet once again with several of my good friends and colleagues.

Our deliberations will have the benefit of some historical context and practical experience, given that three former presidents of NPT Review Conferences are participating in this session today – Mohamed Shaker (1985), Jayantha Dhanapala (1995), and myself (2005). Also participating are several highly respected scholars and other experts on the NPT. And all of us are aware that while the 2010 Review Conference is only about six months away, the challenges facing this treaty remain daunting.

The NPT is of course one of the most important treaties in the history of arms control and disarmament, which makes it a fitting subject in itself for an international conference. I am pleased that this particular event is taking place in Beijing, and that we will all have the benefit of hearing from a number of Chinese experts on the subject. It has now been 17 years since China acceded to the NPT, and China has many important contributions to make in advancing all the key goals of the treaty – disarmament, non-proliferation, and the peaceful uses of nuclear energy.

Indeed, China has already made many such contributions. It has limited its nuclear arsenal, both in terms of warheads and delivery systems. It signed the Comprehensive Nuclear-Test-Ban Treaty thirteen years ago and is maintaining its moratorium on nuclear tests. It is the only nuclear-weapon state party to the NPT that has an unqualified no-first-use nuclear doctrine, coupled with a longstanding policy of not using or threatening to use nuclear weapons against non-nuclear-weapon states. China has also long opposed the development and deployment of space weapons and destabilizing missile defence systems.

My purpose today, however, is not to discuss the policies of any one country. I will also not provide a detailed commentary on the specific provisions of the NPT, nor assess the track record of States parties in implementing them. And I certainly have no intention of condensing the entire treaty review process into a single speech.

No, my purpose instead is to discuss a key missing ingredient from the ongoing great debate that is underway in countries around the world about the future of nuclear weapons. There is without doubt ample evidence that there is in fact such a “great debate” underway. We have all witnessed this debate in a cascade of commentaries, editorials, reports from commissions, studies, high-level policy statements, and resolutions from very diverse sources. More are no doubt forthcoming.

Yet there is still this missing ingredient—namely, an agreed plan to achieve global nuclear disarmament. What we have instead is large and growing assortment of discrete steps and recommended actions, but nothing yet resembling a fully integrated plan – one that shows how these various steps relate to each other, one that identifies specific milestones to pass, one

that recognizes the value of setting timetables for achieving specific goals, and one that acknowledges the need to consider the role and limits of conventional weapons in a world without nuclear weapons.

This absence of a plan is very unfortunate and it is by no means a new problem. It's been said that "He who fails to plan, plans to fail"—and I think it is probably fair to say that the absence of systematic international cooperation in developing concrete plans may well account for many of the delays and obstacles that prevented the achievement of global nuclear disarmament long ago. Certainly the UN Charter cannot be faulted for failing to recognize the merit of having a plan for disarmament—which is remarkable given that the Charter was adopted before the world's first nuclear test. Article 26 mandated the Security Council to formulate "plans" for "the establishment of a system for the regulation of armaments", while Article 47 also specifically addressed disarmament. The Commission on Atomic Energy and the Commission on Conventional Armaments were early UN efforts to develop concrete plans for both disarmament and the regulation of armaments.

While all UN Secretaries-General have supported the goal of global nuclear disarmament, I am aware of only one who has offered a detailed proposal for how actually to achieve it. I am referring here to Secretary-General Ban Ki-moon, who launched his five-point proposal for nuclear disarmament on 28 October last year. Though he was not presumptuous in offering his proposal as itself a plan—for that would involve legal commitments that states must negotiate amongst themselves—he clearly identified elements that could well form a foundation upon which such a plan could be constructed.

Underscoring the importance of the NPT, he first of all urged the nuclear-weapon States to fulfil their obligation under the Treaty to undertake negotiations on effective measures leading to nuclear disarmament. They could pursue this goal, he added, by agreement on a framework of separate, mutually reinforcing instruments. Or they could consider negotiating a nuclear-weapons convention, backed by a strong system of verification, as has long been proposed at the United Nations. He noted that he had circulated a draft of such a convention to all Member States, which had been prepared by disarmament experts from civil society and made into a UN document in response to a request by Costa Rica and Malaysia. He stated that that draft convention offered "a good point of departure" and called on nuclear Powers to engage actively with other States on this issue at the Conference on Disarmament in Geneva. The Secretary-General also stressed that the world would also welcome a resumption of bilateral negotiations—which are now underway—between the United States and the Russian Federation aimed at deep and verifiable reductions of their arsenals. He also called on Governments to invest more in verification research and development.

The second element of his proposal focused specifically on the Security Council—a logical choice, given the Council's specific disarmament mandates and its primary role in the maintenance of international peace and security. He urged the Security Council's permanent members to commence discussions, perhaps within its Military Staff Committee as provided in

the Charter, on security issues in the nuclear disarmament process. He specifically said that these members could unambiguously assure non-nuclear-weapon States that they will not be the subject of the use or threat of use of nuclear weapons—this is, as I noted earlier, a policy stance long held by China. In addition, he urged the Council to convene a summit on nuclear disarmament—which occurred on 24 September this year. While most of his proposal related to the NPT nuclear-weapon states, he also urged the non-NPT States to freeze their own nuclear-weapon capabilities and make their own disarmament commitments.

His third element related to the “rule of law”. Noting that unilateral moratoria on nuclear tests and the production of fissile materials can go only so far, he urged a renewed effort to bring the Comprehensive Nuclear-Test-Ban Treaty into force and to begin negotiations on a fissile material treaty. He supported the entry into force of the Central Asian and African nuclear-weapon-free-zone treaties—which did in fact occur on 21 March 2009 and 15 July 2009, respectively. He encouraged the nuclear-weapon States to ratify all the protocols to the nuclear-weapon-free-zone treaties, and voiced his strong support for efforts to establish such a zone in the Middle East—a subject my fellow panellist Mohamed Shaker will soon address today. He urged all NPT parties to conclude their safeguards agreements with IAEA [International Atomic Energy Agency], and to voluntarily adopt the strengthened safeguards under the Additional Protocol. And he urged the world never to forget that the nuclear fuel cycle is more than an issue involving energy or non-proliferation, and that its fate would also shape prospects for disarmament.

The fourth element of his proposal concerned accountability and transparency. Noting that the nuclear-weapon States often circulate descriptions of what they are doing to pursue these goals, he also observed that these accounts seldom reach the public. He then invited the nuclear-weapon States to send such material to the United Nations Secretariat, and to encourage its wider dissemination. He also urged the nuclear Powers to expand the amount of information they publish about the size of their arsenals, stocks of fissile material and specific disarmament achievements.

I must emphasize that this proposal on accountability and transparency is a vital component of the Secretary-General’s proposal. Some, of course, may dispute that there is any need for increased transparency when it comes to the world’s existing nuclear weapons. In rebuttal, one need only ask, how many nuclear weapons currently exist? Nobody seems to know—or if they know, they are not saying. Instead, the world has to rely upon estimates published largely by non-governmental experts. A similar problem of opacity exists with respect to the production and stockpiling of fissile nuclear material.

Yet if there is little or no transparency, how are the States parties supposed to assess progress in achieving the goals of the treaty, especially with respect to disarmament? Basic facts about weapon production, stockpiles, and holdings of fissile material are absolutely essential in the establishment of a “base line” from which to assess progress in disarmament and thereby in maintaining accountability in the review process.

Without such facts, how is the whole “confidence-building” function of transparency to be achieved? If states are to rely exclusively upon discretionary reporting on progress in disarmament, on what grounds can a stricter standard be applied to assess compliance in non-proliferation? Any treaty that applies a full-transparency standard for *most* of its parties—without corresponding requirements for *some* of them—will inevitably encounter difficulties.

Fifth and finally, he recognized that nuclear disarmament cannot be effectively pursued in a vacuum, and stressed that a number of complementary measures are needed. These include the elimination of other types of WMD; new efforts against WMD terrorism; limits on the production and trade in conventional arms; and new weapons bans, including of missiles and space weapons. He also urged the General Assembly to take up the recommendation of the Blix Commission for a “World Summit on disarmament, non-proliferation and terrorist use of weapons of mass destruction”.

These, in summary, are the highlights of his proposal—a proposal he has personally promoted in an op-ed published in newspapers around the world, in countless speaking engagements, and even in an innovative internet campaign, using the tools known as Twitter and Facebook. The Office for Disarmament Affairs is working with both member states and representatives of civil society to promote all of our goals relating to the elimination of weapons of mass destruction and conventional arms control. One of our most important means for promoting such goals is through our publications and our efforts in the field of disarmament and non-proliferation education. We recognize that young people have an extremely important role to play in advancing disarmament goals, and that the success of disarmament will also depend heavily upon a growing network of diversified groups in civil society—a subject Jayantha Dhanapala will soon address on this panel.

I believe strongly that the Secretary-General’s proposal offers the nucleus for what may well evolve into an agreed global plan for the achievement of nuclear disarmament. It of course needs further development and deliberations among concerned states, as well as among groups in civil society whose support will be essential for its long-term sustainability.

I am often asked, in this context, what more can the nuclear-weapon states specifically do to fulfil their nuclear disarmament commitments in good faith? The next steps for nuclear disarmament are fairly clear: they will involve additional cuts in the largest nuclear arsenals, held by the largest Russian Federation and the United States, pursuant to their negotiations on a treaty to replace the START treaty, which expires next month. Other nuclear-weapon states have their own constructive roles to play by limiting their own capabilities and eventually joining disarmament negotiations, as required of all States parties under Article VI.

Additional progress that would strengthen the international “rule of law” for disarmament would certainly include the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the commencement of negotiations on a fissile material treaty when the Conference on Disarmament opens its new session next year. Improvement in the existing declarations dealing with negative security assurances would also be a very significant interim measure.

Yet there is something else that I believe would help, both in developing a common plan of action in disarmament, as well as in promoting its implementation, long-term sustainability, and universal support. Let me explain.

Disarmament negotiations are never easy. They involve some very complex issues, both technical and political. As talks on disarmament start to shift from the pursuit of agreements merely reducing deployments of strategic nuclear weapons, and start to address difficult issues relating to irreversibility, transparency, verification, and binding commitments related to all of these, it is not at all surprising that the negotiators will need some strong institutional support back home. While I recognize that each nuclear-weapon state has its share of experts on nuclear weapons and disarmament, there are extremely wide variations in the extent to which these states have created organizations or institutions with specific disarmament missions.

Perhaps the best way to make this point is to compare what these states have in place organizationally—and in budget terms—to support the maintenance, development, and deployment of nuclear weapons, relative to what they have to support the disarmament process. While all the nuclear-weapon states have undertaken international commitments with respect to disarmament in Article VI of the NPT, there is still a shortage of disarmament agencies, line-item disarmament budgets, as well as domestic disarmament laws and regulations. In short, while these states are committed to the goal of disarmament, there is not much evidence that this goal has also taken root in domestic institutions, budgets, and laws.

By adopting Resolution 1540, the Security Council required all states to have domestic laws and regulations against the proliferation of nuclear weapons and other weapons of mass destruction or their acquisition by non-state actors. It hardly seems unreasonable to expect that a similar commitment to nuclear disarmament should also be reflected in domestic laws and institutions, especially in the nuclear-weapon states.

This is one area where additional progress is needed, if we ever hope to have an agreed international plan for the achievement of global nuclear disarmament. Let me put it this way: nuclear disarmament—that great international goal—must have a domestic home. It needs a strong infrastructure, not just for international verification activities, but also for domestic political and organizational support. It may be somewhat of an exaggeration to say that the lack of such support explains the lack of an agreed international plan to achieve nuclear disarmament—but I surely would not want to have to argue that the lack of such support offers a strong foundation for future progress.

There is one final shortcoming I would like to address briefly concerning a large majority of these various proposals that have emerged in recent years for global nuclear disarmament—namely, their silence on the role of the United Nations, whether viewed from the standpoint of the Secretariat or its member states acting collectively. As the Secretary-General has demonstrated, the Secretariat has been the source of some constructive ideas for advancing the disarmament agenda. Though progress has been slow in recent years, the various institutions

forming the UN disarmament machinery have clearly been productive in forging agreements over several decades on political and legal norms for both the regulation of armaments and disarmament. These institutions provide much more than a forum for debate and deliberation— together, they represent a central common ground where representatives of all peoples can come together and develop the basic rules to govern their behaviour.

So in summary, I would like to re-emphasize the need for a concrete plan for achieving nuclear disarmament, and the contribution that has already been made by the Secretary-General in promoting its development. If pursued with the support of strong domestic institutions and in recognition of the indispensability of the United Nations throughout the disarmament process, I believe there really is a bright future for this very difficult field and will now conclude on this cautiously optimistic note.