

## **FNs 66. generalforsamling 2011 – rapport fra New York**

### **1. Praktiske opplysninger**

Jeg, Magnus Løvdal, kampanjekoordinator i ICAN (International Campaign to Abolish Nuclear Weapons), reiste fra og med søndag 23. oktober 2011 til og med fredag 4. november 2011 som NGO-observatør til Generalforsamlingen på vegne av Norges Fredsråd (NFR).

### **2. Forberedelser før generalforsamlingen**

Som kampanjekoordinator i ICAN ønsket jeg å fokusere på forhandlingene i FNs førstekomité, og spesielt på de deler av førstekomiteens arbeid som dreier seg om atomvåpen. Som en del av forberedelsene spesifiserte jeg hva jeg ønsket å få ut av reisen som (1) å undersøke hvorvidt FNs førstekomité er en relevant arena for å få i gang forhandlinger om et forbud mot atomvåpen; og (2) om det som skjer i FNs førstekomité er av (a) nyhets- og medieinteresse, og (b) nasjonalpolitisk interesse. Ved hjelp av organisasjonen Reaching Critical Wills rapportering fra tidligere sesjoner i FNs førstekomité, identifiserte jeg på forhånd (1) resolusjoner av særlig betydning for arbeidet for et forbud mot atomvåpen; og (2) sentrale spørsmål og debatter knyttet til disse resolusjonene. Jeg var også på forhånd i kontakt med UD's nedrustningsseksjon for å innhente og videreformidle informasjon om et nytt resolusjonsforslag som Norge, sammen med Mexico og Østerrike, sirkulerte i førstekomiteen.

### **3. Delegatens rolle i delegasjonen til generalforsamlingen**

Under mitt opphold i NY deltok jeg som observatør på følgende møter:

- Morgenmøtet i den norske FN-delegasjonen 24. oktober
- En sideevent sponset av EastWest Institute, the Global Security Institute og the Center for Non-Proliferation Studies 24. oktober
- Plenumssesjon i FNs førstekomité 24. oktober
- Plenumssesjon i FNs førstekomité 25. oktober
- Plenumssesjon i FNs førstekomité 26. oktober
- Morgenmøte i den norske FN-delegasjonen 27. oktober
- Plenumssesjon i FNs førstekomité 27. oktober
- Plenumssesjon i FNs førstekomité 28. oktober
- Plenumssesjon i FNs førstekomité 1. november

I tillegg hadde jeg en rekke uformelle møter med representanter fra den norske FNdelegasjonen, med tilreisende delegater fra UD og med representanter fra andre sivilsamfunnsorganisasjoner. Min rolle i disse møtene var først og fremst av observerende art. Da jeg som representant for det norske sivilsamfunnet ønsket å holde en viss distanse til det resolusjonsarbeidet Norge var involvert i, ønsket jeg ikke å komme med innspill til tekst. Dette ble jeg heller ikke spurt om.

### **4. Samarbeid med andre delegater og representanter**

Under mitt opphold i NY samarbeidet jeg tett med delegaten fra Medisinstudenter for fred, Saima Naz Akhtar. Vi hadde også forholdsvis nær kontakt med representanter

med den norske FN-delegasjonen og tilreisende delgater fra UD, og hadde flere møter med sivilsamfunnsrepresentanter fra ulike land.

### **5. Kommunikasjon med UD og FN-delegasjonen i New York**

Den praktiske informasjonen som jeg fikk tilsendt før utreise var omfattende og i all hovedsak nyttig. Ved ankomst opplevde jeg å bli tatt godt i mot av både den norske FN-delegasjonen og tilreisende delegater fra UD, og jeg fikk den informasjonen jeg opplevde at jeg trengte. Jeg hadde flere uformelle diskusjoner med den norske FN-delegasjonen og tilreisende delegater fra UD, og opplevde at de norske diplomatene jeg møtte ikke bare var interessert i å fortelle om sitt arbeid i førstekomiteen, men at de også var svært åpne for innspill og alternative synspunkter. Kommunikasjonen med UD og FN-delegasjonen i New York var gjennomgående svært positiv.

### **6. Anbefalinger til UD**

Hva gjelder det praktiske har jeg ingen anbefalinger å komme med. Tilgang til sesjoner, møter, informasjon o.l. fungerte utmerket. Hva policy angår, vennligst se følgende vurdering av den norske FN-delegasjonens oppfølging av den norske utenriksministerens ønske om et reelt totalforbud mot atomvåpen:

*Assessment of the Norwegian UN delegation's attempt to fulfill the Norwegian Foreign Minister's demand for a ban on nuclear weapons in UNGA First Committee 2011*

#### *Political background*

On September 30, in an answer to a question put forward by conservative MP Peter S. Gitmark in the Norwegian Parliament (Stortinget), Norwegian Foreign Minister Jonas Gahr Støre stated that Norway wishes to see "a real total ban" on nuclear weapons.

It seems fair to assume that the development of such a ban would imply a process of multilateral negotiations involving both nuclear armed and nuclear free countries, as well as textual codification in the form of some kind of international treaty or convention. As such, the statement made by the Norwegian Foreign Minister represents a different and more radical position than the one expressed in the political platform document of the current red-green coalition government.

Whereas the so-called Soria Moria declaration, in line with the political manifesto of the Norwegian Labour Party, states that the Norwegian government would "consider" a nuclear weapons convention in case of failure in the 2010 NPT review conference, the Norwegian Foreign Minister now seems ready to go further.

#### *Statements*

If the Norwegian government views the UN General Assembly First Committee on Disarmament and International Security as a relevant arena for the pursuance of the aim of a total ban on nuclear weapons, one would expect that the Norwegian Foreign Minister's call for a ban on nuclear weapons would be reflected in the Norwegian UN delegation's behaviour in the First Committee.

And it seems that Norway's new position on a ban on nuclear weapons was at least reflected in the statement made by Director General of the Norwegian MFA Ms Mona Juul on 5 October 2011. Expressing the view that "weapons that cause unnecessary suffering and unacceptable harm should have no place in today's international security environment", and referring to the numerous calls for negotiations on a legally-binding convention on nuclear weapons in the UNGA, the Norwegian Government now "acknowledges the need - and obligation - to negotiate such an instrument, in good faith, and in accordance with the advisory opinion issued by the International Court of Justice in 1996".

However, although this call for a substantive solution on the nuclear weapons problem, i.e. a treaty to ban nuclear weapons, was reflected in the official policy statements, it did not seem to have led to any significant change in Norway's voting patterns.

#### *Voting*

During this year's session in the UNGA First Committee, at least three draft resolutions contained the political demand for a ban on nuclear weapons:

1. Draft resolution A/C.1/66/L.42, titled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, commonly referred to as the Malaysia resolution, calls, in its second operative paragraph "*once again upon* all states immediately to fulfill that obligation by commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, producing, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination.
2. Draft resolution A/C.1/66/L.46, titled "Convention on the Prohibition of the Use of Nuclear Weapons", commonly referred to as the India resolution, reiterates, in its first operative paragraph, "its request to the Conference on Disarmament to commence negotiations in order to reach agreement on an international convention prohibiting the use of threat of use of nuclear weapons under any circumstances", and states, in its seventh preambular paragraph "*Determined* to achieve an international convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction".
3. Draft resolution A/C.1/66/L.49, titled "Nuclear disarmament", commonly referred to as the Myanmar resolution, states, in its third preambular paragraph "[...] determined to achieve a nuclear weapons convention on the prohibition of the development, testing, production, stockpiling, loan, transfer, use and threat of use of nuclear weapons".

Despite the Norwegian Foreign Minister's call support for a ban on nuclear weapons, however, Norway did not vote yes on any of the abovementioned draft resolutions. While the Malaysia resolution received a Norwegian abstention-vote, the India resolution and the Myanmar resolution both received no-votes.

The official reason, moreover, why Norway abstained from voting on the Malaysia resolution, was probably twofold. According to the Norwegian explanation of vote on the Malaysia from 2010, the Norwegian delegation is, first, “far from convinced that the CD provides the best arena for developing legally binding disarmament commitments”, as stipulated in the draft resolution’s twelfth and thirteenth preambular paragraph. Second, Norway “have serious reservations concerning the reference to the model nuclear weapons convention in Preambular Paragraph 15”.

Assuming that the reasons why Norway cast an abstention vote on the Malaysia resolution this year were the same as in 2010, it is worth noting that the Norwegian delegation thereby let procedural questions trump the substantial political demand, expressed by the Norwegian Foreign Minister, for a “real total ban” on nuclear weapons. Given the new position of the Norwegian Foreign Minister, one would assume that trying to build consensus around the idea of a ban on nuclear weapons would be one of the core tasks of the Norwegian delegation in the 2011 UNGA First Committee. By casting an abstention vote, for solely procedural reasons, on a resolution which calls for a comprehensive ban on nuclear weapons, however, the Norwegian delegation can be accused of doing the exact opposite: To contribute to break down, instead of strengthen, an emerging intergovernmental consensus around the idea of a ban on nuclear weapons.

Whereas the official reasons why the Norwegian delegation voted as it did on the Malaysia resolution can be classified as *procedural*, first and foremost, the reason why the delegation voted no on both the India resolution and the Myanmar resolution was most probably *tactical* - although these resolutions too stress the importance of the CD as the sole multilateral disarmament negotiation forum, and would hence fall by the same objection as the one directed against the Malaysia resolution.

### *Conclusion*

To conclude, the Norwegian Foreign Minister express support for a ban on nuclear weapons notwithstanding, this new political position was not reflected in the voting patterns of the Norwegian UN delegation in UNGA First Committee 2011. From an independent NGO perspective, this apparent gap between policy rhetorics and policy practice leads to three possible conclusions:

1. The support for a ban on nuclear weapons expressed by the current political leadership of the Norwegian MFA is genuine, but the First Committee is not viewed as a relevant arena for the pursuance of this political goal.
2. The support for a ban on nuclear weapons expressed by the current political leadership in the Norwegian Ministry of Foreign Affairs is a rhetorical device designed primarily to satisfy the peace lobby, and is hence not meant to lead to action.
3. The support for a ban on nuclear weapons expressed by the current political leadership in the Norwegian MFA is genuine, and the First Committee is viewed as a relevant arena for the pursuance of this political goal, but the Norwegian diplomatic corps is unable, or unwilling, to translate this demand into a political strategy, i.e. a plan of action designed to achieve a ban on nuclear weapons.