Remarks on Parliaments and Disarmament

By

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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 Maryan Street—not just for inviting me, but for her 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 UN disarmament machinery. I am referring to the failed efforts over many years to reach a consensus on nuclear disarmament in the UN Disarmament Commission, 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 skepticism, if not heated opposition. It’s true, the UN 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 UN, they are the Member States. In terms of the UN’s work 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 UN 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 value highly 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 UN 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 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 Nuclear Non-Proliferation Treaty 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 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 cyber weapons.

Notice that much of our work relates to treaties. The Secretary-General has often commented on this. At Harvard in 2008 (22 October), 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 the 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 nuclear weapons.