

## Planting the Seeds of Disarmament

By

*Sergio Duarte*

High Representative  
For Disarmament Affairs  
United Nations

*Don't judge each day by the harvest you reap, but by the seeds you plant.*

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These words, often attributed to Robert Louis Stevenson, apply quite well to assessments of NPT Review Conferences, especially the eighth such conference that concluded at the end of May. To some extent, the NPT is itself a kind of seed, planted by its states parties 40 years ago with the expectation that it would bear the long-sought fruit of disarmament, nonproliferation, and progress in the peaceful uses of nuclear energy.

Unfortunately, the record of the earlier Review Conferences has been mixed and the harvests quite unpredictable and often disappointing. There have even been a few droughts.

Consensus substantive final documents — often but misleadingly regarded as the sole standard of “success” for such events — were adopted in 1975, 1985 and 2000. The states parties were also able to adopt three decisions and the Resolution on the Middle East in 1995, in a “package deal” that enabled the indefinite extension of the treaty.

But the other Review Conferences were generally viewed as disappointments, for reasons largely connected with the political climate of the times, as registered by the low degree of cooperation and harmony among the states parties.

In contrast, the circumstances on the eve of the 2010 Review Conference were quite auspicious. The event opened against the backdrop of countless nuclear disarmament initiatives from civil society and states parties. The leaders of all the nuclear-weapon states affirmed their support for nuclear disarmament and itemized steps they viewed as consistent with that goal. There was also widespread recognition of the need to stop the global spread of these weapons or their acquisition by terrorists. And both nuclear-weapon and non-nuclear-weapon states shared common interests in promoting peaceful uses of nuclear energy.



3 May 2010. United Nations Secretary-General Ban Ki-moon speaks at the 2010 High-level Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Mr. Ban urged nations to make nuclear disarmament targets a reality (United Nations, New York).

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There were of course some indications of trouble in the review process, especially when the third session of the Preparatory Committee in 2009 was unable to adopt substantive recommendations. Yet participants did succeed in clearing away most procedural issues, including a crucial agreement on a draft agenda. This made it possible for the substantive business of the Review Conference to proceed without the prolonged delays encountered in 2005. I credit the ultimate success of the review Conference to the persistent efforts by conference president Libran Cabactulan, assisted by his competent personal staff, his bureau, and perhaps most of all, by a recognition by all states parties of the need for some flexibility and compromise.

Attendance was good, with 172 states parties participating. There were also 121 accredited non-governmental organizations, with 1,155 individual representatives, and some 126 side events. States parties submitted a record 75 “working papers.” And Secretary-General Ban Ki-moon was also a prominent participant. He opened the conference; addressed several large gatherings of NGOs, parliamentarians, and mayors; drafted a letter to the states parties in the final week urging a successful outcome; issued a statement upon the closing and he continues to speak out on the issues raised at the conference.

Many commentators have concluded that the Review Conference was a success just in reaching a consensus on a substantive final document — one with no less than 64 concrete actions addressing each of the treaty’s three pillars – disarmament, nonproliferation and peaceful uses of nuclear energy.

Yet Stevenson was right: the “harvest “of this conference was less in its documentation of progress in fulfilling all the goals of the treaty, than in the seeds that were planted.

At a press conference held in Prague on 7 July 1956, Dag Hammarskjöld said the following about assessing progress at disarmament meetings:

*After all, the debates are perhaps not so much negotiations intended to lead to hard and fast results at a table, as the sounding out of possibilities and opinions which later on are digested by the governments and on which they act. So that when the governments meet the next time, they have tried to all extent possible to adjust their thinking and their approach in order to make the most constructive possible approach.*

He added that “. . . the silent period between the meetings seems in a certain sense to have been more productive as the period of gestation than the discussions immediately seem to warrant.” In this light, I see many seeds that were planted in the final document of the 2010 Review Conference, just in the disarmament field alone.

I see an overwhelming interest by a vast majority of states parties in exploring legal alternatives for achieving the abolition of nuclear weapons, either via a nuclear weapons convention or a framework of related instruments, as the Secretary-General has proposed. I see the inclusion of some language acknowledging the effects of nuclear weapons and underscoring the relevance of international humanitarian law in addressing any threat or use of such weapons. I also see that a majority of the states parties support some timelines for disarmament. I see recognition of the

“legitimate interests” of non-nuclear-weapon states in discouraging qualitative improvements of nuclear weapons and in receiving legal and unequivocal security assurances. I see new expectations for enhanced reporting by nuclear-weapon states on the steps they are taking to implement their own commitments.

There were also seeds planted to strengthen the norms of nonproliferation and peaceful uses of nuclear energy under the treaty. There was overwhelming support for strict compliance with safeguards commitments, a strong reaffirmation of the importance of full-scope safeguards as a condition for nuclear cooperation, and significant (though not universal) support for the Additional Protocol as the safeguards standard. Other issues stressed were the importance of increased technical cooperation in peaceful uses, including in such areas as physical security and safety, though there was no agreement on multilateral fuel cycle facilities other than to acknowledge the need to discuss the issue further.

Then there was the language concerning implementation of the 1995 Resolution on the Middle East, a very significant development that will lead to the convening of a conference in 2012 on the subject. After 15 years of inaction on this resolution, many states parties were relieved to see, at long last, some movement on this issue.

Some credit for the overall success of this Review Conference must of course be shared with civil society, whose intellectual and political contributions helped to clarify policy issues — including the crafting of sensible benchmarks for measuring success.

It is also noteworthy that the Review Conference repeatedly underscored the important role of the Secretary-General, as seen in his mandates to organize the conference on the Middle East, to convene a high-level meeting of the Conference on Disarmament in September, to establish a public repository of data on actions by the nuclear-weapon states to implement their disarmament commitments, and also its endorsement of the recommendations in the Secretary-General’s report on disarmament and nonproliferation education.

It’s unfortunate that much of our collective work in disarmament is often dismissed as idealistic. When this Review Conference had adjourned, however, I had a strong impression that its outcome will herald a new sense of realism based on the political will shown by the parties and civil society alike to move forward toward realizing long overdue goals. Leaders around the world are increasingly aware that it is unrealistic to ignore disarmament.

Let me put it this way — the genie of disarmament is out of its bottle and has no intention of returning. The need for major progress in nuclear disarmament has itself become a new reality.

Historically, even in its darkest hours, hopes for disarmament remained alive. In 1948, when it became clear that early post-war efforts for the international control of atomic energy had failed, Robert J. Oppenheimer wrote in *Foreign Affairs* that— even in failure — these efforts testified to the health of our civilization. He said, “*This is seed we take with us, traveling to a land we cannot see, to plant in a new soil.*” On 28 May, new seeds were planted in an entirely new soil. It is now up to states parties and civil society to help them grow.