

“Revitalizing Multilateral Disarmament: Assessing the Draft Resolutions”

Remarks by Paul Meyer at UNGA First Committee Event, October 18, 2011 New York

It is a pleasure to be once again at the First Committee and see many friends and colleagues, although it is accompanied by a less pleasant sentiment of déjà vu and disquiet that the blockage at the CD still continues five years later. Even the most casual observer of the multilateral disarmament scene will be struck by the lack of results in the achievement of new international agreements.

This absence of productivity is most blatant at the CD, which likes to refer to itself as the sole multilateral forum for the negotiation of arms control and disarmament accords. Not only has this body not produced a treaty since the conclusion of the CTBT in 1996, it has not been able to agree and implement a Program of Work since 1998. The CD's consensus rule, which governs procedural as well as substantive decisions, allows even a single state to effectively veto any action. While it is legitimate for a state to act in what it perceives as in its national security interest, this begs the question of how the equally legitimate national security interest of the other states is to be fulfilled.

This is not to say that there have not been worthwhile proposals and discussions at the CD, and as Canada's CD Ambassador between 2003 and 2007 I was engaged in many. The harsh reality however was that none of this activity carried the authority or sustainability of work in an agreed subsidiary body of the CD. The *raison d'être* of the CD, the negotiation of agreements, was not being realized and it was greatly frustrating for all concerned.

Now in most areas of human endeavor, if you have a business or an agency that is not producing, you close it down and find an alternative vehicle to achieve results. Within the multilateral non-proliferation and disarmament arena there are precedents for this, such as the Ottawa Convention on landmines or the Cluster Munitions agreement. If one is serious about obtaining an objective and one is faced with a choice between abandoning the forum or abandoning the objective, the diplomatic logic would suggest that the forum be dropped first.

Given the repeated failure of the CD to begin official work on any of its agenda items, it didn't require deep analysis to recognize that one promising way out of the impasse would be to seek authority to commence work via an UNGA resolution not subject to the CD's consensus rule. Back in 2005 as Canada's Disarmament Ambassador I was engaged in an initiative along with diplomats from Brazil, Kenya, Mexico, New Zealand and Sweden to devise a resolution that would provide for work to get underway in Geneva on the CD's "core issues". The international political context was different at that time and considerable pressure was exerted on the six nations behind the initiative to drop their action in order to allow the CD more time as a new innovation, the common platform of the six CD presidents or P6, was deployed in an effort to gain acceptance of a Program of Work.

The intervening six years has alas not significantly changed the problem faced in 2005, the CD's paralysis has continued as has the neglect of the four core issues entrusted to it. Concern over this gridlock has been growing and this First Committee has at least three resolutions tabled with the aim of revitalizing multilateral disarmament activity. In assessing the merits of these resolutions, I think there are three criteria that should be applied to them.

Respect for Differing Priorities: One important feature of the 2005 initiative was to recognize that states had differing priorities amongst the four "core issues" and it would be crucial to gain acceptance of any proposed activity to have something for everyone. Delegations needed to be able to report to their respective capitals that their particular priority was being addressed in an equitable fashion. This rather evident political element has been mirrored in the Austrian/Mexican/Norwegian resolution, which calls for the establishment of working groups to cover each of the four core issues. Having provided for this equality of opportunity (but not necessarily equality of result), I believe it is incumbent on states which have long advocated for all core issues to be included, to take "Yes" for an answer and support this resolution.

Deeds over Words: Another essential element is action versus affirmation. The continued repetition of commitments to goals without a commensurate commitment to achieve results must be avoided. To be constructive at this stage means a willingness to support concrete, practical results not simply to reaffirm for the nth time aspirational goals without doing anything to actually bring them about. Resolutions should eschew vague language without operational consequence. By way of example an operational paragraph of one of the resolutions under consideration here reads: "Invites States to explore, consider and consolidate options, proposals and elements for a revitalization of the UN disarmament machinery as a whole, including the Conference on Disarmament". This is a frothy, diplomatic concoction, but it is not very satisfying and with all due respect to its authors, it doesn't bring us any closer to a solution.

Set Deadlines and adhere to them: Against the backdrop of the protracted gridlock at the CD, setting some deadlines and sticking by them is a way of imposing a degree of discipline on the process. An attractive feature of an earlier formulation of the Austrian/Mexican/Norwegian resolution was stipulating a particular action, which would be undertaken by a specific time, if a condition (in this case the CD agreeing to start work) was not met. I would commend the Canadian resolution on FMCT in this regard as it contains clear deadlines and practical actions for follow-up in the eventuality that these deadlines are not met. If the CD does not agree on and implement a Program of Work in early 2012, the Secretary General is directed to establish a Group of Governmental Experts to consider legal and procedural options for an FMCT negotiation by March 2012 and report back to the General Assembly the same year. In addition, the resolution encourages work by technical experts on such key FMCT-relevant issues as definitions, scope and verification, all of which will figure prominently in an eventual negotiation. This type of action-oriented resolution should be the norm. If all states are doing is kicking the can down the road in the face of continued failure of a given forum

to function, they are evading their responsibility. If the “default setting” response to another ‘nil’ report out of Geneva is simply to admonish the CD to try again next year, we are not making any real progress.

In conclusion, this body needs to take charge of a deteriorating situation. To continue a charade whereby the First Committee proclaims how important an issue is for global peace and security and then assigns it to a dysfunctional forum, will only further discredit both institutions. Geneva’s problem has effectively become New York’s problem as well and unless purposeful and effective measures are taken to remedy the situation, the credibility of both UN bodies and the entire project of multilateral disarmament diplomacy will suffer.