

THE CHALLENGE OF RESULTS-BASED DISARMAMENT

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"Sustainable disarmament must also be susceptible to various techniques of measurement, for society must be able to gauge the extent to which it is achieving its disarmament goals. It is also important for the public to be able to assess how well its leaders are implementing national laws and policies in this area. If we have indices of sustainable development, we can surely have indices of sustainable disarmament. If we can require results-based budgeting in our government, we can also require results-based disarmament."

These words are from a speech I delivered in Colombo, Sri Lanka in 1998 on "Sustainable Disarmament for Sustainable Development."¹ At that time, "results-based budgeting" was already spreading to governments across the globe. Today, public sector organisations are increasing their efforts to ensure that they are not simply producing outputs (papers, memos, press releases, etc.), but are making demonstrable progress in achieving their fundamental goals. Whether their aim is reducing poverty, increasing literacy, cleaning the environment, or producing any other collective good—public organisations everywhere are increasingly recognising that results and outcomes count more than just hard work.

Recognising the existence of "a sizeable gap between aspiration and accomplishment" in the work of the United Nations, Secretary-General Kofi Annan launched in 1997 a major programme of administrative reforms aimed at closing this gap.² While acknowledging that administrative reforms in the UN cannot substitute for the willingness of its Member States to use the organisation, he explained that the reform programme was aimed at enabling the UN "to do better what it is asked to do"—and in so doing, the UN would enhance its credibility in undertaking "its larger mission as an agency of progressive change."³

One key innovation of the reform programme was the UN's shift from a system of input accounting to results-based accountability, in which a relevant General Assembly Committee (for disarmament, the First Committee) would specify the results they expect the Organisation to achieve—within budgetary constraints—and the Secretariat would be held responsible for the results achieved.⁴

The UN's Department for Disarmament Affairs is deeply committed to implementing the reform programme in all its work. The results-based approach, however, potentially offers much more than merely a tool of enforcing administrative efficiency: it also offers some useful insights into how the international community and individual Member States can work together to promote the efficient and effective achievement of agreed multilateral disarmament goals.

On 24 April 2000, for example, Secretary-General Annan opened the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and urged participating Parties to "embark on a results-based treaty review process focusing on specific benchmarks."⁵ In a message delivered in January 2001, he also urged the members of the Conference on Disarmament to "adopt a results-based approach."⁶ The basic challenge is one of ensuring that the members of global, multilateral disarmament regimes will be accountable for progress in fulfilling their obligations under the treaties that created such regimes, in particular the NPT, Chemical Weapons Convention (CWC), and Biological Weapons Convention (BWC).

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The goal of accountability is the *raison d'être* of various sessions of review conferences and preparatory committee sessions of all these treaties. It is up to the Parties that participate in these events to determine the extent to which these treaty regimes are truly "results-based."

The Organisation for the Prohibition of Chemical Weapons (OPCW) offers a good example of how an intergovernmental organisation—consistent with the political will of its Member States—can collect hard, empirical evidence of progress in achieving its goal of a "world free of chemical weapons."⁷ As the OPCW's Director-General recently put it:

*"All chemical weapons declared by our Member States have been checked. Importantly, all of the facilities for producing them have been deactivated, and more than half of them have already been destroyed or converted to peaceful purposes. Nearly 10% of the chemicals for such weapons and more than 20% of related munitions—almost two million so far—have already been totally destroyed under the watchful eyes of our inspectors."*⁸

Fortunately, the OPCW has an institutional infrastructure of dedicated professionals with mandates to perform highly intrusive verification activities, including challenge inspections, and to undertake credible technical assessments that document and reinforce the multilateral process of chemical weapons disarmament. This is an infrastructure that allows for organisational learning and fosters the growth of an institutional memory. The OPCW, in short, has tools at its disposal to convert results-based disarmament from a mere slogan into a process yielding impressive results.

Unfortunately, the global legal regime for nuclear weapons has not entered the age of results-based disarmament—at least not yet. The world still lacks a universal nuclear weapons convention backed by a comprehensive system of verification. The NPT has no permanent secretariat performing functions comparable to those of the OPCW. In addition, global nuclear disarmament efforts have been further handicapped by the lack of an empirical baseline from which to judge progress in eliminating nuclear weapons.

Again quoting Secretary-General Annan: "Despite widespread and persistent calls for transparency, there are no official figures available on either the number of nuclear weapons in the world today or their total cost."⁹ And quite apart from the excellent work of the International Atomic Energy Agency in safeguarding nuclear materials for peaceful uses, this problem also extends to estimates of quantities of fissile material in nuclear arsenals.¹⁰

Where such baselines are lacking, "results-based disarmament" emerges clearly as both a political and a technical challenge. There is absolutely no substitute for the political will of States to enter into and comply with solemn disarmament obligations. Administrative reforms in intergovernmental organisations can accomplish much, but they cannot substitute for resolute actions by their Member States. In the face of continuing resistance by the nuclear-weapon States, countries that do not have such weapons have been proposing alternative yardsticks for holding States accountable for their disarmament commitments, especially the one found in Article VI of the NPT.

The "end" of global nuclear disarmament is unambiguous: the total elimination of nuclear weapons. At the 2000 NPT Review Conference, the five nuclear-weapon States together made an "unequivocal undertaking" to accomplish this result.¹¹ Earlier, at the 1995 NPT Review and Extension Conference, the Parties linked the permanent extension of the treaty to a package of decisions that included several measures to "strengthen the review process."¹²

Specifically, the preparatory committee sessions leading to the Review Conferences were to "consider principles, objectives and ways in order to promote the full implementation of the Treaty" and to "evaluate the results of the period they are reviewing, including the implementation of undertakings of the Parties to the treaty, and identify the areas in which, and the means through which, further progress should be sought in the future. Review Conferences should also address specifically what might be done to strengthen the implementation of the Treaty and to achieve its universality."¹³ The intention here is clearly consistent with the logic of results-based disarmament.

Five years of experience with the post-1995 review process, however, did not produce much evidence of progress in nuclear disarmament. As a result, the States participating in the 2000 Review Conference agreed on more specific terms for gauging progress in achieving this goal. The result was an agreement on thirteen "practical steps" of nuclear disarmament. Consistent with results-based disarmament,¹⁴ the 13 steps also called for "regular reports ... on the implementation of article VI" as well as the nuclear disarmament commitments made at the 1995 Review Conference.

During 8-19 April this year, the Parties to the NPT will gather at the United Nations for the first session of the Preparatory Committee for the 2005 Review Conference. This event will provide an opportunity for the nuclear-weapon States to document the progress they have made in implementing their commitments under Article VI and at the two earlier Review Conferences.

Unlike the CWC, the NPT discriminates between weapon and non-weapon States. As a result, the fairness, legitimacy, and long-term sustainability of the NPT depend all the more upon the integrity and productivity of its preparatory committee sessions and Review Conferences. To this extent, the NPT offers a crucial test of the future of "results-based disarmament" with respect to the most dangerous weapons on earth.

Whether the treaty will pass this test will be a function both of the political will of its Member States and the technical credibility of the agreed means to monitor and verify compliance. Enlightened self-interest and the fearsome prospect of a failure of this process offer two good reasons for one to conclude that the future of results-based disarmament will be brighter than many sceptics might think.

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NOTES

- 1 "Sustainable Disarmament for Sustainable Development," Fifth Lalith Athulathmudali Memorial Oration, Colombo, Sri Lanka, 27 November 1998, available at: <http://www.un.org/Depts/dda/speech/27Nov1998.htm>.
- 2 Report of the Secretary-General, "Renewing the United Nations: A Programme for Reform," A/51/950, 14 July 1997, p. 9.
- 3 Ibid., p. 10.
- 4 Ibid., p. 19.
- 5 Secretary-General Urges Member States to Reaffirm Commitment to Reduce Dangers of Existing Nuclear Weapons, Further Proliferation," SG/SM/7367, 24 April 2000.
- 6 Secretary-General Calls for Firm and Concerted Action at Conference on Disarmament to Overcome Last Session's Stalemate, SG/SM/7687, 23 January 2001.
- 7 OPCW Mission Statement, at: http://www.opcw.org/mission_statement/mission_statement.htm.
- 8 José M. Bustani, "New Ways of Cooperating, New Ways of Thinking," Address to the UN General Assembly, 28 January 2002, at: <http://www.opcw.org/> (Speeches and Statements by the Director-General of the OPCW).
- 9 Report of the Secretary-General, "Road map towards the implementation of the United Nations Millennium Declaration," A/56/326, 6 September 2001, para. 63, p. 16.
- 10 The UK Government circulated a report at the 2000 NPT Review Conference stating, inter alia, that "the Government does not believe that it will ever be possible for any of the relevant States to be able to account with absolute accuracy and without possibility of error or doubt for all the fissile material they have produced for national security purposes." Historical Accounting and Plutonium: A Summary Report by the Ministry of Defence on the Role of Historical Accounting for Fissile Material in the Nuclear Disarmament Process, and on Plutonium for the United Kingdom's Defence Nuclear Programme, April 2000, para. 2, p. 1.
- 11 2000 NPT Review Conference Final Document, NPT/CONF.2000/28, Vol. I (Part I), p. 14. The full text is available at: <http://www.un.org/Depts/dda/WMD/2000FD.pdf>.
- 12 Decision I of the 1995 NPT Review and Extension Conference; see full text at: <http://www.un.org/Depts/dda/WMD/1995decI.htm>.
- 13 Ibid., emphasis added.
- 14 Final Document of the 2000 NPT Review Conference, Vol. I (Part I), p. 14-15.