

“A world community on the path to peace?”

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I am happy to be in Bergen and among students and it is an honour to give a lecture in memory of Geir Grung, who practiced diplomacy – a craft that the world needs to make greater use of.

Al Gore has succeeded in telling the world ‘**an inconvenient truth**’ – about **global warming**. **Kofi Annan** has told the world about **another ‘inconvenient truth’** – that we are ‘**sleepwalking**’ into more **nuclear armaments**.

We need to wake up to **both these realities** and **take action**.

Sixty years ago I was a student at the University of Uppsala. The **Second World War** was just over, **the United Nations had been established** and we had great hopes of creating a better and more peaceful world.

Our optimism was soon dashed. The Iron Curtain went down and a **Cold War** began that lasted nearly 45 years. It would be very wrong to say that no progress was made during this period:

- **Trade and communications** skyrocketed;
- **Science and technology leapt forward**;
- **Human rights** became a universal global concern;
- Scores of countries became **independent**;
- The gap between **rich and poor** countries was recognized as unacceptable;
- **UN organizations** developed as instruments for global co-operation between states.
- The **law of the sea** was drastically reformed.
- The threats to the **environment** were recognized
- A fair amount of **arms control** was achieved in spite of all.

However, the threat of over **50.000 nuclear warheads** capable of destroying human civilization many times **hang** over the world.

The **end of the Cold War** and of the ideological division of the world raised **hopes** for a new **era** of global cooperation. After some initial successes we have been **disappointed**. Mr.

Gorbachev wrote recently – rightly – about “*a failure of political leadership, which proved incapable of seizing the opportunities opened by the end of the Cold War.*” (WSJ 31 Jan 2007)

By now we have reason to be **alarmed**. A rather **Cold Peace** has developed in the world. Regional wars and civil wars continue in some parts of the world and terrorism is still with us. The hands of the Doomsday Clock of the Bulletin of the Atomic Scientists have recently been advanced to five minutes from midnight.

It will be **your task** to help move the world to **real peace** – to **revive disarmament** and to **replace armed force by dialogue and diplomacy**.

You are well placed to contribute. Bergen has a **1000 year long tradition** of links with the outside world through trade and shipping and your **universities** have a tradition of constructive and critical thinking.

I shall talk about **three vital developments** that need our engagement:

- **The globalization of peace;**
- **The globalization of law; and**
- **The globalization of disarmament.**

I. The GLOBALIZATION of PEACE

Over history there have been important changes in the control and use of **armed force**. In the early Middle Ages men were armed to protect themselves and their families. **Clans** maintained internal order based on custom and collectively defended their members. The certainty of **blood revenge** was a deterrent against attacks. Where such deterrent failed, a “primitive” mutually assured destruction – MAD – could go on for ages.

Over time human communities **expanded and developed** through conquest, alliances, marriage unions, or federations. When did they become peaceful?

The English philosopher **Locke** has said that crucial **criterion of a ‘civilized society’** is third party settlement of conflicts. By virtue of the power attained by him or conferred upon him **the king** could provide **‘King’s peace’** and be the final arbitrator or delegate to courts to judge in his name.

I would add two further criteria of the ‘civilized society’:

- that the citizens are **disarmed** and that a ruling authority has a **monopoly** on the possession and use of arms;
- that **law** exists to help to prevent conflicts, and to provide guidelines for solving conflicts which occurred.

In the modern international community of states, **law** – mostly embodied in treaties – **is growing fast**, but the subjects – the states – have not so far done much in the way of **disarmament**. With growing international integration this **will come and save lives and resources**, but it will be a drawn out process. Already the existing level of international integration has led to a remarkable reduction in armed conflicts.

Today, armed conflicts between **Nordic** states are unthinkable. In **Latin America** interstate conflicts occurred in the past but are now improbable. Wars were fought between the **US and Mexico** but are inconceivable today. In the last fifty years there were many **wars of independence** but we do not expect many more.

Even more noteworthy is the **European Union**. It was conceived as and it is a **peace project** between states and peoples that fought each other for millennia. After the end of the Cold War, also **Europe** and **Russia** do not see each other as potential enemies. Many states in Europe now begin to see international **peace-keeping** rather than territorial defense as the main function of their armed forces.

So, despite all the horrible violence that goes on every day, **some uses of force are disappearing**. Between the end of the First World War and the outbreak of World War II there were **only 20 years**. The League of Nation died young. We have now had **60 years** during without direct military contests between the major military powers – and 60 years of the UN.

Respect for agreed **legal rules** help increasingly to avoid and to solve conflicts between states and resort to **third party determination** is becoming more frequent. However, **diplomacy** – negotiation, accommodation and conciliation is the most important means.

Diplomacy is sometimes described as **the bland talking to the bland**, but it is essentially about finding common denominators and accommodation without any party losing face. I think we can agree that it is better that old men get ulcers at the conference table than that young men die on the battle field. Some **recent statistics** are also encouraging.

- There are about 25 armed conflicts in the world, down from more than 50 in the early 1990s;
- Most armed conflicts in the world today are *civil wars*; *interstate armed conflicts have almost ceased to exist*.
- that the number of people killed in battle in the world is at present at a hundred year low. (Jean-Marie Guehenno in *IHT 12 Sept. 2005*).

The **risk of armed conflicts between** the major military powers **is deemed remote today**. None is seeking to expand territorially for reasons of ideology or otherwise. There are no big ideological clashes between them. They all pursue the **market economy** of various shades as economic model. It seems hardly conceivable that armed conflicts could break out because of differences regarding, say, currency exchange rates or CO2 emissions!

Yet, it is hard completely to avoid the fear that force could be used between major powers in the future. Although the issue of Taiwan has so far been handled with prudence and patience it remains a possible flashpoint.

We also note that the US seems concerned even about a measure of modernization of the **Chinese armed forces** and makes efforts to make India an ally. The ambition to **expand NATO** to former states members of the Soviet Union, such as the Ukraine and Georgia, is also bound to create some new tension and possible **backlashes in Russia**. There is a risk that these strategic steps may create the dangers they are designed to meet. It would be wiser to promote China's and Russia's **integration** as fast as possible in the global community and economy.

If differences between major military powers are not currently seen as significant risks to world peace, some governments see **'rogue states'** – now called 'states of concern' – and **terrorists** as a **great risk to world peace**. President Bush has declared that “9/11 was the **Pearl Harbour** of the Third World War” and said that a primary security task is to ‘prevent the **worst weapons getting into the hands of the worst people.**’

However, we have seen how reliance on the use of armed force to implement this aim has led to tragedy in Iraq. Partly as a result of this experience, negotiations and **diplomacy** are now used to persuade the **DPRK and Iran** to stay away from nuclear weapons. It would be **rash**, however, to overlook the risk that armed force could again be used in these or similar cases.

II. The GLOBALIZATION of LAW

After WWII there has been a tremendous consolidation and expansion of **international law**. Customary law has been codified. Trade, finance and communications have prompted thousands of treaties. Space, nuclear energy, human rights are new subjects. The fabric of law of the international community is getting wider and thicker and helps to avoid conflicts.

I shall, however, focus on a field of less reliable rules -- those **governing the use of armed force** in the international community.

A short flashback may be give a perspective. **Machiavelli** (1492 – 1550), wrote in the **16th century**

*“that war is **just** which is necessary and every sovereign entity may decide on the occasion for war.”*

Even in the **19th century** the **right** of states to go to war was not challenged. However, **views were beginning to change**. It was commonly stressed that war should be **a means of last resort** and rules began to be adopted prohibiting the **use of particularly cruel weapons**, like the **dum-dum bullet**.

The **20th century** saw **two world wars** but also the efforts to build collective security and global institutions. The Covenant of the **League of Nations** obliged members to try to settle disputes by peaceful means before resorting to war and in the **Briand Kellogg Pact** of 1928 the states parties **renounced war as a means of national policy**. The notion was developing that war was not permitted except in **self defense**.

The **Charter of the United Nations**, drafted at San Francisco in 1945, marked a leap forward in the world’s thinking about the use of armed force. The authors, writing immediately after WWII, were no pacifists – nor were they trigger-happy. They agreed on a **general prohibition of the threat or use of force** between members and stipulated **two exceptions**:

- **First**, states preserve a right to use force in **self-defense**, “**if an armed attack occurs**”. This is generally interpreted to cover also the situation when an attack is ‘**imminent**’. States do not have to wait for the bombs to fall but can meet the attackers even outside the territory.
- **Second**, in exercising its key role to uphold **collective security** the **Security Council** was endowed with the right to **authorize the use of force** in a **broader** category of

cases, namely, **when** there is a “**threat to the peace**, breach of the peace or aggression”.

As we know, during the **Cold War** the collective security system of the UN was mostly paralyzed because of the **veto**. However, the situation changed drastically **after the Cold War**, when consensus decisions were reached on a large number of peace-keeping operations. Most importantly, **in 1991** the Council authorized the broad alliance created by President George H. Bush to use force to **stop Iraq’s naked aggression against and occupation of Kuwait**. President Bush spoke about a new ‘world order’.

Regrettably, this new world order **did not last long**.

In March 2003 an Alliance of Willing States **invaded Iraq without** there being **any armed attack** by Iraq (as there **had** been in 1990) and **without** Security Council **authorization**. A problem with all such **preventive military actions** is that they must **rely on intelligence**. In this case the evidence was ‘**faith-based**’ and misleading. The weapons of mass destruction, which were to be eliminated, did not exist. The negative results of some **700 inspections** of some 500 sites were **ignored**.

The armed action in Iraq in 2003 has generally been considered **a violation of the UN Charter** rules on the use of force. **However**, it **was** in line with a **US National Security Strategy that had been published in September 2002 and that** stated flatly that a **limitation** of the right to use armed force in self-defense to cases where “armed attacks” were occurring or were “imminent” **would be insufficient in the era of missiles and terrorists**.

As I see it, the 2002 strategy and the 2003 war show that the US administration **said good bye** to the restrictions that the US had helped to formulate in San Francisco on the use of force (art. 2:4 and 51 of the UN Charter) – **at least** as regards actions to stop the development of weapons of mass destruction.

The US Administration may have thought of itself as a **global sheriff, able – unlike the UN – to act responsibly and forcefully to avert threats**. Let me quote the **US National Defense Strategy of 2005**:

- *“The end of the cold war and our capacity to influence global events open the prospects for a new and peaceful system in the world.”*

Another quote from the same document shows that “*international fora*” – including, one would assume the United Nations – were seen mainly as **obstacles on the road** to the peaceful system envisaged. I quote again:

- *“Our strength as a nation will continue to be challenged by those who employ a strategy of the weak using international fora, judicial processes, and terrorism.”*

The US administration has not explained **whether it feels bound by any international limitation** on the use of armed force. The former US Ambassador to the UN, Mr. Bolton, clearly did not think so. In 2003 he wrote:

“Our actions, taken consistently with Constitutional principles, require no separate, external validation to make them legitimate...”

This view seems to have been taken also in the 2004 presidential campaign, when the idea of an ‘outside yardstick’ or Security Council ‘**permission slip**’ was ridiculed.

It is **not**, I fear, **respect for any legal limitations** on the use of armed force that have so far **stood in the way of missile attacks on Iran**.

It remains to be seen whether **in practice** the US administration will again be ready to use armed force that is neither in response to an armed attack nor authorized by the Security Council. In any case, one must conclude that at present a question mark hangs over the effectiveness of the San Francisco rule – at least as far as the US is concerned.

III. The GLOBALIZATION of DISARMAMENT

I shall limit my comments to ‘**weapons of mass destruction**’: nuclear, biological and chemical weapons.

After WWII comprehensive conventions have prohibited not only the **use** but **also the production and stockpiling** of biological and chemical weapons.

- The **Biological Weapons Convention** was an initiative of President **Nixon**. It was concluded in 1972, a time at which the **Soviet** Union would **not accept** any on- site inspection. We **now know** that this weakness **enabled** the Soviet Union – undisturbed by any inspections – to **develop** a large BW program in violation of the convention **and that** Iraq under Saddam Hussein did the same in the 1980s.
- Regrettably the **weakness remains**. In 2001 the US rejected a verification regime, which included on-site inspection. A review conference late last year raises some hope that a new multifaceted approach may be worked out to strengthen the convention.
- The **Chemical Weapons Convention** was concluded **in 1993** after decades of negotiations. It comprises an **inspectorate**, both to supervise the destruction of stocks of chemical weapons and to monitor chemical industries. **Iraq** under **Saddam** Hussein used chemical weapons on a large scale in the war with Iran and, indeed, against its own Kurdish citizens. Stocks remaining in Iraq after the Gulf War were destroyed under the supervision of UN inspectors.

The world has been less ambitious – certainly less successful – in tackling the most important WMD – the **nuclear weapons**.

- While in 1996, **the International Court of Justice** gave an advisory opinion that recognized only a very limited scope for a legal use of nuclear weapons, no comprehensive treaty ban has been accepted, like the BWC and the CWC.
- During the **Cold War** people **marched** in the streets and feared a US-Soviet nuclear exchange resulting in a global catastrophe. There was anguish and – although the approach of governments was **fragmentary** – a good deal of action was taken to reduce the threat.
- Important **bilateral** agreements were reached between the two military superpowers to reduce the risks: hot lines, SALT, etc.
- Through **multilateral** agreements it was prohibited to place nuclear weapons in the **Antarctic**, on the **sea bed** or in **outer space** and the **partial test ban treaty**, concluded in 1963, stopped the testing of nuclear weapons **in the atmosphere** and thereby prevented further radioactive fall out.

- **A treaty comprehensively banning nuclear weapons tests** was adopted in 1996, but it was rejected by the US Senate and so long as the US refrains from binding itself several other states (China etc) will do the same and there will only be an uncertain **moratorium**.
- The key agreement is instead the **Non Proliferation Treaty of 1968. It aimed to achieve a nuclear weapon free world through a double bargain:**
- All **non-nuclear weapon states** were invited to renounce nuclear weapons and accept international inspection.
- The then **five nuclear weapons states** were invited to commit themselves to negotiate toward **nuclear disarmament** and to facilitate the transfer of nuclear technology to non nuclear weapon states parties.
- In many respects **the NPT** has been a very **successful treaty**. All states in the world have adhered to it, **except India, Pakistan and Israel** that have all developed nuclear weapons. **North Korea** withdrew from the treaty in 2002. On the other hand, **Byelorussia, Kazakhstan and the Ukraine** transferred the nuclear weapons they had to Russia and **South Africa** dismantled its nuclear weapons.
- **The NPT** has come under **increasing strain**, however. Many **non-nuclear** weapon states have over the years become increasingly **dissatisfied** that the nuclear weapon states parties are not moving seriously to disarmament.
- **Nuclear weapon states** have pointed to the reduction in their stockpiles and to the violations of the treaty by Iraq, Libya.
- After the Gulf War in 1991 it was discovered that **Iraq** had tried to develop nuclear weapons in violation of its NPT obligation and without being detected by the IAEA. Some in the US were led to the conclusion that **arms control treaties** were respected by the **‘good guys’ and ignored by the ‘bad guys’ and that international inspection was of limited use**.
- **Nevertheless, in 1995 the NPT was prolonged** indefinitely and the nuclear weapon states parties **confirmed** the obligations they had undertaken to negotiate toward disarmament. **Without that** commitment the prolongation would **not have been approved**.

In 1995 there were **great hopes** that the world would, indeed, move toward disarmament and better international cooperation. **These hopes have been dashed one after the other:**

- The **comprehensive test ban treaty** was **rejected by the US Senate**, the projected treaty prohibiting production of more HEU and Pu for weapons did not go anywhere, and no progress was made to eliminate nuclear weapons in the Middle East.
- In **2005, the review conference of the Non Proliferation Treaty could not even agree on a final declaration**. Nuclear weapon states brushed aside the commitments they had made in 1995 and 2000. **Non-nuclear** weapon states **felt cheated** and blocked agreement on other matters. Bitterness and complete stalemate resulted.
- **The UN GA summit later in 2005** could not agree to put a single line about disarmament or non – proliferation in its declaration **and the Conference on Disarmament in Geneva** has not been able even to agree on a work program for some ten years.

In the last few years we have actually been moving backward.

- **North Korea** has tested a nuclear weapon and Iran is suspected by many governments to aim at a capacity to make nuclear weapons. In both cases difficult negotiations are pursued.
- The **UK** government has recently announced that it will pursue a new nuclear weapons program to **follow the Trident** and in the **US** the administration has declared that it wishes to go ahead with the production of a new standard nuclear weapon – the **Bombplex** – reportedly to the tune of \$ 150 billion and probably more.
- Plans for monitoring and intercepting installations in **Poland** and the **Czech Republic** as a part of the **US missile shield** worry the Russians, who find it hard to believe – or persuade the Russian population – that these **installations on Russia’s doorstep** are only to guard against possible future Iranian (and North Korean) missiles.
- The militarization of **space** has long been a fact. There is now the risk that **weapons could be stationed in space**, hanging over us like Swords of Damocles. **China’s** recent shooting down a satellite of its own added a vast number of **hazardous fragments** to those that resulted from Soviet and US activities in the 80s. Yet, the US, the UK and Israel have so far **opposed discussions** on arms control in space.
- The world’s **military expenses** are about \$ 1.3 trillion; about half of the sum falls on the US.

IS THIS THEN A CLIMATE FOR DISARMAMENT?

- Yes, even though the **sleep walking** into new arms races is very worrisome, everything is not black. The change in big power relations **has resulted** in the **scrapping** of a large number of nuclear warheads – from some 55 000 at the peak of the Cold War to some **27 000 now**. An elimination of redundancy, many will say, but an important reduction nevertheless.
- Further, although cases in which the **UN is ignored** often dominates headlines, good use is also made of the UN in the fields of arms control and peace-keeping. Right now over 100 000 **blue helmets** and other UN staff are deployed in a large number of **peace keeping** operations. The **annual cost** is some \$ 5 bn, which may sound like a lot of money but seems a bargain when you consider what they save in lives and resources and global military expenses at \$ 1.3 trillion.
- Last year an **international commission** that I chaired unanimously adopted **report** that contained **60 concrete proposals** in the fields of arms control and **disarmament**, ranging from a future **convention** outlawing nuclear weapons **to modest steps**, like taking nuclear weapons off hair trigger alert. I shall come back to this.
- **Weapons of Terror: Freeing the World of Nuclear, Biological and Chemical Arms.** (www.wmdcommission.org)

Are ‘rogue states’ and terrorists dangers precluding disarmament?

- **Terrorist groups – whether Muslim or others** – may continue to emerge and use armed force. **However**, defeating such groups calls above all for improved

international cooperation between intelligence and police, perhaps helicopters and ground forces. **Hardly** for nuclear weapons or air craft carriers.

- **Saddam's aggression** against Kuwait **in 1990** certainly showed that there may be cases where the full use of **modern conventional armed force** may be necessary. Yet, it **hardly** pointed to a need for **nuclear** capabilities.
- The preventive war in Iraq in 2003 and the **disproportionate use** of armed force leading to the inconclusive war in Lebanon in 2005, are experiences that **suggest greater future restraint in the use of military force. Using the UN Charter as a guideline might be wise – and would give legitimacy.**

In the circumstances I have described --

- the accelerating interdependence **of** states,
- the absence of substantive conflicts between big powers,
- the disastrous experience of recent reliance on military force,
- the limited usefulness of heavy weaponry against terrorists, and
- the horrific economic burden of current defense spending,

the revival of disarmament is urgent and should be possible.

Persuading states – including North Korea and Iran -- to stay away from nuclear and other weapons of mass destruction and to respect the common rules of the international society could prove less difficult

- **if the nuclear weapons state were to set an example by moving away** from these weapons rather than further developing them;
- **if states were offered such guarantees** about their security that they **no longer perceive** a need for nuclear or other wmd;
- **if “states of concern” were invited to become a part of**
- international cooperation rather than being isolated as pariahs.

In short, we should aim at a **rule based system**, valid for all **rather than double or multiple standards:**

- **Iran** is now under the threat of cruise missiles, if it does not stop enrichment of uranium, while the **UK and US** develop new standard nuclear weapons, Pakistan's and Israel's weapons program are silently accepted; and India's enrichment of uranium is facilitated,
- North Korea, India and Pakistan are **condemned** for nuclear testing, **while the US and China** refrain to ratify the comprehensive test ban treaty and thus retain a freedom to test.

CONCLUSION

We must **move** the world toward **disarmament**, above all in the nuclear field. It would reduce the threat of nuclear war by design or accident and it would save enormous resources.

Recently, that conclusion was drawn also by former US Secretaries of State **Kissinger and Shultz**, former Secretary of Defense **Perry** and former Senator **Nunn** in the **Wall Street Journal** (4 January 2007).

These seasoned statesmen from the Cold War urge the **US** to launch a **‘major effort’** -- first and foremost in “intensive work with the leaders of the countries in possession of nuclear weapons “– to “**turn the goal of a world without nuclear weapons into a joint enterprise**”. They should receive a positive response from the UK government. In a letter that accompanied the White Paper (of 4 December 2006) on the UK nuclear weapons program, the Foreign Secretary, Mrs. Margaret Beckett, wrote:

“We stand by our unequivocal undertaking to accomplish the total elimination of nuclear weapons and we will continue to press for multilateral negotiations toward mutual, balanced and verifiable reductions in nuclear weapons.”

What, more specifically, should the nuclear weapons states be asked to do? Dr. Kissinger and his co-authors point to **fulfillment** of the **NPT** bargain. Like the WMD commission they call for a series of steps. **We recommended** actions like

- Ratification of the Comprehensive **Test Ban** Treaty;
- Taking nuclear weapons off **hair trigger** alert;
- **Banning the further production** of fissile material for weapons;
- Avoiding an arms race in **space**;
- Eliminating **short range** nuclear weapons.

The authors of the WSJ article **rightly** point **also** to the need for “**efforts to resolve regional confrontations** and conflicts that **give rise** to new nuclear powers.” Indeed, **perceived threats** to security are the major impulse for proliferation. Peace treaties in the Middle East and Korea would help much.

Let me end by adding that the **United Nations** remains – **not the only** but – a **vital** instrument to be used and that the **Charter** provides the fundamental guidelines, which should be respected.

Dag Hammarskjöld once said that the UN is there not to bring us to heaven but to help us avoid going to hell.