

UNODA OCCASIONAL PAPERS

No. 26, JUNE 2014

THE NEW ZEALAND LECTURES
ON DISARMAMENT

BY HIGH REPRESENTATIVE ANGELA KANE

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United Nations Office for
Disarmament Affairs



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The United Nations Office for Disarmament Affairs (UNODA) Occasional Papers is a series of ad hoc publications presenting, in edited form, papers or statements made at meetings, symposiums, seminars, workshops or lectures that deal with topical issues in the field of arms limitation, disarmament and international security. They are intended primarily for those concerned with these matters in Government, civil society and in the academic community.

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Foreword

New Zealand's support for the United Nations and for multilateral approaches to global problems is long-standing and unwavering. Our commitment to the United Nations and to the rule of law is part and parcel of who we are.

Nowhere is this more obvious than in the field of disarmament and arms control. As the United Nations High Representative for Disarmament Affairs, Angela Kane, observes in one of the speeches published in this booklet, disarmament is seen as part of New Zealand's very identity. Importantly, the same can also be said of the United Nations.

The New Zealand Government was honoured when Ms. Kane accepted our invitation to visit New Zealand in April this year. The speeches she delivered at a range of venues provide a comprehensive stocktake of the prospects and challenges currently confronting disarmament and arms control efforts. Her balance sheet registers both progress, most notably in the field of conventional arms (in particular, last year's historic adoption of the Arms Trade Treaty), and a lack of progress—especially as regards nuclear disarmament.

This collection of High Representative Kane's speeches makes the case for positive action. We need a much better balance sheet on nuclear disarmament and we need to advance other disarmament and arms control issues on the United Nations agenda. We hope that the publication of "The New Zealand Lectures on Disarmament" by High Representative Kane will help do this.

*Hon. Murray McCully
New Zealand Minister of Foreign Affairs
May 2014*

Preface

The six lectures included in this Occasional Paper delve into many of the challenges facing the achievement—at long last—of a world free of nuclear weapons.

It is no small coincidence that these lectures were delivered in New Zealand, given its rich heritage of efforts over many decades to tame the nuclear beast.

This heritage is documented in many ways. It is apparent in the country's nuclear-free zone legislation in 1987, which prohibited both nuclear weapons and nuclear-powered ships from entering its territory. It is seen in the cross-party political consensus in support of global nuclear disarmament that has been shared by successive governments and remains rooted deeply in public opinion. It resonates in the persistence of memories both sad and triumphal—from the sinking of the *Rainbow Warrior* to the final end of all nuclear tests in the Pacific.

In our present nuclear age, with all of its great contradictions and double standards, how extraordinary it is to encounter a country whose foreign nuclear policies and commitments are fully in line with its domestic legislation. There is a congruency here that offers a model for other countries to follow—a model that will be essential to universalize in the final achievement of a nuclear-weapon-free world.

This brief lecture series was conceived and made possible by one of the great practitioners of disarmament diplomacy, Dell Higgie—New Zealand's indefatigable Ambassador for Disarmament. She has been among the leading voices of a humanitarian approach to disarmament, a subject that features prominently in these lectures.

Frankly, the world needs more Dell Higgies—inspired leaders with eloquent voices and diplomatic skills to move the global nuclear disarmament agenda forward.

The importance of this cause can scarcely be overstated. Secretary-General Ban Ki-moon has called nuclear disarmament a “global public good of the highest order” and its achievement would indeed serve the national interests of all States. If these lectures can contribute even in some small way to a wider understanding of this fundamental theme,

they could well help in reviving that great missing ingredient in contemporary disarmament deliberations: political will.

This is the spirit in which these lectures were presented—on this subject, in that country, in this year. Some were provocative. Some offered factual narratives. But all were intended to contribute in some modest way to that great marketplace of ideas that inspires concrete practical actions. So let the great debate continue. Let us all contribute to it. And let us never retire until the job is done.

Angela Kane
High Representative for Disarmament Affairs

June 2014

Disarmament: prospects, possibilities and potential pitfalls

Lecture hosted by:

**University of Auckland Faculty of Law and Department of
Politics and International Relations
New Zealand Institute of International Affairs (Auckland branch)
International Law Association (Auckland sub-branch)**

Auckland, New Zealand
3 April 2014

Abstract

The lecture discusses the future prospects, possibilities, and potential pitfalls for disarmament and arms control. It argues a continuing case for the prohibition and elimination of weapons of mass destruction and the limitation and reduction of conventional arms as a viable objective to pursue today. Ms. Kane explores three possible outcomes for nuclear disarmament. She also discusses nuclear weapon modernization programmes currently under way, as well as other pitfalls to nuclear disarmament. The unique role of the United Nations in supporting multilateral efforts towards disarmament and arms control is also addressed.

Tena koutou, tena koutou, tena koutou katoa.

In my business of disarmament, we are familiar with many taboos, and one of the most inviolable is the failure to express one's gratitude to those who host events such as this one. I do not intend to deviate from that norm this evening.

Accordingly, I wish to express my sincere thanks to the University of Auckland's Faculty of Law and Department of Politics and International Relations, the Auckland branch of the New Zealand Institute of International Affairs and the Auckland sub-branch of the International Law Association. I thank them not just for inviting me, but for their genuine interest in disarmament.

For reasons you are no doubt aware, I feel quite at home here in New Zealand. Your commitment to pursuing a world free of nuclear weapons—and to supporting the United Nations—has been

virtually boundless. Your leadership has inspired initiatives by many other countries and has earned the support of an expansive network of groups in civil society, not just here in New Zealand but also throughout the world. I am both happy and proud to be here with you tonight, in a country that views disarmament as part of its national identity.

This is in fact my subject tonight, but I have noticed that people seem to have quite different interpretations of the meaning of this term.

I'm reminded of this famous dialogue between Humpty Dumpty and Alice in *Through the Looking Glass*:

"When I use a word," Humpty Dumpty said, in rather a scornful tone, "it means just what I choose it to mean—neither more nor less."

"The question is," said Alice, "whether you can make words mean so many different things."

"The question is," said Humpty Dumpty, "which is to be master—that's all."

Well, tonight, I am master. Disarmament and a separate goal "the regulation of armaments" are found in the United Nations Charter, which was signed before nuclear weapons even existed. So the term needed to be clarified. In January 1946, the General Assembly adopted its first resolution and it identified the goal of eliminating all nuclear weapons and all weapons "adaptable to mass destruction", in the words of General Assembly resolution 1(I). The United Nations had its first specific disarmament goal.

Later that year the General Assembly adopted another resolution on the general regulation of armaments. Since then, these have been two of the most stubbornly durable goals of the United Nations. Both of these goals—the prohibition and elimination of weapons of mass destruction and the limitation and reduction of conventional arms—remain our common objective today. If I may say, they too have become part of the identity of the United Nations.

These are not terms, however, that we should substitute for each other. There is a fundamental difference between eliminating and merely regulating something. The United Nations is not seeking

either to *regulate* nuclear weapons or to *eliminate* conventional arms. We—and here I mean both our Member States and the Secretariat—recognize that States have a right to defend themselves—within, of course, the other constraints of the Charter. These include the prohibition on threats or use of force and the duty to resolve disputes peacefully.

I am dwelling on this issue of definitions because it is important in fulfilling my responsibilities in this talk this evening of addressing the “prospects, possibilities and potential pitfalls” of disarmament.

Since this is the first of six statements I will be making in New Zealand, I will limit my remarks today to nuclear disarmament because of my audience’s natural interest in this subject.

On the one hand, one could argue that its prospects right now are rather dismal. The crisis in Crimea has exposed and aggravated some deep divisions between the two States that possess over 90 per cent of the world’s nuclear weapons. Cooperation between those States is absolutely essential for future deep reductions in their nuclear stockpiles and for expanding the disarmament enterprise to include additional countries.

Crimea, of course, is but a case in point. Some 44 years ago the Treaty on the Non-Proliferation of Nuclear Weapons entered into force, and it created an obligation for all of its parties to undertake negotiations in good faith on nuclear disarmament. These have not occurred and most nuclear-weapon States today are strongly opposed to even the notion of a nuclear weapons convention, let alone express their readiness to commence such negotiations. To this day, not one single nuclear weapon has been physically eliminated pursuant to a treaty, bilateral or multilateral. And, astonishingly enough, a majority of the world’s population today lives in countries that either have nuclear weapons or are covered by the proverbial nuclear umbrella.

This is just extraordinary. We have, to be sure, seen declared (but not verified) reductions in stockpiles—by some reports, the global nuclear weapon stockpile has declined from over 70,000 in the mid-1980s to less than 20,000 today. We have also seen the closure of nuclear material production and nuclear test sites. We have seen the unilateral elimination of various classes of nuclear weapons and missiles that were no longer viewed as serving a useful purpose. We

have seen reductions in deployments of strategic nuclear weapons by the Russian Federation and the United States. But we have seen no signs of any retreat in the doctrine of nuclear deterrence that is now being practised by literally every State that either has or is believed to have nuclear weapons.

We see long-term, well-funded nuclear-weapon modernization programmes under way, yet do not see any plans for achieving nuclear disarmament. One cannot even find a disarmament agency in any State that currently possesses such weapons, and a search for domestic legislation requiring the implementation of international treaty commitments on nuclear disarmament will also produce a negative result. In the year 2014—over six decades after the Second World War and a generation after the end of the cold war—we still find nuclear weapons deployed in Europe. We see nuclear weapons still on high-alert status, subject to “first-use” strategic nuclear doctrines.

Does any of this sound consistent with the goal of achieving a world free of nuclear weapons? If anything, stubborn arguments for the legality of the possession and use of nuclear weapons offer an enticing invitation to proliferation. After all, if such weapons are indeed indispensable, vital to national security, a source of status and prestige and the ultimate insurance policy against nuclear attacks, then by what reason should every country not have a right to defend itself by similar means?

This is why United Nations Secretary-General Ban Ki-moon has justifiably referred to the “contagious” doctrine of nuclear deterrence. See his five-point nuclear disarmament proposal of 24 October 2008 and you will find this term, as well as a detailed discussion of what the world should do about it.

Now, before this audience falls into complete despair, I must say that I began this account with the words, “one could argue” that the future of nuclear disarmament is dismal. These are not necessarily my arguments, yet they merit some attention.

When looking to the future, one should consider all possibilities, not just some that appear to be useful in making some political point. Indeed, I think there are enormous possibilities for progress in this field—yes, enormous.

First, in recent years States and groups in civil society have persistently advocated a focus on the humanitarian consequences of the use of nuclear weapons. They have looked closely at the human and environmental effects of even a small, localized nuclear war. Physicians and climate experts have concluded that the resulting “nuclear famine” from even a limited regional nuclear war could kill over a billion people. This raises serious questions about the legitimacy of nuclear weapons, given their inherently indiscriminate effects and their fundamental inconsistency with the most solemn principles of international humanitarian law—principles that have a heritage dating back not many decades but centuries.

Second, nuclear weapons are expensive, and during an international financial crisis, this may well open up new opportunities to advance the nuclear disarmament agenda. Fifteen years ago, the United States think tank the Brookings Institution calculated the total historical United States expenditure on nuclear weapons at \$5.6 trillion. In a stack of dollar bills, they concluded that such a stack would reach from Earth to the moon and almost all the way back. That was just for one country, 14 years ago. The Brookings authors calculated that if you paid one dollar every second, it would take over 184,000 years to pay that bill.

This begs the question: can society not imagine alternative purposes to which such resources could have been invested?

Since I am clearly expected to look ahead in these remarks, I can sketch three alternative futures for the world community when it comes to the future of nuclear weapons.

The first is *evolution*.

This is essentially the prescription of “business as usual”. It relies on the logic that since nuclear disarmament is a terribly difficult goal to achieve, prudence requires slow, incremental progress towards this goal. Of course, people disagree over such preconditions. Some say we must have world peace as a prerequisite. Others require an end to the “problem of war”. Some prescribe “world government” ... or an end to all regional disputes ... or a “fundamental transformation” in human consciousness.

Advocates of an evolutionary approach include the nuclear-weapon States, who lately have been arguing that what is needed is a “step-by-step process” that may lead eventually to a nuclear-weapon-free world. They view nuclear disarmament as an “ultimate goal”—something to be achieved only after many preconditions are first satisfied. Unfortunately, there is no end to the list of preconditions, and no commitments as to a date when disarmament will actually be achieved. In the eyes of many countries and groups in civil society, this “partial measure” approach will never reach the goal of zero nuclear weapons—they view this approach as a de facto recipe for perpetuating nuclear arsenals indefinitely rather than a serious effort to eliminate such weapons globally.

To be fair, there is some merit in the evolutionary approach, at least to the extent that disarmament agreements should indeed satisfy certain standards to be regarded as reliable, effective and legitimate. Over the years, the United Nations through its various resolutions and treaties and other consensus documents adopted in multilateral treaty arenas has elaborated five classic standards that a multilateral disarmament treaty should meet. Such a treaty should provide a means to verify compliance. It should contain transparency requirements so everybody knows who possesses what and what has really been destroyed. It should be irreversible. It should be universal in the sense that it should include all countries without exception. And it should be legally binding.

A disarmament treaty fully encompassing all these standards would literally work wonders in strengthening international peace and security, by building confidence and mutual trust, by dispelling doubts and threat perceptions, and by opening up vast new areas for possible cooperation, while liberating resources for social and economic development.

The second possible future would be *devolution*. This is what would occur if the world reached a point when it simply lost faith in the existing multilateral process for pursuing the goals of disarmament and arms control. This could happen in many ways. After all, the United Nations disarmament machinery is facing some significant obstacles right now. The Conference on Disarmament has not negotiated a treaty since 1996, despite its role as the world’s

single multilateral disarmament negotiating body. The United Nations Disarmament Commission—which is supposed to deliberate nuclear weapons and conventional arms issues and adopt guidelines and recommendations concerning such weapons—has not adopted any such guidelines since 1999. And the First Committee remains deeply divided on nuclear-weapon resolutions in particular.

There is at present a campaign under way to gather a group of States together and sign a “ban the bomb” type of treaty. Supporters of such an initiative can certainly not be criticized for voicing their frustrations over the lack of productivity of the traditional multilateral deliberating and negotiating arenas. No one is more frustrated than I. Yet I believe strongly that disarmament norms should have universal scope and I think it is well worth the effort to keep striving to achieve it. A ban-the-bomb treaty signed by several States would indeed represent a strong symbolic statement on their part, but which State possessing nuclear weapons or belonging to a nuclear alliance would join such a treaty? And if none would, what would have been gained, given that all the signers would already be parties to the Nuclear Non-Proliferation Treaty, which prohibits non-nuclear-weapon States from acquiring nuclear weapons? Some say, well you have to start somewhere. Yes, that may be true. But on what basis can anyone conclude that a ban-the-bomb treaty would eventually achieve universal membership? It seems to be all based on a matter of faith mixed with a bit of wishful thinking.

This is why I do not think such a treaty can effectively bypass the need to pursue a nuclear weapons convention or a framework of multilateral instruments with the same objective, which is exactly what Secretary-General Ban Ki-moon has proposed. Universality is not an expendable standard when it comes to achieving global nuclear disarmament. So, personally, while I strongly support the existence of coalitions of States pursuing disarmament, I also believe that the nuclear-weapon States and their allies also need to be engaged, and engaged persistently.

Another possible form of devolution would be to shift the primary arena for disarmament and arms control to the regional level. After all, there are already five regional nuclear-weapon-free zones. There are also serious proposals to establish a Middle East zone free

of nuclear weapons and other weapons of mass destruction. Other nuclear-weapon-free zones have been discussed for northeast Asia and the Arctic, among other areas. I do not at all believe that the zonal approach has fully run its course. Whether this approach will suffice in taking us to a nuclear-weapon-free world is another matter. What these zones do, however, and do rather well, is to help considerably in de-legitimizing nuclear weapons and other weapons of mass destruction.

To this extent, New Zealand's membership in the Rarotonga Treaty has served three important purposes: it clarified exactly where the country stands on nuclear weapons, it ensured that its neighbours were also nuclear-weapon-free, and it reaffirmed that the longer term goal of the zone is to contribute to global nuclear disarmament.

Now, the third possible future would be what might be called a *revolution* in disarmament affairs. This could take many forms. A world disarmament organization could be established one day, perhaps one that consolidates many of the various treaties and regimes that have been created on a piecemeal basis to deal with particular types of weaponry. I could see such an organization staffed with professionals who would be trained as international civil servants to work on disarmament as a career. Such individuals could be trained at a new world disarmament academy. Verification would likely be an important function of that world disarmament organization, which could also become a centre for the reporting of data on weapons, the destruction process, quantities of fissile material, the status of potential delivery systems, and other useful statistics that would enhance transparency.

I would not rule out the possibility that the United Nations Security Council might one day take seriously and actually implement its mandate under Article 26 of the Charter to formulate plans "for the establishment of a system for the regulation of armaments". Its inactive Military Staff Committee could one day be activated, as authorized in Article 47 of the Charter, to advise and assist the Council on matters relating to disarmament. If the public and Member States persist in demanding it, I would not be surprised if the Council could find itself convening summits at the level of Heads of State and Government, summits devoted specifically to disarmament

issues. This may not sound like a terribly revolutionary development, but it would be significant indeed in getting the Council closer to recognizing the very existence—not just the proliferation—of nuclear weapons as a threat to international peace and security.

I have covered a lot of ground today and probably gazed a bit too long into my crystal ball, for nobody of course can confidently predict the future.

Yet I do wish to conclude my remarks to you this evening on a positive note. Despite all that is wrong in this world—all the armed conflicts, the arms races, the orgy of military spending, the weapons improvements, the non-implementation of disarmament commitments—despite all of these, I believe disarmament does have a future. One could say that the “genie” of disarmament is out of its bottle, or as some like to say about nuclear weapons, it cannot be disinvented. It’s here to stay.

I say this because of how unattractive the alternatives are. If the most reliable and effective way to prevent another use of a nuclear weapon is disarmament, then why would the world community ever settle for anything less? Do we really want to pretend that nuclear deterrence will last forever? That there will never be a catastrophic accident involving a nuclear weapon? That nuclear non-proliferation policies will forever keep additional countries from acquiring prohibited weaponry? That taxpayers will eternally support endlessly rising military expenditures, at the expense of unmet social and economic needs?

Disarmament will survive for two reasons: it works, and it is the right thing to do. It fuses together into an integrated whole the two forces that make the world go round: self-interest and idealism. And it does so better than any other approach for dealing with weapons.

In the days ahead, I will be speaking elsewhere throughout your beautiful country. I will address many other issues relating to disarmament in more detail. My goals tonight were to offer some food for thought, to provoke some discussion, to reassure the worried, and to flatter your citizens and Government for their wise views on nuclear weapons. Please accept my best wishes for the success of all your initiatives in this field.

Remarks on a “nuclear-free world”: a United Nations perspective

Hosted by:

Victoria University of Wellington

Wellington, New Zealand

7 April 2014

Abstract

These remarks address New Zealand’s “nuclear free” policy in a global context and discusses how that policy represents a model of the consistency or “congruence” between a State’s international commitments and its domestic laws, policies and institutions. In addition to discussing how New Zealand has successfully harmonized its various nuclear policies, the remarks also offer a United Nations perspective on the concept of a nuclear-free world.

Let me say at the outset how pleased I am to speak with you today at Victoria University of Wellington.

My Office for Disarmament Affairs at the United Nations attaches great importance to the field of disarmament and non-proliferation education and it is always a privilege to have an opportunity to meet with students of all ages.

In some way, we are all students, because there is always something new in any field, and disarmament is surely no exception. At the United Nations, we are always encountering rapidly emerging developments in the world—just consider the following:

- The Syrian Government and other Governments reported last year that chemical weapons were used in that country. The United Nations then joined with the Organisation for the Prohibition of Chemical Weapons and the World Health Organization, investigated these claims and confirmed that such weapons were indeed used. The Syrian Arab Republic is now participating in an international arrangement to destroy its entire

chemical weapons arsenal, as well as relevant materials and facilities.

- Farther north, we have witnessed the unfolding crisis on the Crimean peninsula, which has strained relations between the Russian Federation and the United States—the countries with the largest nuclear arsenals—and hopes appear to be fading for a major new disarmament agreement between these States in the foreseeable future.
- Last year, global military spending exceeded \$1.7 trillion—that’s more than \$4.6 billion in just a single day—that’s almost twice the regular budget of the United Nations for an entire year. Included are billions of dollars for modernizing nuclear weapons or their delivery systems, with plans extending decades into the future.
- It seems like almost every day a new weapon system is appearing on the horizon that is not covered by existing international treaties. The use of armed drones has been getting the big headlines, but concerns are also growing over the development of so-called autonomous weapons—what some have called “killer robots”—that are expected to be developed for use on land, sea and air. We also see disturbing trends in nanotechnology, laser weapons and cyberweaponry, to name a few.
- The agenda for dealing with nuclear weapons and other weapons of mass destruction has evolved widely over the years—there is a disarmament agenda focused on the global elimination of such weapons; there is a non-proliferation agenda for stopping their global spread to additional States; and there is a counter-terrorist agenda focused on preventing non-State actors from acquiring and using such weapons.

These are just some of the complex challenges we face in this business. We have to evaluate continually what we are doing, lest we find ourselves forgetting our fundamental goals and failing to assess our desired ends relative to our available means. As the adage goes, “fanaticism consists of redoubling your effort when you have forgotten your aim”.

There is a way to prevent this from happening and I will address it today.

Now, some of my colleagues in this disarmament profession are very familiar with the term “nuclear-weapon free” but not “nuclear free”. I imagine that some might even view the latter as a misstatement of the former.

Well I do not know if this term “nuclear free” was coined in New Zealand, but I do know it has quite a heritage here. It appears in the title of your landmark 1987 law prohibiting your citizens or residents from manufacturing, possessing or having any control over any nuclear explosive device. The law also prohibits visits by nuclear-powered or nuclear-armed ships, while also banning the dumping of radioactive wastes.

A year earlier, New Zealand had ratified the Rarotonga Treaty, which established the South Pacific Nuclear Free Zone—another very significant use of this term. As has been the case with each of the world’s five regional nuclear-weapon-free zones, the Rarotonga Treaty makes it clear that while it is a regional treaty, it has a much more ambitious goal. In the words of its preamble, the parties were (and I quote) “Convinced that all countries have an obligation to make every effort to achieve the goal of eliminating nuclear weapons, the terror which they hold for humankind and the threat which they pose to life on earth.”

So it is clear that the “nuclear free” term certainly encompasses nuclear disarmament, but also several other challenges reflected in your 1987 legislation. I am sure it is also a concept that owes a considerable debt to memories of the environmental damage done by decades of nuclear tests in the Pacific and in Australia.

My task today, however, is not simply to examine the concept of a nuclear-free world, but to offer a United Nations perspective on it. Let me emphasize that I am only able to offer *one* United Nations perspective on this since there are no doubt many different views among our Member States.

I view this concept as important for two fundamental reasons.

First, something has been going on in this country that has profound significance for the rest of the world community and in

particular for countries and groups that are seeking to achieve a world free of nuclear weapons.

This is something that official statements, the professional literature and the news media almost never discuss. Yet despite this silence, I believe that this particular “something” will probably have more influence on the future of nuclear disarmament than any other single factor.

What is it that will have such an impact?

My answer can be reduced to one word: *congruence*. This difficult word is almost never used in the discourse on disarmament, for reasons that are well beyond my understanding. It derives from the Latin word *congruō*, which means “I meet together, I agree”. Essentially it refers to collection of ideas or objects that happen to fit together well—together, they form a complete whole. They are in harmony. Their parts agree.

When it comes to nuclear-weapons issues, New Zealand’s policies and the views of its citizens stand together as a marvellous illustration of the concept of congruence in practice.

But today I would like to discuss another dimension of congruence that is just as significant. Here in New Zealand, your domestic laws, regulations, policies and public and civic institutions are fully consistent with your country’s international commitments. This harmony stands in stark contrast to the situation in many other countries where there is essentially no such correlation.

Perhaps the clearest example of its antonym is the “incongruence” between the official policy and legal commitments of States possessing nuclear weapons—and their domestic laws, regulations, policies and institutions for achieving disarmament. The same might be said of their nuclear allies. As parties to the Treaty on the Non-Proliferation of Nuclear Weapons, they have a legal obligation to undertake negotiations in good faith on nuclear disarmament yet these have never taken place. These nuclear countries also lack plans for achieving disarmament and they do not have national budgets set aside specifically for this purpose. Furthermore, they do not have any disarmament agencies and even many of their legislatures have shown little interest in eliminating nuclear weapons globally, in contrast to

the legislatures in non-nuclear-weapon States, as seen in the positive resolutions adopted by the Inter-Parliamentary Union.

To be sure, this is not the only example of incongruence in the field of disarmament. This situation occurs whenever there is tension or a fundamental contradiction between a stated global goal and facts on the ground at home. It is, of course, not at all uncommon for there to be some tension between domestic and foreign policies.

New Zealand, however, is a shining example of a country that has found a way to harmonize its various nuclear policies. In so doing, you have created a positive model for other countries to follow.

This is much more than a desirable goal. As I suggested earlier, congruence is truly indispensable to the future of nuclear disarmament.

If we are ever to move beyond merely talking about a nuclear-free world—as New Zealand has defined it—to the stage of actually achieving it, we will need to see much greater evidence of congruence in the policies and practices of all States, in particular those with nuclear weapons. In time, growing diplomatic support for disarmament combined with persistent pressure from civil society stand an excellent chance of enlarging this realm of congruence.

One of the attractions of concluding a nuclear weapons convention—something that Secretary-General Ban Ki-moon has proposed—is that it offers a splendid opportunity to build a sturdy bridge between a global commitment and a domestic duty.

Looking ahead, I believe that the more congruent disarmament laws and policies become, the more apparent it will be both inside and outside of government that there really is no fundamental distinction between the domestic interest and the common global interest. This is certainly true with respect to nuclear weapons, because it is to everybody's benefit to achieve a world free of nuclear weapons because the world would be a safer place, future generations would be more secure, and vast resources would be liberated for use in other more productive social and economic pursuits in meeting basic human needs. As Secretary-General Ban has often said, nuclear disarmament is a "global public good of the highest order".

This brings me to you—this student audience. Soon you will be choosing your own careers. Some of you may decide to become involved in advancing your honourable national and international goal of a nuclear-free future. I encourage you to do so, for your generation will soon inherit much of the unfinished business that my own generation—despite our best efforts—may be passing along as our legacy.

As the great nineteenth century American educator, Horace Mann, once said, “Be ashamed to die until you have won some victory for humanity.” A closer alignment between the domestic and foreign policies of States will one day offer plenty of opportunities for new victories in the field of disarmament.

This will not happen by accident or through some action by the hidden hand of history. Whether undertaken diplomatically or through domestic politics, it will require some hard work, some persistence, a refusal to be discouraged by setbacks, and an abiding willingness to join hands with others both inside and outside individual countries. By coordinating and networking, you can share your lessons learned with others and help them to overcome their own obstacles. A nuclear free world is not some utopian dream, it is within reach.

For the benefit of humanity, I wish you the very best in your efforts to achieve it.

Disarmament: is the world listening to Secretary-General Ban Ki-moon's calls for progress?

Hosted by:

***New Zealand Institute of International Affairs
United Nations Association of New Zealand
Ministry of Foreign Affairs and Trade***

*Victoria University of Wellington, Pipitea Campus
Wellington, New Zealand
7 April 2014*

Abstract

This lecture defines a balance sheet for disarmament. It reviews the status of disarmament today and the differing perceptions of progress made. The lecture also provides an assessment of not just where things stand today but of how disarmament got to where it is now and the direction it is likely to go next. The problem with disarmament, Ms. Kane suggests, is that it appears differently in the eyes of its beholders, making the measurement of progress a difficult task with optimists and pessimists holding opposing views of the global record. She thus examines the track record of nuclear, biological, chemical and conventional weapons through the eyes of both the optimist and the pessimist, and offers as a counterpoint the Secretary-General's record of leadership in the field of disarmament, citing, among other things, his five-point nuclear disarmament proposal and his calls for reductions in military spending. Ms. Kane concludes that the advancement of disarmament calls for action on three levels: civil society pressure, diplomatic engagement by diverse coalitions of States and enlightened leadership from the States with the largest weapons stockpiles and military expenditure.

It is indeed a great honour for me to have been invited to deliver the 2014 Foreign Policy Lecture here at Victoria University. I wish to thank the New Zealand Institute of International Affairs and the United Nations Association of New Zealand for hosting this event. I am also grateful to the Ministry of Foreign Affairs and Trade not just for facilitating this gathering, but also for its dedicated commitment to

advance the great cause of disarmament, a lodestar of New Zealand's foreign policy for many decades. And of course it is also a privilege for one to visit this beautiful and distinguished university.

My subject today concerns a balance sheet—a balance sheet for disarmament to be precise. I am told that the British scientist, Dame Mary Archer, once said, “It sounds extraordinary but it's a fact that balance sheets can make fascinating reading.”

Well, the balance sheet for disarmament is no exception to this rule. Readers find themselves riding a roller coaster, soaring to lofty heights only to plunge to the deepest depths. There is motion—always motion—but the direction is often unclear and, unfortunately, at the end one finds oneself right back where one started. But oh what a ride.

Before I became the United Nations High Representative for Disarmament Affairs, I served as the Under-Secretary-General for Management, where I acquired plenty of experience in dealing with balance sheets. The balance sheet for disarmament, however, consists of a lot more than numbers—as important as numbers can be, especially when it comes to weapon stockpiles. A fair assessment of such a balance sheet would have to take into account not just where things stand now, but how we got to where we are, and where we are likely to go next.

Allow me first of all to clarify some terms before I get into trouble. The United Nations Charter refers to “disarmament” and to the “regulation of armaments” and these are among the oldest and most durable goals of the United Nations Organization. In practice, “disarmament” refers to the abolition and elimination of nuclear weapons and other weapons of mass destruction, namely biological and chemical weapons. Though these weapons have radically different effects, they do share a common characteristic: they are inherently indiscriminate—they cannot differentiate between military and civilian targets, so their use becomes extremely difficult if not impossible to justify under international laws of war. This is essentially what the International Court of Justice ruled in its 1996 Advisory Opinion on the threat or use of nuclear weapons. The United Nations has not sought to regulate—but to eliminate—nuclear weapons precisely because of their uniquely indiscriminate effects, in both space and time.

The goal for conventional arms is different. The Charter clearly recognizes the right of its Member States to self-defence, which includes the policing of borders, the maintenance of internal order and the supply of armed forces for international peacekeeping purposes. There is of course a danger that such weapons can also be used indiscriminately, as was amply demonstrated during the Second World War and in countless armed conflicts that followed. Yet the United Nations does not seek to eliminate conventional weapons, but to limit, to reduce and to regulate them. There are exceptions to this rule in which certain categories of conventional weapons deemed excessively injurious or inhumane have been prohibited through the Convention on Certain Conventional Weapons (CCW). The CCW is mandated to regulate or ban the use of specific categories of conventional weapons that have uniquely horrific effects—effects that trouble the conscience of humanity. These include, for example, laser blinding weapons and explosives that release shrapnel invisible to medical X-rays.

These definitions are important in constructing any balance sheet for disarmament. They help us to recognize what it is we are measuring.

The problem with disarmament is that it is very much like beauty—it appears differently in the eyes of its beholders, and this makes measurement of progress difficult. Let us take two of these beholders: the optimist and the pessimist.

The optimist looks at the global record with respect to weapons of mass destruction (WMD) and marvels at how much extraordinary progress has been made. Just consider the whole system of national and international norms that has evolved to designate such weapons as taboos, both to use and to possess. How many States today boast that they are “biological-weapon States” or “chemical-weapon States”? Who is arguing now that bubonic plague or polio are legitimate to use as weapons under any circumstance, whether in an attack or in retaliation? Who speaks of a bioweapon umbrella? It is of course true that neither the Biological Weapons Convention (BWC) nor the Chemical Weapons Convention (CWC) has universal membership—but 168 States have joined the BWC and the CWC has 190 parties, almost as many as the United Nations Charter itself. And since the use of such weapons has long since been recognized as prohibited under

customary international law, even the non-parties cannot legally use such weapons.

The track record of chemical weapons disarmament is especially impressive, says the optimist. Consider the numbers. The Organisation for the Prohibition of Chemical Weapons reports that it has verified the destruction of over 80 per cent of the world's declared stockpile of 72,531 metric tonnes of chemical agents. It has also announced the verified destruction of about 57 per cent of the 8.67 million chemical munitions and containers covered by the CWC.

With respect to biological weapons, there is no international agency to verify their elimination. Thanks to Security Council resolution 1540 (2004), each United Nations Member State is now legally obliged to have laws and policies to prevent the global proliferation of WMD or their acquisition by non-State actors. The Council has repeatedly declared the proliferation of such weapons to be a threat to international peace and security, and has done so even at meetings held at the level of Heads of State and Government. So in the case of biological weapons, even though there is no verification agency, there is a widely recognized global norm against the possession, use or proliferation of such weapons—and very little proof that this norm is being flaunted. In terms of investigations, the General Assembly has authorized the Secretary-General to investigate claimed uses of biological and chemical weapons—it was this “Secretary-General’s mechanism” that was used to investigate alleged uses of chemical weapons in the Syrian Arab Republic.

As for nuclear weapons, the optimist reminds us to consider how far we have come in the nuclear disarmament process. In 1987, when New Zealand adopted its historic law making the country “nuclear free”, there were reportedly about 62,000 nuclear weapons in the world. Today that number is believed to be less than 20,000—a reduction of about 70 per cent.¹ There are now five regional nuclear-weapon-free zones covering virtually the entire southern hemisphere plus Central Asia, and Mongolia’s nuclear-weapon-free status has also been internationally recognized. New zones are being proposed,

¹ Hans M. Kristensen and Robert S. Norris, “Global Nuclear Weapons Inventories, 1945-2013”, *Bulletin of the Atomic Scientists*, September/October 2013, pp. 75-81.

including a Middle East zone free of nuclear weapons and other WMD, and additional zones in north-east Asia and the Arctic. And let us not forget, says the optimist, that 190 States have joined the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), recognizing that the Democratic People's Republic of Korea has announced its withdrawal. The norm of non-proliferation has also held up rather well, given the scarcity of States that are clamouring to acquire their own nuclear arsenals—far from it, the world's 182 non-nuclear-weapon States support getting rid of them all.

The optimist then cites the tidal wave of support worldwide for a strategy of nuclear disarmament based on the catastrophic humanitarian effects of such weapons. Language to this effect was included in the consensus Final Document of the 2010 NPT Review Conference and in resolutions and speeches of the General Assembly. Major international conferences have been held in Oslo and Nayarit to educate the public about these effects and to promote nuclear disarmament, and Austria will host another such conference later this year. The International Red Cross and Red Crescent Movement has strongly endorsed nuclear disarmament as needed precisely because of the effects of using such weapons.

But the optimist is not yet finished: there has also been great progress in the limitation and regulation of conventional arms. Consider, for example, what was accomplished under the Treaty on Conventional Armed Forces in Europe (CFE Treaty). By 1995, the 30 States parties verified the destruction or conversion of over 52,000 battle tanks, armoured combat vehicles, artillery pieces, combat aircraft and attack helicopters. In 1998, the Mine Ban Convention entered into force. In 2001, the international community adopted a Programme of Action to prevent the illicit trade in small arms and light weapons and participating States meet biennially to monitor and improve its implementation. In 2010, the Convention on Cluster Munitions entered into force. And in April last year, the General Assembly adopted the Arms Trade Treaty, which at long last set some standards to prevent the flow of destabilizing arms into conflict regions.

The pessimist, at this point, demands to be heard, and raises the following arguments.

While it is true that there has been some progress in reducing weapons of mass destruction, the track record is actually quite uneven. We have already recognized that the BWC did not establish any verification agency so our facts about such weapons are questionable. There continue to be various reports of individuals or groups seeking or acquiring lethal pathogens and some countries are still suspected of having or seeking to have such weapons. We just do not know for sure if such reports are accurate so it is at best premature to pronounce the biothreat problem as having been solved.

With respect to chemical weapons, the headlines being read by the pessimist relate not to the triumphant elimination of such weapons but to their actual use in the Syrian Arab Republic. If the norm against such weapons were so robust and so universally observed, then such weapons would not have existed in the first place for any party to this conflict to use. We have learned a lot since the United Nations, the Organisation for the Prohibition of Chemical Weapons and the World Health Organization—the Secretary-General’s mechanism—investigated the various allegations of chemical weapon use in the Syrian Arab Republic, and we are continuing to learn about the difficult process of eliminating an entire class of weaponry, including munitions, delivery systems, agent material and related facilities, in a country experiencing a brutal internal war. This is, to say the least, not easy work. The two countries with the largest stockpiles of chemical weapons—the Russian Federation and the United States—have encountered numerous delays in implementing their disarmament commitments under the CWC and still have a long way to go to zero CW.

Now what does the pessimist say about nuclear weapons? The mere fact that many thousands of them still exist is itself significant, given that efforts have been under way at the United Nations since 1946 not to limit but to eliminate them. And while the NPT, which obliges its parties to undertake negotiations in good faith on nuclear disarmament, has been in force for 44 years, such negotiations have never taken place—in fact, no nuclear weapon has ever been physically destroyed pursuant to a treaty, bilateral or multilateral.

Furthermore, robust, well-funded, long-term plans are in place to modernize existing nuclear weapons or their delivery systems. If

one considers the total population living in States that possess such weapons—and add to this the population of those States belonging to a nuclear alliance—then literally most of humanity still lives in States that include nuclear deterrence in their security policies.

Some of these weapons are still on high alert. Some are ready for “first use”. And some continue to be deployed abroad in what are still called non-nuclear-weapon States.

And as for those deep reductions, the fact remains that nobody seems to know exactly how many nuclear weapons really exist in the world. Some countries report essentially nothing about their weapons capabilities, in terms of numbers of weapons, delivery vehicles, amounts of fissile material and other relevant items. We have some bilateral treaties that set limits on deployments of strategic nuclear weapons of the Russian Federation and the United States, but no requirements for verified destruction, and no treaties addressing the possession, production or foreign deployment of non-strategic nuclear weapons.

In terms of the rule of law in nuclear disarmament per se—well, there scarcely is any. The Comprehensive Nuclear-Test-Ban Treaty has still not entered into force and will in all likelihood not do so for the foreseeable future. There are no negotiations under way on a multilateral fissile material treaty. The United Nations disarmament machinery has essentially been in gridlock for many years, as the United Nations Disarmament Commission, the General Assembly’s First Committee and the 65-member Conference on Disarmament in Geneva all remain deeply divided on nuclear weapons issues in particular. And most of the States possessing such weapons refuse to consider even discussing a nuclear weapons convention.

The pessimist also dismisses the optimist’s judgement on non-proliferation, citing the nuclear weapons and missile activities in the Democratic People’s Republic of Korea, the concerns over the Islamic Republic of Iran’s nuclear activities, the nuclear and missile races under way in South Asia, the chronic difficulties encountered in establishing a Middle East zone free of nuclear weapons and other weapons of mass destruction, the lack of action to limit Israel’s nuclear capabilities and the absence of any treaties addressing missile proliferation. The pessimist reminds us that both Iraq and Libya had

nuclear-weapons programmes under way when they were parties to the NPT. And in 2011, the Board of the International Atomic Energy Agency found that another NPT party—the Syrian Arab Republic—was constructing an undeclared nuclear reactor, which constituted non-compliance with its safeguards agreement. So, the pessimist argues, the picture on nuclear-weapon proliferation is not quite so rosy.

With respect to conventional arms, the pessimist points to the fact that it took until 2013 for the world community to conclude the Arms Trade Treaty suggests that multilateral conventional arms control is still in its infancy. And while international standards have been agreed to prevent the illicit trade in small arms, such standards are non-binding and outside of any treaty framework. The United Nations Security Council has never implemented its mandate under Article 26 of the Charter to formulate plans “for the establishment of a system for the regulation of armaments”. The CFE Treaty is currently in suspended animation and its fate was certainly not brightened by the recent crisis in Crimea. The Mine Ban Convention and the Convention on Cluster Munitions are steps forward in curbing the use of two very dangerous classes of conventional weaponry—but they fall short of universal membership and many non-parties are possessor States.

So, while the optimist and pessimist continue their endless debate—raising new arguments that they had neglected to mention on both sides—I would like to step in and say a few words relating to the subtitle of my lecture today: “Is the world listening to Secretary-General Ban Ki-moon’s calls for progress?”

Let me say I am proud to work in an Organization that has designated global nuclear disarmament as one of its top priorities, so it does not surprise me to find that this goal has been strongly supported by each of our Secretaries-General. In this distinguished company, however, Secretary-General Ban Ki-moon has been the most outspoken of them all on this issue.

He is probably best known for his five-point nuclear disarmament proposal announced on 24 October 2008, a speech in which he referred to nuclear deterrence as a “contagious” doctrine

virtually inviting proliferation. It was the most detailed proposal of its kind by any Secretary-General, so I will only summarize it briefly.

First, he called upon NPT parties, especially the nuclear-weapon States, to undertake negotiations on a nuclear weapons convention or a framework of separate, mutually reinforcing instruments with the same goal. He urged the Russian Federation and the United States to resume bilateral negotiations aimed at deep and verifiable reductions of their arsenals. Second, he called on the Security Council to convene a summit on nuclear disarmament and to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Third, he identified several ways to strengthen the rule of law in disarmament, including the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction. Fourth, he pointed to the need for greater accountability and transparency in nuclear disarmament. And last, he urged a series of what he called “complementary measures”—these included the elimination of other types of WMD and limits on the production and trade in conventional arms.

The Secretary-General has demonstrated his interest in nuclear disarmament and non-proliferation in many other ways as well. He was the first in his office to visit Hiroshima and Nagasaki. He was the first to visit a nuclear-weapons test site—the huge area near Semipalatinsk, Kazakhstan. He has often pleaded the case for negotiations on nuclear disarmament in the Conference on Disarmament. In January last year, he delivered a lengthy speech on nuclear disarmament and non-proliferation at the Monterey Institute of International Studies, and later that year addressed the General Assembly’s High-Level Meeting on nuclear disarmament.

And despite the lack of progress on nuclear disarmament, I do believe that the world is indeed listening to the Secretary-General. I see evidence of this in the resolutions that have been adopted by the Inter-Parliamentary Union in support of his initiative—and this support certainly includes the Parliament of New Zealand. Civil society groups have incorporated his proposal into their advocacy initiatives. One remarkable organization, Mayors for Peace, consists of representatives from 6,000 city governments around the world—they are promoting the negotiation of a nuclear weapons convention.

In June 2012, the United States Council of Mayors adopted a resolution endorsing the Secretary-General's five-point proposal. His proposal is often cited in speeches in the General Assembly and other multilateral arenas both inside and outside the United Nations.

I believe that the growing support for a humanitarian approach to disarmament will also help to advance the Secretary-General's five-point proposal, especially given his emphasis on the relevance of the rule of law in disarmament. After all, if weapons are to be prohibited globally, surely this must entail some legal commitments. It is hard to imagine getting to zero nuclear weapons without having a means to verify compliance, without transparency, without controls to prevent disarmament reversals, without universal membership and without any legal commitments. Since it is already widely agreed that the elimination of nuclear weapons is the most reliable way to prevent their future use, the world will eventually come to grasp the wisdom in achieving this goal by means of a multilateral convention much along the lines proposed by the Secretary-General.

I cannot conclude this lecture without saying a few words on another theme that the Secretary-General has been voicing in recent years—global military expenditure. He has repeatedly stated that “the world is overarmed and peace is underfunded”. It is, to say the least, troubling to the conscience that global military spending exceeded \$1.7 trillion last year. That comes down to about \$4.6 billion a day, which is almost twice the United Nations annual regular budget. Do we not have alternative uses for even a fraction of that \$1.7 trillion, to meet basic human needs and to achieve the Millennium Development Goals?

Whether one is discussing the Secretary-General's five-point nuclear disarmament proposal or his call for reductions in military spending, neither of these goals will be achieved without a strong base of support from civil society and from large coalitions of States. Ideally, the “perfect storm” for advancing these goals would involve cooperative action on three levels: civil society pressure from the *bottom-up*; diplomatic engagement by diverse coalitions of States from the *outside-in*; and some enlightened leadership from the States with the largest weapons stockpiles and military expenditure from the *top-down*.

One thing is for sure, none of these goals will be achieved without hard work, persistence and a sustained effort to broaden the political constituency base for disarmament. The peace groups cannot carry all the burdens here. They need help. Help from mayors and parliamentarians. Help from doctors, lawyers and other professional groups. Help from some improved coverage of disarmament issues by the news media and journalists. Help from students of all ages. And help from countless other sectors of our societies—women, environmentalists, human rights activists and literally every organized group that can appreciate how their own *special interests* would be advanced through the achievement of our *common interest* in a world free of nuclear weapons.

It will take the combined efforts of all the above to tilt the great balance sheet on disarmament in the direction of reason and common sense. I hope the arguments of the pessimists among us will temper the more extreme cases of blind-faith optimism. Yet I believe that optimism—a belief in the achievability of a better world—will also be needed as a guide to action. It is not sufficient to know what we are *fleeing*—we must know what we are *seeking*: a safer world free of nuclear weapons threats.

Ladies and gentlemen, the great Eleanor Roosevelt once said, “It isn’t enough to talk about peace. One must believe in it. And it isn’t enough to believe in it. One must work at it.” Of course, the same is true about nuclear disarmament.

I have talked today about disarmament, a subject that I deeply believe will serve the ideals and interests of humanity. My work in this field depends heavily upon the support of Member States and civil society. I will therefore close with a word of thanks to the people and the Government of New Zealand for all they have already done to advance this great cause. Together, let’s get on with the noble work of building a post-nuclear-weapon world.

Remarks on parliaments and disarmament*

Hosted by:

Foreign Affairs, Defence and Trade Committee of the New Zealand Parliament

Wellington, New Zealand

8 April 2014

Abstract

This statement discusses the vital role of Parliaments in advancing disarmament. They are instrumental in ratifying treaties, overseeing their implementation, providing a parliamentary forum for the public and shaping public opinion. New Zealand is commended for its significant contributions to nuclear disarmament and its cross-party consensus. The accomplishments and challenges in disarmament are mentioned, as well as the efforts of the United Nations in establishing and maintaining multilateral norms in disarmament and conventional arms control.

I am deeply honoured to visit the Parliament of New Zealand and to meet with all of you here today. I wish in particular to thank the Parliament's Foreign Affairs, Defence and Trade Committee—not just for inviting me, but for its many dedicated efforts to extend New Zealand's "nuclear free" concept to a global dimension.

Let me confess at the outset that I am envious. One does not have many opportunities in my business to find oneself in a large public institution blessed with an actual consensus. And to find that this consensus extends to nuclear disarmament—one of the world's most difficult and at times controversial subjects—is all the more gratifying.

Your cross-party consensus stands in sharp contrast to the disagreements that continue to obstruct progress in the institutions of the United Nations disarmament machinery. I am referring to the failed efforts over many years to reach a consensus on nuclear disarmament in the United Nations Disarmament Commission,

* As prepared for delivery.

the General Assembly's First Committee and the Conference on Disarmament, which is the world's single multilateral disarmament negotiating forum.

I fully understand that comparisons between a national legislature and the United Nations are bound to encounter scepticism, if not heated opposition. It's true, the United Nations doesn't have a legislature. Yet we have much more in common than many might think.

We are, for example, both involved in political processes that are intended to produce agreements on norms—standards, codes, principles and ideals that are intended to serve as a guide to the behaviour of our constituents. Here, the constituents are the voters; at the United Nations, they are the Member States. In terms of the work of the United Nations in disarmament, we seek to establish, to strengthen or to maintain multilateral norms relating both to the elimination of nuclear weapons and other weapons of mass destruction, and to the limitation and regulation of conventional arms. And just as you distinguish here between non-binding resolutions and public laws, so too does the United Nations distinguish between the non-binding products of the Disarmament Commission and General Assembly, and the treaties negotiated at the Conference on Disarmament.

We have something else in common: a deep awareness of the fact that our respective institutions are but a small part of a much wider society. This helps to explain why we both highly value our relations with civil society. It certainly helps to explain the many efforts of the Office for Disarmament Affairs to work with non-governmental organizations, universities—and yes, occasionally even with parliamentarians.

The history of New Zealand's nuclear-free law offers a classic case of partnership and cooperation between different levels of your national political system. That history shows a substantial advocacy role by groups in civil society. But it also reflects an active leadership role by your senior executive officials. And your Parliament, of course, has also contributed enormously in making your nuclear-free law and policy integral parts of your national identity. I note in this respect that people often associate the United Nations with disarmament, a

goal we have been pursuing for 68 years, so it too has become part of our own institutional identity.

The great lesson New Zealand offers the world is a model of how political disputes over great matters of the public interest can be resolved in a way that serves everybody's interests. We need more evidence of that kind of spirit at the United Nations.

This is not to say we are not making progress—far from it. Last year the General Assembly adopted the Arms Trade Treaty, which marked its first anniversary just last week. Today, that Treaty has 118 signatories and it has already been ratified by 31 States. This is a truly historic achievement, as might be assumed given that it was not concluded decades earlier. This delay tells us something about the magnitude of the political difficulties inherent in attempting to regulate such arms at the global level. It testifies to the existence of a gap at the United Nations between legal mandates—such as the Charter's language on the need for a “system for the regulation of armaments”—and actual implementation, a problem not limited to conventional arms control.

There has been other progress. We hosted a major conference in 2001 that led to the adoption of the Programme of Action to prevent the illicit trade in small arms and light weapons. These standards are helping to guide the actions of States, and the regular meetings of the programme's participants help to identify where national capacities need to be strengthened and where assistance can be found in doing so.

In the nuclear field, we were fortunate to have hosted Review Conferences of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons that produced consensus final documents in 2000 and 2010. The latter set forth a 64-point Action Plan for achieving the three primary goals of the Treaty: nuclear non-proliferation, nuclear disarmament and peaceful uses of nuclear energy.

Secretary-General Ban Ki-moon has shown his own personal interest in nuclear disarmament, as well as nuclear non-proliferation and preventing nuclear terrorism. His five-point nuclear disarmament proposal of October 2008 has been endorsed in resolutions of the Inter-Parliamentary Union, as has the Parliament of New Zealand. I am very grateful indeed for the vision and leadership you have

shown in supporting his proposal, which among other things supports negotiation of a nuclear weapons convention.

Yet we are all aware that great challenges lie ahead. Almost 20,000 nuclear weapons remain, along with their associated strategic doctrine of nuclear deterrence and their well-funded, long-range weapon modernization programmes. While 190 States have joined the Chemical Weapons Convention, thousands of such weapons still have not been destroyed and they are extremely dangerous even to store. I believe the world community will eventually recognize that it needs some means to verify compliance with the Biological Weapons Convention. I also think the time has come to consider extending the rule of law to long-range missiles, which are currently not covered by any multilateral treaty. We should be pursuing a ban on weapons in space. We should be considering norms for regulating some emerging technologies, including drones, autonomous weapons and cyberweapons.

Notice that much of our work relates to treaties. The Secretary-General has often commented on this. At Harvard University on 22 October 2008, he said, “The United Nations has long stood for the rule of law *and* disarmament. Yet it also stands for the rule of law *in* disarmament, which we advance through our various statements, resolutions and educational efforts.”

I imagine this quote applies rather well to New Zealand’s position on both issues. The idea that global nuclear disarmament can somehow be achieved without the involvement of Parliaments is a fantasy. Treaties have to be ratified. Funds have to be appropriated to implement treaty commitments. Governments require oversight to ensure that treaties are being implemented in good faith. The public needs a parliamentary forum for representing its views, just as Parliament plays an important role in shaping public opinion.

Let me put it this way: nobody is going to bring the rule of law to disarmament without the participation of the law-making institutions of our Member States. You here in New Zealand have thus led the way not only in adopting a strong national policy of promoting nuclear disarmament. You have proven that Parliament is a vitally important partner in this process.

For both of these great achievements, I salute the people, the Parliament and the New Zealand Government. My visit to your country this week has reminded me of what enlightened public servants can accomplish when they really put their mind to it. I will soon return to New York more determined than ever not to let you down in finding imaginative ways to advance this great cause.

Thank you once again for inviting me. And thank you for all of your many contributions in leading us all to a world that is finally free of nuclear weapons.

Emerging issues and disarmament education

Lecture hosted by:

University of Canterbury

New Zealand Institute of International Affairs (Christchurch branch)

Christchurch, New Zealand

9 April 2014

Abstract

This lecture identifies some of the international security concerns over various emerging technologies and discusses how a humanitarian approach to disarmament could address these concerns. Such concerns relate to the use of autonomous weapons systems and the unique challenges posed by cyberweaponry. Ms. Kane highlights the power of education as an important force in avoiding the potential catastrophe from the use of emerging weapons technology. The unique role of the United Nations in establishing and maintaining multilateral norms in the area of emerging technology is an underlying theme of the lecture.

Please allow me to begin my remarks today with a few words of thanks to the hosts of this event, the University of Canterbury and the Christchurch branch of the New Zealand Institute of International Affairs. It is a privilege for me to visit this university and always a pleasure to have the opportunity to address the subject of disarmament.

Before proceeding, I would like to say how inspiring it is to be here in Christchurch and to witness first-hand how your citizens have been rebuilding your community after the devastating earthquakes you have suffered in recent years. Your resolve and determination to build for the future will serve as a model for other communities around the world that have had to cope with such natural calamities.

But your response is actually not that surprising. After all, your civil society has a long history of promoting the betterment of your community and larger national interests. The Disarmament and Security Centre—a member of your wider Peace Foundation family—is but one good example of this. It is headed by Kate Dewes, who has served on Secretary-General Ban Ki-moon’s Advisory Board on

Disarmament Matters. She and her husband Rob Green have made significant contributions to advancing the great cause of global nuclear disarmament and I am pleased to recognize their work today.

I have now had the privilege of making several statements during my current visit to New Zealand. In Auckland, I explored three possible outcomes for nuclear disarmament. In Wellington, I spoke twice at Victoria University, elaborating the importance of what I called “congruence”—namely, a harmony and consistency between foreign and domestic policies in this field. I also offered a balance sheet of achievements and setbacks in dealing with the elimination of nuclear weapons and other weapons of mass destruction and the regulation of conventional arms. In addition, I spoke to your parliamentarians about the important contributions of the world’s Parliaments in helping to achieve a nuclear-weapon-free world.

In brief summary, while I am discouraged by the lack of progress on nuclear disarmament, and encouraged by the conclusion last year of the Arms Trade Treaty, I am resisting temptation either to fall into despair or to yield to ecstasy. There are some emerging trends I would like to discuss today precisely because I think they will have a profound impact on future balance sheets with respect to both nuclear and conventional arms.

Perhaps the most notable development in recent years has been the growing popularity of what might be called a humanitarian approach to disarmament and the regulation of armaments.

The dusty old tenets of the laws of war, it seems, have been rediscovered by Governments and non-governmental groups around the world. The inherently indiscriminate nature of the consequences of using nuclear weapons are now much more widely recognized, as is the virtual impossibility of using such weapons in a manner consistent with international humanitarian law. This approach has now been recognized by the parties to the Treaty on the Non-Proliferation of Nuclear Weapons at their last Review Conference in 2010, and it has been a theme of two major international conferences in Oslo and Nayarit in 2013 and this year, respectively. Austria will host another international conference on this issue later this year. This budding renaissance of the laws of war as they apply to nuclear weapons

has the possibility of transforming the whole debate about nuclear weapons and this is a welcome development indeed.

Regarding conventional arms, the world has welcomed the adoption of the Arms Trade Treaty, which at long last establishes some basic terms for ensuring that exports and imports of such weaponry do not aggravate local conflicts or assist in advancing terrorism. This Treaty now has 118 signatories and 31 States have already ratified it in its first year of existence. It should enter into force later this year, though new challenges will no doubt arise in implementing this convention and in bringing it to universal membership.

One can also find a humanitarian theme in much of the debate and literature about conventional arms. This theme appears explicitly throughout the Arms Trade Treaty. The Convention on Certain Conventional Weapons (CCW)—otherwise known as the “inhumane weapons convention”—either prohibits or regulates the use of several types of such weaponry that have particularly repugnant humanitarian effects, such as blinding laser weapons.

Other efforts have been under way in recent years to address the use of explosive weapons in densely populated areas, a subject Secretary-General Ban Ki-moon has raised as a personal concern. This is part of a larger, long-standing United Nations effort to protect civilians in armed conflict, and it is also the focus of a network of non-governmental organizations that is seeking to engage Governments to develop new controls and protections, including for children in armed conflicts. We are seeing growing numbers of international conferences and workshops on this theme—which I have found is often a harbinger of the development of new norms in this field. The humanitarian tragedy in the Syrian Arab Republic is further highlighting the need for new controls.

One of the reasons I am so intrigued by the humanitarian approach to disarmament—aside from its solid foundation in international law—is the potential it offers for expanding the disarmament constituency worldwide. Advocates of disarmament are often so passionate about eliminating or limiting specific weapons that they fail to reach out for new allies among other groups. I sometimes think the disarmament community is not unified, but instead resembles a disjointed archipelago of groups—each with its own subculture,

priorities, agenda and network of allies. The humanitarian approach is a potential bridge-builder—a potential means of drawing these diverse groups together in a truly common cause. And that great common cause is the strengthening and implementation of international humanitarian law through disarmament.

I admit that there are some risks to this approach, especially in relation to nuclear weapons. After all, States that possess such weapons point to the horrific effects of such weapons as enabling their old doctrines of nuclear deterrence to work—the catastrophic effects of using them are what makes non-use possible, they argue. I am not at all persuaded by such reasoning. At the very least, advocates of the humanitarian approach to nuclear disarmament have a strong case to make that nuclear weapons are illegitimate because of their fundamental inconsistency with humanitarian law—and the chronic risk of use as long as such weapons exist.

While I do not think this approach will be sufficient to take us to a nuclear-weapon-free world, I do indeed think it will help us substantially to move in that direction. We will need more than just to repudiate nuclear weapons on legal and moral grounds, as worthy as those goals are. We will also need to build and ensure security in a world without such weapons. In short, we will need not just to declare nuclear weapons illegal because they are inhumane. We will also need to establish the controls needed to ensure that their elimination will be permanent, universal, legally binding, verifiable and undertaken with full transparency.

But unfortunately, nuclear weapons are not the only challenges on the horizon. There are a host of emerging weapons technologies that I also believe will require new controls—some political, some legal—to reduce or eliminate their own risks of deviating from international humanitarian law. This is a huge responsibility, when one considers the wide range of technologies that could potentially have profound implications for international peace and security—including cyberweapons, military applications of nanotechnology, lasers, drones, autonomous weapons, long-range conventional strike weapons, genetically engineered bioweapons, electromagnetic weapons and countless others.

The good news here is that existing international law is fairly robust when it comes to humanitarian norms. There is an Additional Protocol to the 1977 Geneva Convention, for example, that requires any new weapons, means and methods of warfare to be systematically assessed in order to ensure that such weapons are not in violation of relevant international law, including international humanitarian law.¹ It has long been a basic tenet of the laws of war that the right of combatants to choose their means and methods of war is not unlimited.

In recent years, great attention has been directed towards the use of unmanned aerial vehicles (UAVs or drones) in terms of the effect of their use upon civilian populations. The use of such weapons is certainly subject to international human rights law and international humanitarian law (the law of war). The United Nations Charter's prohibition on the threat or use of force in resolving disputes is another significant legal constraint.

Yet today, about 88 States possess this technology and some of these have already decided or may decide to use them for offensive military or counter-terrorist purposes. At least one State has studied the development of an unmanned nuclear bomber. Other types of UAVs, however, can serve useful functions of monitoring compliance with arms control or demilitarization agreements, as well as a wide range of other non-weapon functions, such as monitoring compliance with environmental norms. Given the nature of technology development, as the cost to produce such aircraft declines and their numbers increase, so too will the number of possessor States.

Yet if armed UAVs are used secretly, how is accountability to be maintained for assuring compliance with legal constraints? It seems obvious that transparency is absolutely essential in this respect. One possible way this could be achieved would be if States agreed to report their UAVs to the United Nations Register on Conventional Arms, under the categories "combat aircraft" or "attack helicopters".

In practice, however, it has proven quite difficult to achieve consensus in relevant United Nations arenas on controls over armed UAVs. Several panels of governmental experts on missiles were unable to agree on matters of substance concerning these aircraft.

¹ Article 36 of Additional Protocol I to the Geneva Convention (1977).

Another group of governmental experts on the United Nations Register of Conventional Arms was also unable to agree on any substantive recommendations on UAVs.

In 2013, the United Nations Secretary-General’s Advisory Board on Disarmament Matters took up the issue of emerging technologies, looking in particular at drones and autonomous weapons—the latter being weapons that operate on their own without human direction or intervention. The Board recommended that the Secretary-General approach this issue from international humanitarian law, human rights and disarmament perspectives. The Board emphasized that further study and deliberations on autonomous weapons would be needed to “address the possible need for disarmament measures” for such weapons.²

This issue of autonomous weapons—often called “killer robots”—has attracted a great deal of attention especially from groups in civil society, including the Campaign to Stop Killer Robots. Next month, an informal meeting of experts will meet in the framework of the CCW to conduct an open debate on technical, legal, military and ethical aspects of “lethal autonomous weapons systems”. A report on the outcome of those deliberations will be sent to the meeting of the CCW High Contracting Parties this November for consideration and possible discussion of a negotiating mandate.

Clearly, the international community and civil society are struggling with this issue, as they try both to understand the significance of the ongoing development of this technology and to ensure that such development is either prohibited outright or undertaken only with a set of norms in a manner that can be monitored and that can ensure accountability.

Existing and emerging cyberweaponry capabilities are also presenting great challenges to the international community, as it struggles to ensure that technology evolves within a system of norms—whether in the form of regulations, principles, codes of conduct or legal prohibitions.

Cyberweapons present some unique challenges at the United Nations because the United Nations was founded on the principle of

² A/68/206, 26 July 2013, p. 11.

the sovereign equality of its Member States. By their very nature, cyberweapons challenge sovereignty because they exist in a world without borders. This raises questions about the extent that States are responsible for acts undertaken within their jurisdiction by non-State actors. Continuing disagreements among States over what constitutes a “threat or use of force” when it comes to cyberweapons raise other legal difficulties—such as in ensuring compliance with that Charter prohibition, as well as the basic tenets of international humanitarian law. In this business, it can be difficult if not impossible to establish accountability for all malicious acts. Additional concerns arise over tensions between the right to privacy and government efforts to control information and communications technology.

With respect to international norms, several groups of governmental experts have looked at this question. The last report of such a group, issued in 2013, agreed on some interesting recommendations, including the proposition that norms derived from existing international law are applicable to the use of information and communications technology. However, the experts are divided over whether new norms are needed in this field, as opposed to the alternative of improving implementation of existing norms.

There are many possibilities here for confidence-building measures, but their fate will depend upon our old, familiar friend: political will. Cyberweapons have in the past not been viewed as a disarmament issue. But as support continues to grow for a humanitarian approach to disarmament, I am becoming more and more aware of its relevance to our work at the United Nations, whether in terms of eliminating weapons of mass destruction or regulating conventional arms. It is useful to recall that the General Assembly’s first resolution, adopted in January 1946, identified the goal of eliminating not just nuclear weapons but also “all other major weapons adaptable to mass destruction”.³ One can only wonder if the authors of those words recognized that, one day, these words may entail more than nuclear, chemical and biological weapons.

Which brings me to the question, is humanity now standing at the dawn of a bright new era of peace and security? Or is it reaching

³ General Assembly resolution 1(I), 24 January 1946.

the point where it may soon be viewing the encroaching darkness of its final sunset?

H. G. Wells gave us the answer in his *Outline of History*, published in 1920. He said, “Human history becomes more and more a race between education and catastrophe.”

How are we going to grapple with the complex emerging political and technological challenges that I have briefly surveyed in my remarks today—challenges that compound the horrible dangers we are facing from existing weaponry?

Where will we find the informed decision makers, diplomats, inspectors, legislators, taxpayers and voters who will make their own contributions in answering this question?

Nelson Mandela had his own answer. He said, “Education is the most powerful weapon we can use to change the world.”⁴

As I speak here today to this university audience, I appeal to you to put your research, teaching and advocacy skills to good use. Bring them to disarmament. My Office for Disarmament Affairs can help. We have all sorts of research resources, primary documents, treaty databases, books, workshop summaries, films, a United Nations Disarmament Yearbook and countless other tools that I cannot begin to mention today. Visit our website at www.un.org/disarmament and you will find what you need to do this work.

In preparing for this speech, I was delighted to see that the Government of New Zealand has established some trust funds to assist scholars and non-governmental organizations in this field—the Disarmament Education United Nations Implementation Fund, and the Peace and Disarmament Education Trust. If only more countries would make such funds available, we might well see new progress in this field despite all the familiar obstacles. This is just another example of the basic congruence between New Zealand’s international commitments and its domestic policies.

So my closing lines to you today will be quite simple. Thank you. Join the cause. And best wishes for every success in your work.

⁴ Address at University of Witwatersrand, Johannesburg, South Africa, 16 July 2003.

The disarmament taboo

Lecture hosted by:

Faculty of Law, University of Otago
Department of Politics, University of Otago
National Centre for Peace and Conflict Studies, University of Otago

Dunedin, New Zealand
10 April 2014

Abstract

This lecture discusses the “disarmament taboo” which refers to a perception shared by many Governments and civil society that disarmament is too difficult, controversial and impractical a goal to pursue. This perception has been primarily driven by the chronic stalemates in the pursuit of multilateral disarmament objectives inside the established United Nations disarmament forums. Today this taboo remains a significant barrier to progress in achieving nuclear disarmament. An underlying theme in this lecture is the unique role of the United Nations in establishing and maintaining multilateral norms in disarmament and conventional arms control.

I am very grateful for this opportunity to conclude a series of disarmament speeches that I have been making here in your beautiful country. I wish to thank the University of Otago’s Faculty of Law, Department of Politics and National Centre for Peace and Conflict Studies for hosting this event today. These speeches are loosely organized in the form of a balance sheet to shed some light on various achievements and setbacks in this field.

In Auckland, I discussed the prospects, possibilities, and potential pitfalls for disarmament and arms control in the years ahead.

In Wellington, I addressed New Zealand’s “nuclear free” policy in a global context, noting that it represented a model of the consistency or “congruence” between a State’s international commitments and its domestic laws, policies and institutions. I delivered the 2014 Foreign Policy Lecture at Victoria University of Wellington, where I provided an overview of accomplishments and

unfinished business in disarmament. I also discussed with a group of your parliamentarians the roles of Parliaments in advancing this cause.

And most recently in Christchurch, I identified some international security concerns over various emerging technologies and discussed how a humanitarian approach to disarmament could address such concerns.

One common theme of these lectures has been the unique role of the United Nations in establishing and maintaining multilateral norms in disarmament and conventional arms control. These norms guide the behaviour of States. Indeed, States consent to their establishment because of their role in strengthening international peace and security.

Some of these norms relate to the duties of States to do certain things. A good example is Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which obliges its parties to undertake negotiations in good faith on nuclear disarmament. The new Arms Trade Treaty established criteria to guide transfers of conventional weapons. There are obviously many other such duties in this business relating both to weapons of mass destruction and to conventional arms.

There are also prohibitive norms or taboos, such as the NPT obligation requiring nuclear-weapon States not to assist non-nuclear-weapon States to acquire such weapons and the commitment by the latter not to seek them. The International Court of Justice concluded in 1996 that the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law. Biological and chemical weapons have also been banned outright.

My remarks today, however, will address a different kind of taboo, one that might surprise you. This taboo remains a significant barrier to progress in achieving nuclear disarmament. Discussing it is the first step to overcoming it.

I am referring to what might be called the “disarmament taboo”. It refers to a perception shared by many Governments and groups in civil society that disarmament is too difficult, too controversial and too impractical a goal to pursue.

In recent years, I have actually seen two types of disarmament taboos.

The first involves the reluctance of some States to pursue multilateral disarmament objectives inside the established United Nations disarmament forums. Many historical factors have contributed to this, including stalemates in United Nations bodies that have resulted in initiatives being taken elsewhere. In 1991, a group of States unsuccessfully organized a conference to amend the Partial Nuclear Test Ban Treaty to ban such tests altogether. Other groups of States achieved the negotiation of treaties outlawing landmines and cluster munitions.

More recently, a long-standing deadlock in the Conference on Disarmament—often called the world’s single multilateral disarmament negotiating forum—has inspired calls to pursue a fissile material treaty outside the United Nations. Others have called for a group of countries to conclude—also outside the United Nations—their own treaty to “ban” nuclear weapons.

There are many factors motivating this perception that somehow the United Nations disarmament machinery has become dysfunctional and hence should be taboo as a venue for negotiating relevant treaties. Proponents of this view cite instances when outside initiatives have resulted in the conclusion of widely supported instruments. They argue that the processes for concluding such treaties have more flexible rules that can circumvent onerous consensus requirements. These rules can enable proponents to advance more progressive proposals, even if at the expense of immediate universal adherence. Others argue that these alternative routes to developing disarmament norms provide for a greater role for civil society.

It is however important to note that many initiatives have also been pursued within the United Nations, including the Arms Trade Treaty, the Biological and Chemical Weapons Conventions, the Comprehensive Nuclear-Test-Ban Treaty and the NPT, to name a few. It is also noteworthy that many of these achievements occurred even despite the unfavourable political conditions of the cold war.

Now there is a second disarmament taboo that is also hindering progress. It involves resistance to the very word, “disarmament”. Some States have found it difficult to incorporate it in their domestic

and foreign policy lexicons. This is seen in the contrast between the global disarmament commitments of States with nuclear weapons and their prevailing emphasis on nuclear-weapon modernization. In a disarming world, one would expect to see disarmament agencies, disarmament laws, disarmament regulations, disarmament policies and support from their legislatures. We are seeing none of these. The word “disarmament” is even disappearing from official business cards.

To some extent, this second trend has also been driven by the chronic stalemates that have sent a message that the United Nations—as though it were an autonomous entity—is unable to deliver on disarmament. Those who dismiss the disarmament concept are by no means limited to any one segment of the political spectrum. There are of course the familiar examples to be drawn from nationalists and militarists—but somewhat more surprisingly, also from progressive groups in civil society.

Various groups that support human rights or seek to strengthen humanitarian law, for example, often steer clear of disarmament because they see it as controversial and provoking divisions that could jeopardize common action in advancing their own respective causes. They view disarmament as largely a distraction, absorbed with politics and political point scoring rather than with achieving concrete results. I say this with great regret, because I view these groups as our natural allies—we truly have a common cause and should be working together.

Yet the deep divisions that have plagued the key institutions of the United Nations disarmament machinery—I am referring here to the Disarmament Commission, the General Assembly’s First Committee and the Conference on Disarmament—have generated intense frustration among concerned States and groups in civil society. This in turn has inspired them to explore alternative routes to advance disarmament goals.

This can have some unfortunate consequences. First, there is the risk that such initiatives will be premature—namely, that States and groups will fail to consider the full range of options available within the United Nations system. Second, these extra-United Nations coalitions carry the burden of demonstrating how their disarmament measures can be effective if key States remain intransigent or refuse

outright to engage. After all, the active participation of the nuclear-armed States and their allies will be necessary to establish appropriate measures for the verified and irreversible elimination of nuclear weapons. Yet, it is also clear that the nuclear disarmament obligation applies to all States, each of which bears individual responsibility for enabling progress. Nuclear disarmament cannot succeed if it continues to be treated as a voluntary endeavour to be pursued only by the nuclear-weapon States.

For outside groups who do wish to continue working with the United Nations, I have found that some prefer not to work with the disarmament-related parts of this machinery, but instead favour cooperation with their established networks elsewhere in the United Nations system—in fields such as development, child welfare, humanitarian relief and human rights. There has arisen a kind of “two-culture problem” at the United Nations with a disarmament community working on one set of challenges with their own constituency and various other groups working on a wide range of humanitarian issues. Past efforts to conclude the landmines and cluster munitions treaties, for example, involved closer cooperation with United Nations offices dealing with humanitarian affairs than with disarmament. The taboo, it seems, has spread to the United Nations itself, and it remains to be seen if disarmament will even be included in the post-2015 Development Agenda of the United Nations.

One possible explanation for countries and advocacy groups to avoid addressing disarmament at the United Nations is that some are not in fact seeking a disarmament goal at all, but rather a less ambitious goal of limiting or regulating the use of various types of weapons. A prime example is the recent effort to address the use of explosive weapons in populated areas. This initiative is rightly aimed to be non-political in its early stages as a means of seeking broad engagement from military actors who are often allergic to disarmament—they are the “true believers” in the disarmament taboo and its most devout practitioners.

I view it as part of my job to find ways of breaking down barriers to cooperation in the field of disarmament. The great goal of nuclear disarmament will not be achieved by the labours of the peace groups alone, despite their heroic efforts. It will be achievable when diverse

groups throughout society, and throughout the world, recognize how disarmament would advance their individual and collective interests. And the more diverse, the better.

Getting rid of nuclear weapons should certainly be a goal of environmentalists, given the horrific consequences for our planet of a nuclear war. Groups working to advance human rights and international humanitarian law clearly have an interest in the successful achievement of nuclear disarmament, especially given its intimate connection to the fundamental right to life. Entire professions including physicians, lawyers, engineers and educators carry on their daily work on the assumption that nuclear weapons will never be used again—they too can help in bringing disarmament down to earth as a practical and achievable goal. Mayors have a stake in nuclear disarmament because cities would inevitably be involved as ground zero in any future nuclear war. Parliamentarians have their own roles to play, in ratifying treaties, and in funding and overseeing disarmament programmes.

I think what is most needed now in overcoming the disarmament taboo is an outreach strategy to broaden the family of groups that recognize concrete benefits from achieving a world free of nuclear weapons. Such outreach should focus on clarifying where the real taboo lies—not in disarmament, but in failing to seek it. Let me call this our external challenge, focused on rallying support from ever-expanding networks in civil society.

Yet we also have an internal challenge in the United Nations disarmament machinery—to repair its reputation after years of non-use and misuse, and to rebuild some trust and confidence among the Member States. This will require a willingness to attempt some innovative measures to revitalize this machinery. The time has come not to lower expectations about this machinery but to expand its ambitions. It is time for reforms that will open up this machinery much more to participation by civil society. I would also like to see some expanded joint initiatives between my own office and other parts of the United Nations system. If it is not yet possible to work on a nuclear weapons convention, the Conference on Disarmament should be able to commence discussions on a legal framework for a future convention, at least to get the proverbial ball rolling.

With respect to reforming the United Nations disarmament machinery, we may well find some insights in examining some classical mechanics, in particular Newton's first law of motion. It holds that an object either remains at rest or continues to move at a constant velocity, unless acted upon by an external force. The United Nations disarmament machinery has in effect been at rest for over a decade, or has been drifting toward an uncertain destination. The external force needed to set it to motion toward a specific goal has to come from Member States backed by civil society. I believe that this motion, once started, will be easier to sustain over time, as the benefits of disarmament—the increased security and the resource savings—become more compellingly apparent to all. But motion itself is not enough—it is crucial that this motion be directed toward the right destination: a world free of nuclear weapons.

This is how I believe the disarmament taboo will eventually be overcome. And the only better time to start this motion than yesterday—is today.

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