

**The Future of Disarmament and Non-Proliferation
in the Perspective of the New NPT Review Cycle**

By

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Let me begin by saying what a pleasure it is to be here in the great city of Rome—where I started my career 50 years ago as a young diplomat. I am grateful to my friend and colleague, Ambassador Carlo Trezza, for having invited me to participate again in this seminar. Today, I have been asked to address the future of disarmament and non-proliferation, which is an especially timely subject in relation to the new NPT review cycle.

The future is unpredictable but certain actions taken by the States now could paint a better future for disarmament, for the world, and for future generations. For its part, Italy—working either individually or through the European Union—has for many decades supported disarmament and the UN Secretariat’s activities in this field. Though my subject today deals with the future, I think it is important first to establish some historical context, because it helps in understanding disarmament efforts—yesterday, today, and tomorrow.

The UN’s own efforts in these fields have long been based on the sound conclusion that the reduction and elimination of armaments make their own important contributions in strengthening international peace and security. Undertaken with verification, transparency, irreversibility, universality, and with binding legal commitments, disarmament is a means to advance security interests. It is not to be postponed until after security is first achieved. Twice the States Parties of the NPT have declared—in the Final Documents of the 2000 and 2010 NPT Review Conferences—that the elimination of nuclear weapons offers the only “absolute guarantee” against the use of such weapons. This shows worldwide respect for the view that disarmament is in fact a prudent defence policy, not a utopian dream.

After all, progress in disarmament helps to reduce mistrust among nations. In working to prevent arms races, it helps to reduce the risk of armed conflict, while saving scarce national resources. It reduces the likelihood of accidental catastrophic wars. And it reinforces Charter norms concerning the peaceful settlement of disputes and the use of force. This is why all UN Secretaries-General have supported efforts to advance disarmament, and why the UN Secretariat has always had some form of office to address these issues.

It is a great irony that the Charter was signed in June 1945, just weeks before the first nuclear test, so the Charter makes no reference to nuclear weapons. It did, however, specifically identify both disarmament and the regulation of armaments as official UN goals. Even more ironically, the subject of nuclear disarmament is older than the bomb itself, having been discussed seriously by US nuclear scientists before the attacks on Hiroshima and Nagasaki. It is also one of the oldest subjects at the United Nations, appearing in the General Assembly’s first resolution, adopted on 24 January 1946.

In 1959, the General Assembly combined the elimination and the prohibition of WMD with the regulation of conventional arms under the goal of “general and complete disarmament”, which has since been adopted as the UN’s “ultimate

objective”. These goals are reflected in the organization of UN’s Office for Disarmament Affairs, where we have one branch dealing with WMD and another addressing conventional arms.

No doubt, my own personal experiences have shaped my thinking on these issues. I saw the birth of the NPT and have closely watched—and often participated in—its evolution. The Treaty had been largely negotiated bilaterally between the Soviet Union and the United States. And when the treaty was sent to the General Assembly in 1968 from the Eighteen Nation Disarmament Committee, it was done so on the responsibility of the same two co-chairs of the ENDC, rather than on the basis of a consensus within the Committee.

At the General Assembly in 1968, many States abstained from endorsing it. Gradually, however, the NPT came to enjoy the largest membership among multilateral treaties in the field of disarmament and is considered today to be the cornerstone of the non-proliferation regime.

In those early years—as indeed now—great difficulties remain in achieving universal commitments both to disarmament and non-proliferation. Today, 41 years after the treaty entered into force, it has still not achieved universal membership. The number of States possessing (or believed to possess) nuclear weapons has expanded to nine and all are engaged in various modernization efforts. While several classes of nuclear weapons have been unilaterally retired, no nuclear bombs or warheads have ever been destroyed pursuant to treaty requirements, and there are still no nuclear disarmament negotiations underway. Over 20,000 nuclear weapons reportedly still remain, and there is considerable resistance among non-nuclear-weapon States to strengthening non-proliferation controls in a world where many still view nuclear disarmament as only a mere vision.

Finally, as long as these weapons are regarded by some as legal to use, legitimate to deploy abroad, militarily effective as the ultimate security guarantee, and a source of status and prestige, then it will become increasingly difficult to deny others the same alleged benefits of possession.

In light of these concerns, it should come as no surprise that there is a longstanding and perhaps even growing perception among many of the non-nuclear-weapon States that the double standard at the heart of the NPT—namely, the establishment of one set of rules for the nuclear-weapon States and another for the non-nuclear-weapon States—may eventually prove un-sustainable. Expressions of regret over the slow pace of disarmament have been a perennial theme throughout the NPT review process throughout its existence.

Meanwhile, nuclear-weapon States and their allies continue to stress the priority of strengthening non-proliferation controls, a priority substantiated by several developments with serious implications for the global non-proliferation regime, including—the announcements by the Democratic People’s Republic of Korea of its

withdrawal from the NPT in 2003 and of its nuclear tests of 2006 and 2009; the publication this month of an IAEA report indicating that Iran has carried out activities that point to a possible military dimension to its nuclear programme; the revelation of the clandestine nuclear supply network spanning three continents once headed by Dr. A.Q. Khan; the de facto nuclear arms and missile races now underway in South Asia; and the resistance of many States to agree to strengthen their safeguards commitments by implementing the Additional Protocol.

Other differences have remained among the States Parties over the scope of the “inalienable right” to peaceful uses of nuclear energy found in Article IV of the Treaty, as well as over the lack of support for peaceful uses of nuclear energy. With respect to the latter, I note that 18 of the 64 points in the Action Plan adopted at the 2010 NPT Review Conference dealt with various aspects of this subject. These included the needs—to expand international assistance in this field, especially to non-nuclear-weapon States; to enhance the effectiveness and efficiency of the IAEA’s technical cooperation programme; to ensure the IAEA has sufficient resources to promote such cooperation; to strengthen appropriate and effective levels of safety and security including in transporting nuclear materials; to discuss further the possible development of multilateral approaches to the nuclear fuel cycle; to encourage efforts to minimize the use of highly enriched uranium; to put in force a civil nuclear liability regime; and to refrain from armed attacks against nuclear installations.

Thus, even despite successful outcomes from the Review Conferences of 2000 and 2010, each of the proverbial “three pillars” of the NPT—namely, disarmament, non-proliferation, and peaceful uses—has been widely recognized as needing some reinforcement. Without such progress, the Treaty would be in danger of collapsing, and the global nuclear non-proliferation regime would logically face the danger of collapsing with it.

Fortunately, there are some significant differences between a risk and a certainty—and between acknowledging one possible future and making a prediction. There is also a danger in making so-called “self-fulfilling prophecies”—which is what happens when a dark prediction is instrumental in producing its most feared result.

Let me be clear on this point: the question of the future sustainability of the NPT is entirely in the hands of the States Parties. If they follow through on their official commitments, and implement the deeds they have promised to perform, then the treaty will clearly have a brighter future. Even then, however, I still do not believe it will be legally sufficient to achieve global nuclear disarmament, which in my opinion can only realistically be achieved by concluding—as the Secretary-General Ban Ki-moon has proposed—a nuclear weapons convention or a framework of separate, mutually reinforcing instruments with this goal.

In this respect, I was pleased that the UN Security Council, at its summit meeting of 24 September 2009, adopted resolution 1887, which (inter alia) called upon all States – not just those in the NPT –

*to undertake to pursue negotiations in good faith on effective measures relating to nuclear arms reduction and disarmament, and on a Treaty on general and complete disarmament under strict and effective international control.*¹

Although not all the States possessing nuclear weapons have voiced their support for pursuing a nuclear weapons convention—indeed, most have not—I view this language from the Council as fully consistent with, if not a strong re-affirmation of, the central element of the Secretary-General’s five-point proposal, concerning the convention or framework of agreements. After all, the very purpose of negotiations is to conclude agreements. This begs two questions—when will such negotiations begin, and who will lead the way?

To its credit, the NPT—as it has evolved over the last four decades, and particularly in 1995—has developed a rather ingenious mechanism with some great potential for weighing the behaviour of the States Parties relative to their commitments. This mechanism enables the Treaty to adapt to changing times, to respond to new challenges, and to identify problems that need solving for it to remain effective and relevant to the interests and expectations of its States Parties.

That mechanism is called the NPT review process, and how it performs will go far in determining what will happen to the treaty in the years ahead. Since the NPT does not have an implementing agency, the UN has filled this vacuum by providing a de facto secretariat, which also serves to maintain the “collective institutional memory” of the NPT. I am mentioning this now because the UN will certainly have a unique vantage point for observing the functioning of this review process in the years ahead.

Unfortunately, the Treaty did not establish a mechanism for assessing or verifying compliance by its Parties with their commitments, as is the case in some other important instruments in this field. There are widely different views among the Parties regarding the degree of compliance, as there are different views on exactly how to tackle this question.

Next year, the Preparatory Committee for the 2015 NPT Review Conference will hold its first session, which will be followed by others in 2013 and 2014. Through these deliberations, the States Parties will have ample opportunities to provide detailed information about what they are doing to fulfil commitments made at the 2010 Review Conference—specifically, the 64-point Action Plan adopted by consensus in the Final Document of that conference, as well as additional activities relating to the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East.

¹ The quote is from operative paragraph 5.

In parallel with these meetings in the NPT arena, States and civil society groups will be continuing their efforts worldwide to advance the specific goal of nuclear disarmament. The NPT is not the only arena where this issue will be considered. It will remain a focal point of deliberations in the UN disarmament machinery—in particular, the General Assembly, the UN Disarmament Commission, and it is conceivable that it could even be the subject of discussions or even possible negotiations in the Conference on Disarmament. States Parties to treaties establishing regional nuclear-weapon-free zones will surely continue their efforts for nuclear disarmament, as well as for the establishment of new regional zones. I expect to see new initiatives from parliamentarians, mayors, lawyers, women's groups, environmentalists, human rights activities, environmentalists, and an ever-growing and ever-diversifying roster of “stakeholders” in disarmament around the world.

The future evolution of these combined efforts, as well as the future progress in the NPT review process, will depend upon the presentation of compelling evidence that progress is indeed being made in achieving tangible results in both disarmament and non-proliferation. This process will require a considerable degree of “political will”, which will be especially welcome from three levels—leadership by the nuclear-weapon States in reporting concrete progress in disarmament, initiatives by concerned States Parties to advance both disarmament and non-proliferation goals, and strong support from the civil society.

The successful NPT Review Conference of 2010 made it clear that the nuclear-weapon States must undertake to reduce, and further eliminate, their nuclear weapons. The entry into force of the new START treaty was a step forward and the other nuclear-weapon States made their own unilateral steps in disarmament and non-proliferation. The time has now come to build on this progress, and a good place to start is with increased transparency over progress in reducing and eliminating existing nuclear arsenals, fissile material, and delivery systems. The stated willingness of the five nuclear-weapon States to hold discussions on transparency and hopefully on other aspects of the Final Document of 2010 and to inform the Parties on their outcome is certainly a most welcome development.

In his five-point proposal of 2008, Secretary-General Ban Ki-moon invited the nuclear-weapon States to provide such information to the UN Secretariat, which could then encourage its wider dissemination. In this respect, I note that the NPT States Parties, by adopting Action 21 at the 2010 NPT Review Conference, invited the Secretary-General to establish “a publicly accessible repository” to document their progress in fulfilling disarmament commitments. I believe this is a significant development indeed, because without real transparency, there can be no real accountability—and without accountability, the review process will lose all its meaning, and the Treaty can only suffer as a result. My own office—the United Nations Office for Disarmament Affairs—is ready to receive and process the information to be provided by States Parties to the NPT.

Another crucial issue in the NPT review process over the next few years will be efforts to establish a zone free of nuclear weapons and other weapons of mass destruction in the Middle East.²

The UN Secretary-General, Ban Ki-moon, appointed in October 2011 Mr. Jaako Laajava as facilitator for the 2012 Conference, and Finland has been designated as the host Government. I believe this is a great opportunity for all States within the region to sit around the same table and explore how they can cooperate in order to achieve nuclear disarmament and non-proliferation. As is the case with all other nuclear-weapon-free zones, the longer term goal is far larger than the borders of any one region—the stakes are fully global in scope, for all of these zones constitute what are called “partial measures” leading to a world free of nuclear and other weapons of mass destruction.

Real progress in reducing and eliminating nuclear stockpiles, combined with progress on the WMD-free zone in the Middle East, will both go far in helping to combat the greatest enemy of disarmament and non-proliferation, both regionally and internationally—namely, mistrust among nations. It is fair to view simultaneous progress in disarmament and non-proliferation as genuine confidence-building measures, provided they are pursued hand-in-hand and not attempted sequentially or with prescribed preconditions.

Another subject to watch in the years ahead concerns the future of the doctrine of nuclear deterrence, which still persists in the security policies of most of the world’s population, if one considers all possessor States as well as States belonging to nuclear alliances. It is hard to achieve global norms of non-possession or non-use in a world in which the maintenance of international peace and security is predicated on threats of mutual assured destruction. In such a world, it is also hard to achieve non-proliferation goals, which is why the Secretary-General has referred to nuclear deterrence as a “contagious” doctrine.

The challenge in this field is not to seek merely to limit the use of nuclear weapons to nuclear deterrence, but to work for security in a post-nuclear-weapon world. As President Obama said in Prague in 2009, we must seek the “the peace and security of a world without nuclear weapons”—not to perpetuate a fragile stability of a world jeopardized by such weapons.

I cannot emphasize strongly enough the point that progress in nuclear disarmament and non-proliferation are both essential and they both must be pursued simultaneously. My own Office for Disarmament Affairs has organized several workshops worldwide to promote implementation of UN Security Council adopted Resolution 1540, which requires States to have domestic controls against the proliferation and terrorist use of WMD. There is a very important concept at the core of that resolution—namely, that global norms must be reflected in domestic laws and

² I will refer to this later as a “WMD-free zone” for brevity.

regulations. I think the more seriously States take their non-proliferation commitments, by enshrining them into domestic laws and giving them institutional support, the greater will be the prospects for achieving non-proliferation goals.

But today, I would like to suggest that this same logic applies to disarmament—it too requires a domestic foundation in laws, regulations, budgets, and institutional support. I very much view the future NPT review process as providing a fine opportunity for States to recount what they have been doing to advance disarmament and non-proliferation goals, as both international and domestic goals. As for the challenge of addressing the dangers posed by WMD terrorism, I believe that substantial progress in disarmament and non-proliferation will make their own important contributions in addressing that risk, especially when it comes to eliminating the dangers of thefts of fissile material or weapons themselves.

It is tempting, in any discussion about the NPT and its review process, to limit one's remarks to matters dealing with States. Yet because of the catastrophic humanitarian effects these weapons can have on populations, the economy, and the environment, civil society has increasingly focusing on this issue. Individuals and groups have much to contribute in raising awareness and capturing the public conscience, and their growing interest in ensuring the application of international humanitarian and human rights law to nuclear weapons is a welcome development indeed.

In this connection, may I stress here the importance attached by military personnel to the study of international instruments governing conduct in combat. It is encouraging to note the increased attention given to the rules to be observed in a situation of armed conflict and the interest shown by members of the armed forces to learn more about the instruments dealing with both humanitarian international law and disarmament.

Over the years, I have developed great respect for the many roles that individuals and groups in civil society have played in advancing disarmament goals. They had a significant role in advocating the conclusion of the Partial Test Ban Treaty, as well as in the negotiation of conventions outlawing antipersonnel landmines and cluster munitions. In all these instances, the indiscriminate effects of such weapons on civilians were key reasons used in support of such treaties. I strongly believe that this will continue to be the case with respect to nuclear weapons, and I am grateful in particular for the leadership shown by the International Committee of the Red Cross in raising these humanitarian issues and bring them to larger publics.

The ultimate beneficiaries of enhanced accountability and transparency in the NPT review process will be the general public. After all, if nuclear weapons are again used, citizens almost certainly would be among the victims, given the inherently indiscriminate nature of these weapons. People have a basic human right to know how many of such weapons exist, how much fissile material has been produced, how

many delivery systems exist or are under development, and what is being done to eliminate all these threats.

This is why it is so important for civil society to have genuine opportunities to monitor and participate in the NPT review process. I have been particularly impressed with the reports these groups have produced during previous sessions of the review process.

Well beyond the NPT, civil society can do a lot to strengthen the “rule of law” in disarmament—especially through their efforts to promote a nuclear weapons convention, the negotiation of a fissile material treaty, the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, and the future consideration of new treaties, including one banning the use or deployment of weapons in space.

In conclusion, while I am certainly unable to predict the future of disarmament and non-proliferation, I have learned through the years that without respect for accountability and transparency these goals will remain highly unreachable. As we start the next NPT review cycle with the forthcoming Preparatory Meeting early in 2012, I hope the 2015 NPT Review conference will be a real success and will mark a new step toward general and complete disarmament.

This success will only happen through sustained collective action focused on specific practical benchmarks, backed by a system of transparency and accountability. The 2010 Review Conference provided such benchmarks. All we have to do is to translate them into reality. To quote Secretary-General, Ban Ki-Moon—“too many people dismiss disarmament as a pie-in-the-sky ideal. Let us work together to bring disarmament down to earth.”