

Keynote Address

The Secretary-General's Five-Point Nuclear Disarmament Proposal: Current Status and Future Prospects

By

Sergio Duarte
High Representative for Disarmament Affairs
United Nations



Seminar

Canada and a Nuclear Weapons Convention

Sponsored by

Canadian Network to Abolish Nuclear Weapons
Canadian Pugwash Group
Canadian Centre for Treaty Compliance
Project Ploughshares
Physicians for Global Survival
Lawyers for Social Responsibility

Ottawa, Canada
11 April 2011

I have been looking forward to attending this event ever since I received my invitation last November from my good friend, former Senator Douglas Roche, and Ms. Bev Delong—who have both devoted so much to the cause of nuclear disarmament.

This level of commitment is magnified many times over by the dedicated efforts of the six non-governmental Canadian groups that have co-sponsored this event. Please—all of you—accept my deep appreciation for your efforts and my commitment to work in partnership with you as we move forward toward a nuclear-weapon-free world.

I do not intend to dwell on the merits of pursuing this goal. Certainly this audience does not require any further persuasion that nuclear disarmament is both a morally justified objective and the most practical and effective way to ensure against the future use of nuclear weapons.

In fact, so abhorrent are the effects of these weapons that I sometimes hear various proposals urging us all to focus just on reducing their risk of use. Under that approach, the goal of “zero” would refer not to the number of weapons but to the probability that such weapons would be used. Yet the risk of use of such weapons derives from their very existence—whether we consider deliberate or unauthorized use, use through miscalculations, detonations resulting from accidents, along with threats of theft, terrorist attack, or sabotage, and other such dangers.

Such risks are well recognized. Reflecting such concerns, the States Parties to the NPT—in their consensus Final Documents at their Review Conferences in 2000 and 2010—were able to reach a consensus that “the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons.”

The goal of elimination, of course, pre-dates the NPT by many decades. It has been a goal of the United Nations since 24 January 1946, when the General Assembly included this goal in its first resolution. The 65-year history of UN efforts to achieve this goal reveals two basic multilateral approaches to the problem.

The first approach—pursued in the 1950s and early 1960s—established the goal of “general and complete disarmament under effective international control,” as stated in General Assembly Resolution 1378 of 1959. This objective encompassed both the elimination of all nuclear weapons and other weapons of mass destruction, and the limitation of conventional armaments. In 1961, the McCloy-Zorin Joint Statement offered an outline of a single treaty that would combine these goals.

Yet this enlightened proposal, along with initiatives deliberated earlier in Geneva, were together to be eclipsed by the unfavourable climate of mistrust, suspicion, and rivalry associated with the Cold War.

This led to proposals for an alternative approach involving what were called “partial measures” leading to general and complete disarmament. In the nuclear field,

these featured regional nuclear-weapon-free zones and, of course, the negotiation of the Treaty on the Non-Proliferation of Nuclear Weapons. It is useful to recall that these partial measures were not ends in themselves. They were “partial” in the sense that they were viewed as steps leading to the achievement of global nuclear disarmament. One needs only to consult the preambles of the NPT and the regional treaties to appreciate this linkage to this larger goal of global zero.

With its entry into force in 1970, the NPT committed its States Parties to pursue negotiations in good faith—and at an early date—on nuclear disarmament, as well as on general and complete disarmament. Unfortunately, such negotiations never took place. What resulted instead were a series of bilateral strategic nuclear arms limitation agreements that set various ceilings on deployments of bombs and warheads and their delivery vehicles. These were not disarmament treaties requiring the destruction of nuclear weapons.

Indeed, to this day, no nuclear weapons have been physically destroyed pursuant to a treaty commitment—bilateral or multilateral. Furthermore, 41 years after the NPT’s obligation of pursuing good faith negotiations took effect, there are still over 20,000 nuclear weapons in existence worldwide. The contagious doctrine of nuclear deterrence has now spread to eight or nine States and actually many more, when one considers the number of States involved in military alliances relying on the “nuclear umbrella.” Many of these weapons remain on high-alert status, even a generation after the end of the Cold War. Claims are still being made that both the threat and use of nuclear weapons are legal under international law. And well-funded, long-term plans are in place for the “modernization” of nuclear arsenals or their delivery systems, extending decades into the future, while no such plans exist for disarmament.

It was in these unsettling circumstances that Secretary-General Ban Ki-moon decided that the world needs a new approach to put the great train of global nuclear disarmament back on track. He outlined his approach in the form of a five-point nuclear disarmament proposal in his speech on 24 October 2008 before a large gathering at the UN hosted by the EastWest Institute, attended by Henry Kissinger and many other distinguished participants.

He began by commenting on the issue of the “nuclear taboo,” questioning whether a taboo simply on use would be sufficient. He noted that the UN has been pursuing general and complete disarmament for so long it has become part of the very identity of the UN as an organization, a goal it has pursued by offering a common global forum for deliberating global norms, as well as through its efforts to analyze, educate, and advocate in the pursuit of agreed goals.

His five-point proposal placed a special emphasis on the need to strengthen the “rule of law” in the field of disarmament. This theme pervades his entire proposal.

First, he urged all NPT States Parties to fulfil their obligation under Article VI of the treaty to undertake negotiations on effective measures leading to nuclear

disarmament, proposing specifically that these could take the form of a nuclear-weapons convention or agreement on a framework of separate, mutually reinforcing instruments. He urged new progress in bilateral strategic arms reductions between the Russian Federation and the United States, and called upon the nuclear powers to engage with other States on nuclear disarmament issues at the Conference on Disarmament. He also stressed the need for additional investments in verification research and development.

Second, he urged the UN Security Council to commence discussions on security issues in the nuclear disarmament process, noting that the Council's Military Staff Committee could provide one forum for such discussions, as stipulated in Article 47 of the Charter. These deliberations, he argued, should aim at unambiguously assuring non-nuclear-weapon States that they will not be subject to the threat or use of nuclear weapons. He urged the Council to consider convening a summit meeting on nuclear disarmament. And he called on all non-NPT states to freeze their own nuclear-weapon capabilities and make their own disarmament commitments.

His third initiative explicitly addressed the "rule of law", urging new progress in bringing the Comprehensive Nuclear-Test-Ban Treaty into force, negotiating a fissile material treaty, new progress in implementing existing regional nuclear-weapon-free zones and establishing such a zone in the Middle East, and expanding implementation of strengthened IAEA safeguards worldwide under the Additional Protocol.

The Secretary-General's fourth proposal addressed accountability and transparency. He invited all nuclear-weapon-States to send descriptions of what they are doing to implement their disarmament commitments to the UN Secretariat, which would encourage its wider dissemination. In addition, he called upon the nuclear powers to publish more details about their arsenals and fissionable materials.

Fifth and finally, he underscored the need for some complementary measures, recognizing that nuclear disarmament should not be pursued in a vacuum. These included measures relating to the elimination of other types of weapons of mass destruction, conventional arms reductions, terrorism prevention, and new weapons bans, including some relating to missiles and space weapons. He also saw merit in the proposal of the Blix WMD Commission for a General Assembly "World Summit on disarmament, non-proliferation and terrorist use of weapons of mass destruction."

Such is the essence of his five-point proposal. On 8 December 2009, he outlined an "Action Plan" to sustain the momentum generated by his proposal a year earlier. He called for several steps to enhance prospects for the success of the 2010 NPT Review Conference—steps that included his encouragement of States to "seriously consider" the model nuclear weapons convention proposed by Costa Rica and Malaysia.

He also elaborated on his proposal for the Security Council, saying that the Council should not view any disarmament summit it might convene as a one-time event.

He urged the Council to meet on an annual basis on nuclear disarmament and non-proliferation issues, and at the foreign ministerial level.

He reiterated his support for strengthening the rule of law in disarmament, stressing in particular the importance of immediate progress on entry into force of the CTBT and negotiation of a fissile material treaty.

With respect to his initiative for accountability and transparency, he strongly echoed the call in the 2000 NPT Review Conference for “regular reports” from the nuclear-weapon States in implementing their Article VI commitments, and called upon such States to support his initiative to establish a registry in the UN Secretariat for such reporting, while also noting his intention to explore ways of further engaging with civil society and parliamentarians in this area, while also advancing the other complementary measures he identified in 2008.

Now, where do we now stand with respect to the Secretary-General’s proposal? Well, there have been many auspicious developments. His proposal has been endorsed by the Assembly of the Inter-Parliamentary Union as well as by a World Conference of Speakers of Parliament. It has earned the support of Mayors for Peace, which now has over 4,600 members, representing a combined population of over a billion people—and late last month, the Secretary-General opened a new display at the UN containing a Mayors for Peace petition with over a million signatures in support of a nuclear weapons convention. The five-point proposal was welcomed by the Nobel Peace Laureates in their Hiroshima Declaration of 14 November 2010. It has also been highlighted in several statements made in the General Assembly, at the High-Level Meeting of September 2010 on “Revitalising the Conference on Disarmament and Taking Forward Multilateral Disarmament Negotiations”, and at the 2010 NPT Review Conference, which included two references to this proposal in the Conference’s Final Document. And the proposal has been strongly supported by other civil society groups around the world, who view it as a worthy path toward a world free of nuclear weapons.

It is noteworthy that the Security Council did indeed hold a summit meeting to address non-proliferation and disarmament issues on 24 September 2009—the first such summit it ever held on this subject. The summit concluded by adopting Resolution 1887, which not only called upon all NPT States Parties to fulfil their obligations under Article VI of the NPT, but called upon non-parties to “join in this endeavour.”

With respect to transparency, the five nuclear-weapon States met in London on 3-4 September 2009 to participate in the “P5 Conference on Confidence Building Measures Towards Nuclear Disarmament” and they have plans to meet again this summer in Paris to discuss transparency and verification issues in future arms reductions. One possible outcome of that meeting could be agreement on a standard format for reporting information on progress in fulfilling disarmament commitments, which would be consistent with what the Secretary-General has proposed—and with the outcome of the 2010 NPT Review Conference. I know that this issue of reporting has long been of interest to the government and civil society groups in Canada, including many in this room today.

Overall, perhaps the most fundamental reason for this positive global response to the Secretary-General's proposal is that it is based on just plain common sense. After all, what has the world been calling for over the last six decades? You know the answer: the elimination of nuclear weapons. And what criteria have the world community identified must be satisfied in achieving this great objective?

These criteria are quite clear. Nuclear disarmament must be verified. It must be undertaken in a transparent manner. It must be irreversible. It must be binding. And it must be universal in scope. These are not my own arbitrary standards—they are criteria that have appeared in countless international instruments, including General Assembly resolutions and texts adopted by consensus at NPT Review Conferences.

In this light, the case for a nuclear weapons convention becomes self evident, just as its logical alternative, a framework of separate legally binding and mutually reinforcing agreements with the same objective. Nuclear disarmament will certainly not be achieved on the basis of non-binding statements, speeches, toasts, or press releases. It will not be achieved only by voluntary unilateral measures. It will not be achieved just by some States, but not others. And it will not be achieved if disarmament can easily be reversed.

One of the reasons why I am so pleased to speak to this particular audience about this issue is because Canada's credentials as a world leader in support of disarmament and non-proliferation initiatives are unquestioned. It has considerable experience in the science, technology, and practice of international verification. It has a large community of governmental and legal experts who appreciate the value of treaty law in strengthening international peace and security. It has a robust network of civil society organizations and individuals that are absolutely committed to pursuing this goal, in cooperation with groups in other countries and with individuals and offices inside the government who share these objectives. And as a member of NATO, Canada can use its voice with others in the alliance to articulate the case for a security doctrine that does not require the use or threat of use of nuclear weapons—but which does require systematic progress on achieving nuclear disarmament worldwide.

The world is at a juncture right now. One path leads to a future in which nuclear weapons are accepted as harsh realities in an anarchic world—a world in which such weapons are legal for any State to use—and a world in which more States are seeking such weapons as a vital and indispensable means of ensuring their security.

The other path leads toward universal recognition of nuclear weapons as an anathema—a unique type of weapon that cannot be used without egregious violations of the most fundamental tenets of international humanitarian law and the laws of war—a weapon that is completely useless in addressing pressing security challenges in today's world, including dangers from terrorism, civil wars, and enormously complex challenges of ensuring human security.

Of course, there really is no choice—as Senator Roche puts it in his latest book, “To be fully human is to be anti-nuclear weapons.” As humans, we prefer life over death. We are capable of weighing risks and benefits—of comparing the security challenges in a world free of nuclear weapons against those that would exist in a world full of such weapons. We instinctively understand that disarmament will require many things to be reliable and permanent, and that these requirements should be as binding as humanly possible, to increase confidence in their sustainability. Yet we are also experienced enough not to allow long lists of conditions or preconditions to serve as an excuse for never actually achieving disarmament goals.

We all support efforts to stop the global proliferation of nuclear weapons and to prevent terrorists from acquiring such weapons, but we do not at all accept that these efforts alone will suffice to free the world from nuclear threats. This will only be achieved when such weapons no longer exist—as ensured by arrangements that meet the high standards of verification, transparency, irreversibility, bindingness, and universality found, not surprisingly, in a nuclear weapons convention.

So I will now conclude by urging you all to persist in your efforts on behalf of global nuclear disarmament. Work with other groups outside the nuclear field and in other countries. Cultivate allies in government who share your convictions. Dedicate yourselves to educating the public and to improving reporting by the news media.

At a disarmament conference hosted in 2002 by the UN Department for Disarmament Affairs in Beijing, Nobel Laureate Jody Williams offered the following advice, which I will now leave with you today: “If we want to live in a world with a meaningful agenda for disarmament in this century, civil society, like-minded governments, international agencies and the United Nations must forge a partnership to ensure that our ‘idealistic’ vision becomes the new reality.”

Thank you very much for all you are doing for disarmament. We are all partners in a very good cause.