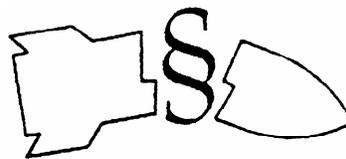


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RECOMMENDED UN SECURITY COUNCIL ACTIONS TO ADVANCE NUCLEAR DISARMAMENT

Dr. John Burroughs, Executive Director • July 2009

In view of the upcoming May 2010 Nuclear Non-Proliferation Treaty (NPT) Review Conference, this fall or winter is an excellent time for Security Council actions to advance nuclear disarmament. Such action would help lay the groundwork for a successful Review Conference.

The Council could also generally contribute to the nuclear disarmament process, taking advantage of the momentum created by President Obama's [remarks](#) in Prague on April 5, 2009, and the UN Secretary-General's October 24, 2008 [address](#), "The United Nations and Security in a Nuclear-Weapon-Free World."

Preferably meeting at the level of heads of state or government so as to underscore the importance of the issues of disarmament and non-proliferation, the Council could:

- 1) Reaffirm and strengthen positive and negative security assurances to non-nuclear weapon states against the threat or use of nuclear weapons.** (See Res. 984, 11 April 1995, and the Secretary-General's address, second point of his disarmament proposal). Understandably, states that have renounced acquisition of nuclear weapons view guarantees against becoming the victims of those weapons as an essential element of the non-proliferation bargain. Their articulation by the permanent five and subsequent endorsement by the Council were essential, in the estimation of then US Special Representative for Nonproliferation Thomas Graham, to the indefinite extension of the NPT agreed in 1995.
- 2) Reaffirm the Statement of its President adopted at the Council's meeting at the level of heads of state and government on 31 January 1992 (S/23500), including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction (see Res. 1540, 28 April 2004), and in particular urge all states, as provided for in NPT Article VI, to pursue negotiations in good faith leading to nuclear disarmament (see Res. 984).**

Those two actions, while carrying forward steps the Council has already taken, would have added meaning in the new context. I strongly urge consideration of the following more far-reaching steps as well:

3) Support the establishment of a UN registry of nuclear disarmament to which states possessing nuclear arms would provide information concerning the size of their arsenals, stocks of fissile materials, and disarmament achievements. (Cf. the Secretary-General's address, fourth point.) While it might be considered more appropriate for the General Assembly to create such a registry, at the least a signal from the Council would give the initiative a powerful boost.

4) Pursuant to Article 26, formulate a plan for nuclear disarmament to be submitted to UN member states. The Council has never exercised its powers under Articles 26 and 47. But given the importance of preventing use of nuclear weapons to peace and security and the fact that the five permanent members possess such weapons, it is highly appropriate for the Council to take the initiative. In the first point of his proposal, the Secretary-General provided guidance regarding plans for disarmament, stating: "I urge all NPT parties, in particular the nuclear-weapon States, to fulfil their obligation under the Treaty to undertake negotiations on effective measures leading to nuclear disarmament. They could pursue this goal by agreement on a framework of separate, mutually reinforcing instruments. Or they could consider negotiating a nuclear-weapons convention, backed by a strong system of verification, as has long been proposed at the United Nations. Upon the request of Costa Rica and Malaysia, I have circulated to all United Nations Member States a draft of such a convention, which offers a good point of departure."

5) While remaining fully conscious of the responsibilities of other organs of the United Nations in the fields of disarmament, arms control and non-proliferation (see S/23500), commence examination of the contribution the UNSC can make to achieving and sustaining the verified and enforced elimination of nuclear weapons. In particular, such a world will require oversight by a reformed, representative and accountable Council capable of responding effectively to breaches, or suspected breaches, of disarmament obligations. It is not too early for the Council to prepare to assume that role, already thrust upon it with respect to non-proliferation. As President Obama said: "Rules must be binding. Violations must be punished. Words must mean something."

6) Affirm that a nuclear war cannot be won and must never be fought (1986 joint statement of Presidents Reagan and Gorbachev) and that use of nuclear weapons would cause unacceptable harm to life, economy, and environment. Declare the threat or use of nuclear weapons to be a threat to or breach of international peace and security and contrary to humanitarian and other international law. (Cf. 1996 Advisory Opinion of the International Court of Justice on nuclear weapons.) Obviously a declaration regarding the illegality of threat or use of nuclear weapons would be a major step for the permanent five given their longstanding doctrines of "deterrence." On the other hand, entrenchment of a global norm of non-use is a key step, arguably the most important one, toward reducing the risks posed by the weapons and achieving their marginalization and elimination.