The Future of WMD: Three Paths Ahead

By

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Panel 1:
The future of multilateral non-proliferation regimes and initiatives

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I am honoured to join you as this series of annual NATO conferences on weapons of mass destruction (WMD) concludes its first decade. These conferences have focused on three dimensions of this subject: arms control, disarmament and non-proliferation, although there has also been growing attention to efforts to prevent WMD terrorism.

It is of course unfortunate that progress in these areas has proven to be so difficult over the years, especially given the many political, strategic, and economic benefits that would flow from real advances in these fields. Just about everybody has a stake in the success of these activities, and this is especially clear with respect to nuclear disarmament, which Secretary-General Ban Ki-moon has called a “global public good of the highest order”.

Yet today we find that experience is still trailing far behind hope. It is not so much that we find ourselves in an era of diminishing expectations. If we are not careful, we may find ourselves slipping into an even darker age where failures and setbacks themselves turn into expectations—obviously not a fate I wish to endorse today.

Evidence for such a development, however, already abounds. Achievements in bilateral nuclear arms control in the last decade have been modest at best, and these have not required the physical destruction of a single nuclear bomb or warhead. Although the NPT obliges its States Parties to undertake negotiations in good faith on nuclear disarmament, such negotiations have never taken place. Reductions in some nuclear arsenals have occurred, but these have not been verified and transparency remains limited, as is apparent in our continued inability to state authoritatively even the simplest statistic of how many nuclear weapons currently exist worldwide.

We are not seeing much disarmament, but a lot of modernization, a development that has aggravated tensions among NPT States Parties, as the imbalance in responsibilities under that treaty for non-proliferation and disarmament becomes increasingly apparent to all. In 1965, when the General Assembly endorsed the negotiation of the NPT, it stated in resolution 2028 that “The treaty should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers.” In 2014, I believe it is fair to say that the lack of progress in disarmament may now be the greatest political barrier to significant progress in non-proliferation. And if the basic equity of the NPT is increasingly being called into question, so is the global non-proliferation regime on which it is based.

Building their case increasingly on the catastrophic humanitarian consequences from the use of nuclear weapons, the NPT non-nuclear-weapon States have been stressing the importance of reinforcing the legal obligation to pursue nuclear disarmament and to implement these commitments within specified timelines. These themes featured prominently at the 2010 NPT Review Conference, as noted in the review section of the conference’s Final Document, which was adopted by consensus.

Now with respect to the other regimes covering biological and chemical weapons, they are facing their own challenges, including their persisting lack of universal membership. Yet the comparison ends there, because these other regimes do not acknowledge the status of biological or chemical weapon-States. They do not condone the sharing of such weapons within alliances. And they do not provide any basis for rationalizing the maintenance of such arsenals on high alert status for purposes of deterrence. Because they delegitimize not just the spread of these weapons, but their very existence, these regimes have established a standard that is substantively fair: they are truly “one size fits all” regimes.
It might perhaps be an oversimplification to conclude that the subject of our panel—"the future of multilateral non-proliferation regimes and initiatives"—reduces to three possible futures, but this is probably not far from the truth.

Following the precedents set by the prohibitions in the chemical and biological weapons conventions, the first future would involve a vision based on the notion of a WMD taboo. It would logically include a legal commitment not to manufacture or to possess nuclear weapons and to eliminate existing stocks, related facilities and delivery systems. This would require a programme of action with verification to achieve these goals within an agreed time frame. A case could well be made that even a tentative, non-binding declaration on a time frame for achieving nuclear disarmament could well precede the negotiation of an actual agreement. This would at the very least be a welcome step away from the current approach of leaving nuclear disarmament as an open-ended commitment, one to be achieved only after one precondition after another is satisfied first—and the list is endless.

This first vision of the future is also based on an existing consensus—as expressed at the 2000 and 2010 NPT Review Conferences—that the elimination of nuclear weapons offers the only absolute guarantee against their use. Considering the humanitarian consequences of the use of even one such weapon, one would be on safe ground suggesting that only the most reliable control should apply.

The second vision of the future essentially treats chemical and biological weapons as anomalies—they are unique unto themselves and their disposition has absolutely no bearing upon the future of nuclear weapons. This particular future would feature efforts to sustain indefinitely the global nuclear non-proliferation regime as just that: a non-proliferation regime. Disarmament would be relegated to the category of an "ultimate goal" somewhat akin to "world peace" or may not even be addressed at all. The great challenge, of course, in sustaining such a regime concerns its lack of basic fairness of obligations of the parties.

There is a third future, however, that might well emerge in the years ahead. I should say "re-emerge" since it is based on one of the classic concepts in our trade—one that is already found in twelve multilateral treaties yet rarely mentioned today. It is called "general and complete disarmament under effective international control" (or GCD), a process that combines two simultaneous, mutually reinforcing activities: the elimination of WMD and the limitation of conventional arms.

Although some might view GCD as a quaint anachronism or relic of the Cold War, it still has some potential as an approach to shape the future of nuclear disarmament. After all, surely the process of eliminating such weapons must consider and plan for the security challenges that would exist after its achievement, including those relating to the disposition of conventional weapons around the world and in the various regions. The answer to the question, "would a WMD-free world be safer than our current world?" depends not just on the quality of the WMD disarmament, but also on the parallel steps taken to regulate or reduce conventional arms. It also depends on the extent that the primary norms of the UN Charter are being observed, especially the obligation to resolve disputes peacefully and the prohibition on the threat or use of force.

If given a choice between these futures, I would certainly choose the first over the second, with the third as my preference overall. The concept of GCD has a long history at the United Nations. As I said, it is already widely recognized in treaty law and the General
Assembly long ago adopted it as the world’s “ultimate objective” in this field.\(^1\) Given that NATO remains a nuclear alliance, one should perhaps not be surprised that GCD has not figured prominently in its deliberations. So while NATO has elaborated a strategic concept for nuclear weapons, it has struggled to find a way of approaching nuclear disarmament as its own strategic concept—as an instrument for strengthening the common security. And far as I know, it has not addressed GCD, let alone considered its place as a means for strengthening security within the alliance, and international peace and security overall.

Yet because GCD provides a conceptual framework for simultaneously addressing WMD elimination and conventional arms control—two activities that NATO members have long recognized as separate and legitimate goals—is it really that far a leap to consider ways to pursue these objectives together in a common framework that specifically recognizes the interdependent relationship between these goals?

Now I understand that this series of NATO conferences has traditionally focused just on WMD arms control, disarmament and non-proliferation. Yet these challenges should not be seen ends in themselves, nor should they be pursued without considering their wider security environment—an environment that is also shaped by the development, production, stockpiling, and transfer of conventional armaments. Together, these challenges are better seen as parts of a larger common whole—and GCD can function as the conceptual glue holding these parts together. It may well offer a means to revive regional conventional arms control in Europe. It points the way to easing, rather than aggravating, divisions within the NPT regime. And it would have much to offer in fulfilling President Obama’s historic Prague vision of achieving “the peace and security of a world without nuclear weapons”.

I would therefore like to encourage the organizers of the next annual NATO WMD conference to consider placing GCD on its agenda as a subject of some direct relevance for the overall goals of this alliance. I believe such deliberations would help in promoting a wider understanding of how disarmament is, at its heart, a means of advancing national, regional, and international security interests. Far from being utopian and impractical as its critics customarily claim, it is actually based very much on realism and the pursuit of vital interests. Disarmament—and the de-legitimization of an entire class of weaponry—is what gives legitimacy to the WMD non-proliferation regimes and makes them politically sustainable.

This is why, in conclusion, I really do believe that disarmament has a future. It combines some of our highest ideals with the most reliable means of protecting our most vital interests. In short, it is both the right thing to do, and it works.

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\(^1\) General Assembly, Final Document, First Special Session on Disarmament, A/S-10/2, para 19 (1978).