



**Briefing on Current Developments in
Disarmament and the Regulation of Armaments:
A United Nations Perspective**

By

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I am pleased to speak with you today on disarmament issues at the United Nations. I thank Ambassador Braun and his staff not just for organizing this event but also for the many contributions of this Permanent Mission to the full gamut of United Nations issues.

I am sure that some of you here today are aware that two of these issues—disarmament and the regulation of armaments—are among the UN’s oldest mandates. They both appear in the Charter and were elaborated by the General Assembly in 1946 to clarify that “disarmament” means the elimination of nuclear weapons and other weapons “adaptable to mass destruction”, while the “regulation of armaments” refers to the limitation and reduction of conventional arms.

The distinction is significant, because sometimes these goals have become confused in various speeches and commentaries. Rest assured, the United Nations is not seeking to eliminate all conventional arms nor merely to “regulate” nuclear weapons. Even our work on nuclear non-proliferation and in countering nuclear terrorism is undertaken within the context of nuclear disarmament. We are, in short, seeking a secure world without any nuclear weapons.

Our Member States pursue these goals here because they recognize the need for standards and norms in these fields that apply to all countries, and what better place to pursue universal norms than in the world’s largest and most inclusive international organisation? This indispensable role of the United Nations represents much of what might be called our “value added” to global disarmament efforts. The speeches made here, the resolutions adopted here, the reports generated here, and the multilateral treaties adopted here are unique in this respect.

This leads me to the question of how we—the Secretariat and the Member States—pursue these goals. We do so through the “UN disarmament machinery”—which consists of various components that work together in accordance with a well-understood division of labour. I know that many of you have some interest in this machinery—machinery that in the last several years has been suffering from rust, bad maintenance, and misuse.

The way this system is supposed to work is that the UN Disarmament Commission is to serve a deliberative role in fostering the development of multilateral disarmament guidelines or recommendations. Its last successful substantive session was in 1999 when it adopted guidelines on establishing regional nuclear-weapon-free zones and on conventional arms control.

The next layer of this process involves the adoption of non-binding resolutions in the General Assembly’s First Committee. Here too we have witnessed significant differences among the Member States, especially over the priority and urgency of nuclear disarmament.

The apex of this norm-building process is the Conference on Disarmament in Geneva, which is officially designated as the world’s “single multilateral disarmament negotiating forum.” Its products are legally-binding treaties. Yet it too has been deeply divided over priorities and, given its consensus rule, “unless everything is agreed, nothing is agreed.” So we have witnessed a stalemate since 1996 in the CD with many States seeking a fissile material treaty, many States seeking to commence negotiations on nuclear disarmament, and many States pursuing a treaty to prevent an arms race in outer space—to name only a few of such differences.

Frankly, this status quo is simply unacceptable. What is missing is a shared commitment among Member States to seek common ground, to make compromises, and to concede that a wide range of means can be usefully explored to achieve agreed ends. There has been a shortage of imaginative diplomatic responses to this challenge. There are too few bridge builders, too few firemen, and too many promoters of exclusive national policy preferences, with too little attention to the impact of this upon disarmament and international peace and security overall.

Consider the CD for example. Yes, it is difficult to commence negotiations in that arena for all the familiar reasons, of which the consensus rule is but one. Yet surely there is merit in encouraging on-going efforts to explore a dual-track approach that would allow some forward progress. On one track would be efforts by the CD's Informal Working Group to develop a programme of work. On the other track would be activities aimed at formulating proposals that could be put to use once the political environment improves to enable full-fledged negotiations.

Most of the CD supports negotiating a fissile material treaty and I hope that the Group of Governmental Experts, which just began its work in Geneva, will find a way to facilitate early negotiations on such a treaty. Yet progress is also needed in nuclear disarmament, an issue that has been on the agenda of the CD and its predecessors for over 60 years.

What is needed now is more “give” and less “take” throughout this machinery—more efforts to expand common ground and less evidence of a dialogue of the deaf. This machinery would benefit from more light, less heat, and more regular maintenance.

One factor that will make a fundamental difference in how this machinery operates would be a general improvement of international relations on political and strategic levels. A climate of détente and rapprochement can work wonders in reviving this machinery. Yet it is also true that progress in disarmament offers its own contributions in strengthening international peace and security, through confidence-building, and lessening the likelihood (or consequences) of deadly armed conflicts. There is no *Einbahnstrasse* between peace and disarmament.

I suspect that the problems in this machinery are more of a reflection of a lingering malaise in the overall state of international relations today than a fundamental problem in the design, structure, or functioning of the machinery itself. When it comes to passing judgments, let's not curse our thermometers when they are simply telling us that our rooms are hot.

Of course, not all disarmament and non-proliferation work takes place in this UN disarmament machinery. This Organisation also hosts the periodic meetings of the States Parties to the Nuclear Non-Proliferation Treaty—both its Review Conferences and the various sessions of their Preparatory Committees. The UN Office for Disarmament Affairs is the de facto secretariat of the NPT, since the treaty did not establish any institutions to monitor or assist in its implementation. So let me now summarize where the treaty stands today.

Parties to the treaty will soon meet here in New York for the third session of the Preparatory Committee for the 2015 Review Conference.

The discussions in the first two sessions generally focused on implementing the conclusions and recommendations of the 64-point Action Plan agreed at the 2010 Review Conference. While acknowledging some positive steps taken by the nuclear-weapon States, with respect to nuclear disarmament, States parties continued to call for greater progress. These included deeper reductions in all types of nuclear weapons regardless of location, greater transparency and agreement on a standard reporting form, and reductions in the operational status of nuclear weapons and in the role of nuclear weapons in security doctrines. Many States also expressed increased concern over ongoing efforts to modernize existing nuclear arsenals.

The issue of establishing a Middle East zone free of nuclear weapons and other weapons of mass destruction remains a major focus of NPT States Parties, as the facilitator, conveners and States of the region have so far failed to agree on a common approach to enable the relevant Conference to take place. The goal of establishing such a zone was part of the “package deal” leading to the indefinite extension of the NPT in 1995 and was strongly reaffirmed at both the 2000 and 2010 NPT Review Conferences. It will certainly remain high on the NPT agenda.

In the run up to the next session of the Preparatory Committee, to be held at the end of April beginning May, we expect that the same issues will be prominent: the Middle East issue and the lack of progress in the field of disarmament by the NWS. Again, the humanitarian approach will also be central in the discussions.

Another issue receiving close attention both inside and outside the NPT review process concerns the humanitarian consequences of nuclear weapons—and their implications under international humanitarian law. These concerns have grown largely thanks to the combined activities of a coalition of States, various inter-governmental organizations (especially the International Red Cross and Red Crescent Movement and the Inter-Parliamentary Union), and civil society. Building on the Conference on the Humanitarian Impact of Nuclear Weapons convened in Oslo in 2013, and a companion civil society event, the humanitarian approach has continued to gain momentum.

The Oslo Conference was followed by the 2014 Nayarit Conference hosted by Mexico, which produced a statement aimed to deepen “our understanding of the effects of nuclear weapons, by approaching the global and long-term consequences of a nuclear detonation, accidental or deliberate, from the perspective and variables of the 21st Century society”. The Austrian Foreign Minister has announced a follow-up Conference to occur later this year.

Clearly, humanitarian perspectives are changing the way the world looks at nuclear weapons. Yet while 146 States attended the Nayarit Conference—including India and Pakistan—the nuclear-weapon States shied away from both conferences. So this is still unfinished business.

Of course, global concerns about humanitarian consequences of weaponry are by no means limited to nuclear weapons, as best illustrated by the global reaction to the use of

chemical weapons in Syria. The UN has responded on two tracks to this tragic development. First, we have led an international investigation into the allegations of use and second we are participating in activities to destroy Syria's chemical weapons and related capabilities.

The Secretary-General established a United Nations Mission to investigate these claims shortly after a request in March 2013 by the Syrian Government, which claimed that such weapons were used near Aleppo. This was followed by reports from other Member States on this and other alleged uses, including the 21 August attack in Ghouta near Damascus.

The Secretary-General has a mandate to conduct such investigations under a General Assembly resolution, which has been reaffirmed by the Security Council. The General Assembly has also approved guidelines that establish the grounds for conducting such investigations. This is called the "Secretary-General's mechanism". It is the primary tool of the UN to uphold the prohibition against using chemical or biological weapons. These investigations are to determine the nature and extent of any use and to report those findings to all Member States.

In September 2013, the Secretary-General presented the UN Mission's report on the 21 August incident in the Ghouta area, which concluded that chemical weapons were used on a relatively large scale, resulting in numerous casualties, particularly amongst civilians and children. He concluded that this constituted a war crime and a grave violation of the 1925 Geneva Protocol and other rules of customary international law.

The Mission's final report covering all alleged uses was submitted to the Secretary-General in December 2013. The UN Mission confirmed that the use of chemical weapons in Syria was a deplorable offense against the universal values of humankind. It also stressed that the international community has a moral and political responsibility to deter future incidents and to ensure that chemical weapons can never re-emerge as an instrument of warfare.

The ability of the United Nations to carry out its mandate in Syria highlighted the role of international institutions in solving intractable real-world problems. The United Nations, the Organisation for the Prohibition of Chemical Weapons (OPCW), and the World Health Organization (WHO) performed work that no national government alone could accomplish.

In November 2013, the OPCW Executive Council decided on the detailed requirements for the elimination of Syria's chemical weapons and chemical weapons production facilities. This decision set out the timeline through which Security Council resolution 2118 (2013) would be implemented.

The plan sought to remove all declared chemical materials no later than 5 February 2014, with the "most critical" chemicals to be removed from Syria by 31 December 2013. Syria's declared chemical weapons production facilities were to have been destroyed by 15 March 2014.

The ongoing efforts by the OPCW-UN Joint Mission to eliminate Syria's chemical weapons programme is a complicated undertaking, requiring the resources of both the OPCW and the United Nations as well as active support and contribution by Member States and other bodies such as the World Health Organization.

The first phase included initial inspections to verify the preliminary declarations

submitted by Syria of its chemical weapons, related munitions, as well as its storage and production facilities. During the second phase, which lasted through early November 2013, Syria was required to complete the destruction of all chemical weapon production and mixing/filling equipment. It was also required to submit its full declaration of chemical weapons and production facilities, as required under the Chemical Weapons Convention (CWC). During this phase, the OPCW was required to complete its initial inspection of all Syrian chemical weapons facilities. The third and most complicated phase required the removal of all chemical weapons, agents and precursors from Syria by 31 December 2013 and their final elimination by 30 June 2014. Syria was also required to destroy its chemical weapons production facilities in four stages, beginning in mid-December 2013. All unfilled chemical weapon munitions were to be destroyed by 31 January 2014.

Concerns over the security situation have impacted the activities of the Joint Mission. To help mitigate these concerns, the Joint Mission and a number of States have provided Syria with material and equipment necessary for it to undertake its obligations. Despite this assistance, Syria was unable to complete the transport of its chemical weapons to Latakia by the 31 December 2013 deadline. It has, however, shipped some consignments of these materials, which have been removed on ships provided by Denmark and Norway. These materials will be neutralized on a US ship with the residual toxic chemicals to be disposed commercially.

Now, while I have already covered a lot of ground today, I do wish to address some recent developments at the United Nations in the field of conventional arms—especially given the importance we have long attached to the challenge of the “regulation of armaments”.

While we have many activities underway in this field, two of our most important concern efforts to improve transparency. We have our annual UN report on military expenditure, which is based on data voluntarily submitted by our Member States using a standardized format. And we have the UN Register of Conventional Arms, which gathers statistics on the production, stockpiles, and international trade in seven categories of major conventional armaments. We are trying to expand the use of these transparency measures, because they help in confidence-building.

Let me now pause for a moment to recognize Germany’s own determined efforts to improve transparency in armaments, as is apparent in its regular sponsorship of the biennial General Assembly resolution requesting countries to expand their reporting on military expenditures by using the UN reporting instrument.

With respect to arms exports, the UN hosted in April 2013 the successful conclusion of the Arms Trade Treaty (ATT), a historic advance in fostering peace and security by putting a stop to destabilizing arms flows to conflict regions. The Treaty will prevent human rights abusers and violators of the law of war from being supplied with arms. And it will help keep warlords, pirates, and gangs from acquiring these deadly tools. This Treaty has now been signed by 118 states, and has been ratified by 13—it will enter into force 90 days after 50 countries have ratified it. Aside from achieving its entry into force, Treaty supporters are focused now on organizing the first Conference of States Parties and establishing an ATT secretariat.

For its part, Germany has long been a champion of such a treaty. It has also been a

driving force behind the new UN trust fund (called UNSCAR) that is now helping countries to implement the adequate regulations and procedures for responsible arms trade management. And tomorrow, Germany will be co-organizing an event in the Trusteeship Council to commemorate the first anniversary of the adoption of the ATT. At that event 15 Member States of the European Union will deposit their instruments of ratification to the Treaty. This is an impressive record.

While this treaty is advancing the rule of law in the regulation of armaments, the UN has also long been working on political measures to halt the illicit trade in small arms and light weapons. The Programme of Action adopted here in 2001 is more than a collection of regulatory principles—it recognizes the need for assistance in enabling States to improve their ability to curb this illicit trade. The Office for Disarmament Affairs has been helping to provide such assistance—especially through the work of our three regional centres for peace and disarmament—and has also established an on-line reporting system that will both enhance transparency while also improving the standardization of the reporting on implementation of the PoA.

There are many other international activities underway in this field, including the implementation and universalization of the Mine Ban Convention and the Convention on Cluster Munitions, as well as the Convention on Certain Conventional Weapons. Not coincidentally, all three of these legal instruments were concluded to address and alleviate humanitarian consequences of these indiscriminate and inhumane weapons.

So I have now addressed some of key issues on the UN agenda relating to weapons of mass destruction and to the regulation of conventional armaments. My intention was not to address all issues, but merely to provide an overview of what is going on at the UN.

I know that many of you here today have worked in these areas or will do so in the future. I hope you will regard the UN's Office for Disarmament Affairs as a partner in your work, for we share many common goals. We understand how progress in disarmament and arms regulation advances the interests of all countries, all peoples, and potentially future generations. There is time to discuss these challenges—but let's now get on with the work of meeting them.

Thank you.