

Achievements and Challenges of the UN Disarmament Machinery

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I very much welcome this opportunity to speak with you today about the achievements and challenges facing what we call “the disarmament machinery” of the United Nations. Needless to say, the selections both of this beautiful venue and such a timely subject for this conference make it both a pleasure and an honour for me to participate on this panel.

It is not often recognized that the United Nations and NATO share many objectives in common. The treaties establishing both of our organizations cite the purposes and principles of the Charter to orient our work. Both treaties also identify the “rule of law” as a key goal. And both, it is often forgotten, rely heavily upon what is known informally as “the consensus rule”—which offers a useful point of departure for my remarks today.

Before proceeding, however, I would like briefly to clarify what I mean by the “UN disarmament machinery”. This is a term that has been used for many decades at the United Nations to refer to a set of institutions focused on the development and maintenance of multilateral norms for two specific goals found in the UN Charter—namely, disarmament and the “regulation of armaments”.

As early as 1946, the General Assembly had clarified that these terms referred to two separate but related objectives—the *elimination* of nuclear weapons and other weapons “adaptable to mass destruction” (which in practice has included biological and chemical weapons) and the *limitation or regulation* of conventional arms. The distinction is significant, since it establishes that it is not a goal of the United Nations just to “manage” weapons of mass destruction, nuclear weapons in particular. Both in General Assembly resolutions and in consensus texts adopted at multilateral treaty review conferences, the world community has repeatedly affirmed that the total elimination of such weapons offers the most reliable means to ensure against their future use.

Pursued as parallel, mutually reinforcing processes, disarmament and arms control together constitute what is called “general and complete disarmament under effective international control”, which has been the world community’s “ultimate objective”, as agreed at the General Assembly’s first Special Session on disarmament in 1978. This is as relevant as ever, given the world community’s early recognition that the achievement of the elimination of WMD must not usher in a new age of conventional wars and arms races. And this is why both goals

need to be pursued together—not sequentially, but simultaneously, in the interest of all States and in fulfilment of the wider security goals of the Charter.

As we survey the many security challenges facing the world today, it is easy to neglect the many accomplishments that this disarmament machinery has achieved over many decades. Each of the three key institutions in that machinery has contributed significantly to the development and strengthening of multilateral norms, both political and legal.

For example, the purely deliberative body—the UN Disarmament Commission—has been able to reach a consensus on several basic Guidelines including, most recently, agreement in 1999 on the parameters for the establishment of regional nuclear-weapon-free zones, as well as Guidelines on conventional arms control/limitation and disarmament.

As for the General Assembly, it has been adopting disarmament resolutions since 1946, when its first resolution identified the goal of eliminating nuclear weapons and other weapons “adaptable to mass destruction.”

Serving as the world’s single multilateral disarmament negotiating forum, the Conference on Disarmament and its predecessors achieved significant accomplishments, which included consideration or negotiation of the Chemical and Biological Weapons Conventions, the Nuclear Non-Proliferation Treaty, and the Comprehensive Nuclear-Test-Ban Treaty, among others.

These achievements were a product of their times—times when States were able to agree that cooperation in the pursuit of common objectives was the best way to advance the interests both of national security and international peace and security overall.

Notwithstanding, I echo the words of UN Secretary-General Ban Ki-moon in that the record of achievement of the Conference on Disarmament has been overshadowed by inertia that has now lasted for more than a decade. This stalemate is all the more troubling given recent momentum on other disarmament tracks, including last year’s successful NPT Review Conference and heightened attention to nuclear security.

When the disarmament machinery is unable to advance the multilateral norm-building process—a situation that continues to prevail today and that has existed in the CD since 1998 and the UNDC since 1999—it tells us something, not so much about the inherent imperfections of these institutions, but the level of disagreement among States concerning the fundamental goals of their security policies.

To this extent, the machinery offers not just a forum for deliberations and negotiations. It also serves as a kind of instrument measuring the degree of consensus that exists among Member States. Just as we don't blame our thermometers when temperatures rise, so too would it be an error to attribute the stalemate over the last decade in multilateral norm-building process for disarmament as somehow the fault of the forum.

Thus, in the year 2000, then Secretary-General Kofi Annan stated that the disarmament machinery was showing signs of rust, not due to any flaw in the machinery itself, but to its lack of use and neglect.

Yet even in times when agreement on new treaties has proven difficult, this machinery has slowly succeeded in building a consensus on the fundamental criteria that should be incorporated in future treaties in this field.

With respect to nuclear weapons, for example, these criteria include—the need to confirm compliance through verification; the need for transparency on armaments and related materials and delivery systems; the parameter of irreversibility, as a protection against any strategic surprise or “break-out”; and of course, the need to achieve disarmament goals through legally binding agreements that either have—or aspire to have—universal membership. One sees evidence of this consensus in deliberations and resolutions of the General Assembly, as well as in the Final Documents adopted at NPT Review Conferences, most notably in years 2000 and 2010.

Given such standards for responsible and effective disarmament agreements, the UN has essentially sought to reconcile unity and diversity—by retaining the consensus rule both in the Disarmament Commission and at the CD, while voting

takes place in the General Assembly, which typically reveals persisting differences of policies and priorities especially on resolutions dealing with nuclear weapons.

The institution's goal with respect to WMD is quite clear—zero, for all such weapons, which obviously requires a fully global consensus. Zero cannot be obtained as long as there are possessors of prohibited weapons outside key disarmament treaties. After all, the goal is indeed global zero, not global some. For all practical purposes, treaties accomplishing multilateral disarmament goals must include not only all possessor States, but all States universally.

This is the main challenge facing efforts by like-minded states who seek to build multilateral norms by first agreeing amongst themselves on such norms, and then seeking to achieve their universal acceptance, a strategy used in negotiating conventions banning anti-personnel landmines and cluster munitions. Yet the “global taboo” is still not fully global with respect to these treaties.

It is of course quite apparent that if the UN disarmament machinery continues to find itself unable to undertake substantive work due to the application of the consensus rule, then States will predictably explore their options for negotiating multilateral norms in other forums. This was a common refrain in the statements made at the 24 September 2010 High Level Meeting on Revitalizing the Work of the Conference on Disarmament and Taking Forward Multilateral Disarmament Negotiations, convened by Secretary-General Ban Ki-moon. And this no doubt will be the focus of discussion at the plenary session of the General Assembly to be held later in July as a follow-up to GA resolution 65/93.

Yet, as the members of NATO know well from their own deliberations, the consensus rule is not easily disposed of, considering that such deliberations focus on some of the most sensitive issues facing Member States. Given that the primary goal of the UN disarmament machinery is to establish and strengthen multilateral norms that have, or aspire to achieve, fully universal support, this would strongly imply that there really is no substitute for the hard, tedious, and often frustrating work of achieving the consensus needed to establish such norms. There is no viable alternative for the international diplomacy required to forge such a consensus.

This also means that there must be some alignment among the policies and priorities of individual States—involving a shared recognition of the need for cooperation among States to achieve national security interests, as well as recognition of the benefits of disarmament as a defence policy. Most important of all is the need to achieve some alignment or balance between the practices of States and the multilateral disarmament goals that they have accepted as legitimate goals of policy.

I believe that the same point applies to cooperation among States in security alliances, which also have a responsibility to work for the achievement of multilateral disarmament objectives that each of the members of the alliance has already agreed individually to pursue. It only stands to reason that the alliance should pursue such goals as well.

It is for this reason that I am especially pleased to see that NATO has chosen to host these Annual NATO Conferences on WMD Arms Control, Disarmament and Non-Proliferation. It is also significant that the mandate of NATO's Weapons of Mass Destruction Centre explicitly identifies disarmament as one of its key issues.

In conclusion, I would like to recall a phrase that one sometimes encounters in popular culture—namely, the “ghost in the machine.” There are actually two ghosts in the UN disarmament machinery. The first represents a form of diplomacy focused exclusively on the pursuit of narrow national interests—typically defined with a short-term and material focus. The second is the ghost encouraging outcomes based on the cooperative pursuit of common interests through disarmament and the regulation of arms. I would submit that the future productivity of this machinery will depend upon the latter, while the former may well result in the machinery receding into rust, irrelevancy, and eventual obsolescence.

I believe the future of the UN disarmament machinery will be more positive, precisely because States are increasingly recognizing that their individual national interests are not distinct from the common good, but are enhanced through the cooperative pursuit of that common good. When I hear that the gravest problem confronting this machinery is “lack of political will”, this only suggests that the transition to cooperative multilateral disarmament is still evolving and that it has a way to go before the full potential of this machinery can be experienced.

At the recent non-proliferation and disarmament conference held on 31 May in New York, jointly organized by the Permanent Missions of Japan, Poland and Turkey and in cooperation with the Stimson Center, Secretary-General Ban Ki-moon offered the following words, which I hope we all take with us as we work for new progress in disarmament over the years to come. He stated:

All Member States share a common interest in building a world in which the use of nuclear weapons is not simply improbable, but impossible. I pledge my full commitment to liberating humanity from the terror of weapons of mass destruction. That is why I enthusiastically commend the efforts of Member States and civil society to achieve a weapons-of-mass-destruction-free world. Together, we can realize this great goal.

This is not just the greatest challenge facing the UN disarmament machinery. This is the greatest challenge of our time.