

Opening Remarks

by

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***Creating the Conditions and Building the Framework for
a Nuclear Weapons-Free World***

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and the Permanent Mission of Germany to the United Nations
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I would like to begin today with a few words of appreciation on behalf of the Permanent Mission of Germany to the United Nations and the Middle Powers Initiative. I wish to thank them not just for organizing this luncheon on this important subject concerning the achievement of a nuclear-weapon-free world. My gratitude also extends to their longstanding commitment to pursue this goal, often in the face of great obstacles.

The Middle Powers Initiative is a superb example of what a network of non-governmental organizations can do in promoting global nuclear disarmament. I was pleased to address a roundtable that MPI and the Government of Austria hosted in Vienna last May on Building the Framework for a Nuclear Weapons-Free World. And I view today's event as a bridge to the follow-up conference that the German Ministry of Foreign Affairs will host in Berlin in February next year.

It would of course be a cliché to say that a nuclear weapon-free world will not be easy to achieve. One would be naïve to assume that this is something that could conceivably be accomplished overnight or with a snap of the fingers.

George Shultz, William Perry, Henry Kissinger, and Sam Nunn were not so naïve. In one of their disarmament op-eds in the *Wall Street Journal* (7 March 2011), they cautioned "A world without nuclear weapons will not simply be today's world minus nuclear weapons."

President Obama also understands both this goal and the difficulties in achieving it. In his great speech in Prague in 5 April 2009, he pointed to "America's commitment to seek the peace and security of a world without nuclear weapons." Yet the next line of that speech read "I'm not naïve. This goal will not be reached quickly -- perhaps not in my lifetime."

Here at the United Nations, we know something about disarmament not proceeding quickly. Our Member States have been grappling with this problem ever since the adoption of General Assembly Resolution 1(I) in 1946. They have made some progress, especially in developing of a set of agreed standards to be embodied in disarmament agreements.

There are five of them: verification; irreversibility; transparency; universality; and bindingness in law. It's rather hard to imagine a world without nuclear weapons that does not satisfy these standards—and that is why they have been supported by all states.

These, however, are not *conditions* that must first be satisfied before disarmament is possible. They are simply a list of criteria that a quality disarmament agreement must reliably satisfy. They offer benchmarks for negotiating and implementing such agreements.

There are several problems with the alternative approach of insisting on preconditions. One of them is that the list of such conditions is open-ended, and we have seen a cascade of conditions that allegedly must be satisfied before nuclear disarmament is "possible".

Some observers demand world peace. Some say all regional disputes must first be solved. Some demand a solution to the problem of war and armed conflict. Some demand a definitive end to all proliferation and terrorist risks. Some call for an end to missile defence. Some require a ban on space weapons. Some even call for world government. *Etcetera*.

So it would be quite an understatement indeed to say that a world satisfying all these conditions would "not simply be today's world minus nuclear weapons." Actually, that would not even be a terrestrial world, but rather a description of Nirvana. Hence insisting on

such preconditions for disarmament is viewed by other observers as little more than a thinly veiled formula for postponing disarmament indefinitely.

Such an approach might also prove contagious, as a similar tactic could also be adopted by non-nuclear-weapon states to explain their reluctance to implement their own non-proliferation commitments. And why not? Should there be a double standard of *absolute preconditions* for disarmament, combined with an insistence on *unconditional adherence* to non-proliferation? The implications of this approach are obvious.

My concerns over these growing efforts to conditionalize disarmament stem from a straightforward interpretation of a single word. The Oxford English Dictionary defines “*condition*” as “Something demanded or required as a prerequisite to the granting or performance of something else; a provision, a stipulation.”

Yet when I read the disarmament language of Article VI of the NPT, I can find no indication that the good faith undertaking set forth in that Article is predicated on the satisfaction of any activity or condition. There is no “quid” prescribed for the “quo” of fulfilling solemn disarmament commitments.

Many decades ago, disarmament efforts centred at the United Nations were oriented at pursuing a single comprehensive treaty to achieve the elimination of nuclear weapons and other weapons of mass destruction, as well as the regulation and reduction of conventional arms. This gave way in the 1960s to what were called “partial measures”, including regional nuclear-weapon-free zones, the NPT, test ban treaties, fissile material agreements (both safeguards and pursuit of a fissile material treaty) and other such accords.

These measures were called “partial” for a reason: they were associated with a larger disarmament goal. This is obvious in the comprehensive disarmament language found in the NPT, CWC, BWC, CTBT, and in all five regional nuclear-weapon-free zone treaties.

Yet these partial measures – often called “stepping stones” – are in danger of becoming ends in themselves. Despite the progress in fulfilling many of these partial measures, some 20,000 nuclear weapons remain, and large-scale, long-term weapon modernization plans are well underway. It is increasingly apparent that what we have inherited is a process that has lost its purpose. There has to be relationship between ends and means in this business, and if there is doubt, then that bond has been broken.

This brings me to another word from the title of our meeting today. My same Oxford dictionary defines “*framework*” as “an essential or underlying structure; a provisional design, an outline; a conceptual scheme or system”. When Secretary-General Ban Ki-moon proposed his five-point nuclear disarmament proposal, he called for the negotiation of a nuclear weapons convention or a “framework of separate, mutually reinforcing instruments”.

This is a term that serves to relate the whole of a subject to its parts. The five-point proposal does not claim that a single nuclear weapons convention is the only way to achieve global zero. But it does indicate that an alternative approach to this goal involving a variety of instruments must ensure that they are intended to advance nuclear disarmament. There has to be a connection between the partial goal and the collective goal of these instruments.

At the General Assembly’s first Special Session on disarmament in 1978, Member States agreed that “general and complete disarmament under effective international control” (or GCD) was the world community’s “ultimate objective” in disarmament. This concept, which at the UN dates back to 1959, encompasses both the elimination of nuclear weapons

and other weapons of mass destruction and the regulation and reduction of conventional arms. This is the “framework” the world community now has on its table for pursuing disarmament. As we shall see, it is actually a framework within a larger framework.

It is a brilliant scheme because the GCD concept anticipates that security challenges must still be met even in a world without nuclear weapons. It went beyond the need to address conventional arms, by including the need to strengthen compliance with other parts of the UN Charter, especially those relating to the duty to resolve disputes peacefully and the obligation to refrain from the threat or use force. This is the larger framework, the framework of the UN Charter (and its related agreements) that offers the best architecture for pursuing a world free of nuclear weapons. It is the framework of GCD reinforced by the Charter.

So I believe our challenge is not in building a new framework, but in implementing the one we already have. We need to ensure a better alignment of the policies of states with their commitments to GCD and the Charter. That requires neither a new framework nor new conditions on disarmament. It requires the political will of states to fulfil their existing commitments, rather than to continue practicing the age-old game of linkage politics.

Fortunately, we can rely on what I might call various “multilateral arenas of accountability” for holding Member States to the task of explaining what they are doing to fulfil their disarmament commitments. Two in particular are fit for this purpose—the meetings of NPT review process and the annual sessions of the General Assembly’s First Committee. Civil society has an important role to play in his process as well.

Germany’s initiatives to promote transparency in the nuclear disarmament process offer a good example of what is needed now. One of the items in the Action Plan adopted at the 2010 NPT Review Conference was an invitation for the Secretary-General to establish a “publicly accessible repository” of information supplied by the nuclear-weapon states describing what they are doing to fulfil their disarmament commitments. The UNODA has since established a page on our web site for this purpose, but it remains empty.¹ Since “transparency” is one of the five key multilateral standards for disarmament, I think it will be a good indicator that we are making progress when items start appearing in that database.

In closing, let’s stop contriving excuses for the lack of disarmament. Let’s just implement the sound standards we have for achieving the goals we have all agreed to seek.

¹ <http://www.un.org/disarmament/WMD/Nuclear/Repository/>.