



Hans Blix: Anna Lindh lecture 2010

Talare

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It is a great honour to be invited by the Raoul Wallenberg Institute and the University of Lund to give a lecture in the memory of Anna Lindh whom I came to know at the time when I was the Chairman of the UNMOVIC. She was an engaged and constructive actor on the international stage. I often return to a document from early 2003 in which she and other European foreign ministers formulated a European Security Doctrine. While not excluding that the use of armed force can be necessary in some situations it offered strong and clear support for international law and placed the United Nations at the center of global security issues. In this lecture I shall deal with:

- The horrendous human and material cost of arms and use of arms.
- The trend toward fewer armed conflict between states.
- The UN Charter's security system and restrictions on the use of armed force.
- The paralysis of this system during the Cold War and its potential after...
- The détente and disarmament that followed the end of the Cold War
- The lapse into a Cold Peace and the US faith in military solutions.
- The military failure and the Obama program for disarmament.
- The current loss of momentum and need for new détente to get on with disarmament.
- The criticism of the UN and the reality. Armed conflicts between nations are

costly in lives and resources and mostly also uncertain in outcome.

- Before the Iraq war in 2003 some US leaders predicted that people would place wreathes on invading tanks and that 'shock and awe' would make the conflict short. It cost some 100.000 lives and failed to eliminate weapons of mass destruction – because they did not exist.
- The war in Afghanistan – now longer than the Viet Nam war — has become increasingly costly in lives. It began as a punishment, continued as a war against terrorism away from home and as a help build a modern state respecting human rights. Now the aim seems more modestly – and realistically – to be an exit that does not look like a defeat.

The cost of nations' readiness to fight armed conflicts is staggering. In 2009 world military expenditures were calculated to be around 1.500 billion dollars (SIPRI Yearbook 2009, p. 203).

- Nearly 45 % on the US
- Some 6.6 % on China.
- Around 4 % on the France and the UK
- Some 3.8 % on Russia.
- Around 3 % on Japan, Germany and Saudi Arabia.

Recently we have seen reports about a planned Saudi arms import from the US in the range of some 60 billion dollars and Iraqi import in the range of 13 billion dollars... One cannot help but thinking that if we are genuinely concerned about human security, perhaps we should switch half of these resources to fighting global warming that may come to threaten conditions for human life.

And ask a question: Can we not have détente and disarmament? Some will say the question is naïve and that we need much defense, as there are still some 23.000 nuclear weapons, many of them on hair trigger alert; as the number of states that have nuclear weapons has gone up to 9 and there is fear that more

states and terrorists might seek to join the club; as preparations for space and cyber war are in full swing; and as the recent Stuxnet computer virus is opening a new dimension for warfare. It may affect vital industrial operations and is really like a new brand of biological warfare.

It is clear that the traditional concepts of balance of power and deterrence still often dominate the thinking and aims of states. Yet, these notions no longer retain their traditional validity. It is time, I submit, for us to become more aware that MED –mutual economic dependence – rather than MAD –mutually assured destruction – is forcing states to observe new restraints in their postures and actions. Furthermore, new threats – like climate change, pandemics, and financial collapse – push states to develop common policies, common rules and joint institutions. Let me note that

- Between 1910 and 1945 we had two world wars and 20 years of League of Nations.
- Between 1945 and 2010 – we had no world war but 65 years of UN.
- The world will continue to integrate between 2010 and 2045! A Latin American common market and an ASEAN free trade area may not be far away.

I, for one, feel some optimism about fewer large scale armed conflicts in the future and I believe that in most countries current enormous preparations for armed conflicts are not justified by today's situation on the ground. To explain my optimism let me broaden the perspective – both as I look back into the rear mirror and as I look forward for signs of the future.

In past centuries, wars used to be about borders, territory or religion or ideology. These causes have become much less common and the number of international armed conflicts has gone down.

Most BORDERS in the world have become settled. To be sure, there are many exceptions, especially in the Middle East and Africa. Perhaps the border controversy between China and India – two big powers – may be the one that calls most urgently for settlement.

The grabbing of TERRITORY is over. Perhaps Saddam Hussein, who saw

himself as an emperor of Mesopotamia, was the last ruler bent on old style conquest. Some conflicts over territory do exist, however, in addition to those in the Middle East and Africa. Fortunately, the two most serious and dangerous ones – Taiwan and Kashmir – engage actors who have so far been prudent.

Many of today's territorial conflicts are over continental shelves. Others are over islands around the world – some of them probably of greater emotional than economic importance. In my view it should be possible to dispose of many of these differences more swiftly than is the case using the traditional method of negotiations – that is often painfully slow. To take an example: it was only after some 20 years of talks that Russia and Norway recently succeeded in delimiting the continental shelf in the Barents Sea.

I would suggest that in today's world there could be much more use of judicial settlement. A great advantage of this method is that decisions by tribunals generally lead to little or no loss of prestige!

Many controversies regarding islands –big and small — have been settled by tribunals: In 1933, the International Court of Justice decided that Eastern Greenland fell under Danish rather than Norwegian sovereignty. In the early 1920s a League of Nations expert opinion led Sweden to accept Finnish sovereignty over the Aaland islands in the Baltic sea. It is encouraging that in recent times a number of developing states have turned territorial disputes to the Court. There could be more! Wars used to be over RELIGION and the Cold War was a conflict over the spread of the Communist system. Today we can safely predict that there will be no international wars between civilizations, religions or ideologies in the future. Another serious but very different matter is that ideological and religious extremists may espouse terrorism. However, this does not lead to armed conflicts between states but rather to cooperation between police and to security measures taken jointly by the community of states.

Have any new causes of international armed action emerged? A few big states may be tempted to use open armed action or subversion to bring about regime change in other countries. However, the method often failed its aim (Chile, Iran) and has become increasingly discredited.

An oft discussed question is whether pre-emptive and preventive armed action

– sometimes technocratically termed ‘anticipatory selfdefense – is legal and likely. There is broad support for holding that the UN Charter permits the use of armed force against an armed attack that imminent. A state does not have to wait until bombers on their way cross its borders. On the other hand, suspected future launchings of missiles or other attacks are not “armed attacks” that give rise to a right of self-defense under the UN Charter. How could you be certain that the launching will actually occur? You rely on intelligence – which might be erroneous. Military action to stop a state from acquiring nuclear weapons is clearly a preventive action. We know that the US once considered knocking out China’s nuclear weapons capability but decided against it. On the other hand, Israel twice used armed force to stop alleged nascent nuclear weapons programs – against OSIRAK in 1981 and in SYRIA in 2007. And the main political justification invoked for the 2003 war in Iraq was a need to eliminate weapons of mass destruction that were – wrongly—alleged to exist.

Despite the debacle in Iraq and the wide condemnation of that war loud voices are now urging the US to use armed force against Iranian nuclear installations. However, while it might be rash to discount the possibility of armed ‘counter-proliferation’ action without Security Council authorization a renewed large scale Iraq type action seems unlikely. Less, I suspect, because of respect for the UN Charter than for fear of unknown consequences. Wars are easy to start but it is hard to know where they go. Lastly, it may be asked whether there are risks of armed actions to satisfy the increasing demand for oil and commodities? The scramble for pipelines and other means of access to oil and gas is evident. Yet, in my view it would seem more likely that the future competition will play out in prices than in armed action. The patches of peace in the world have expanded. With the traditional causes of international armed conflicts clearly diminishing and new ones not rushing into their place the regions of peace in the world have expanded:

- The European Union is ending millennia of war in Europe and closer cooperation with Russia now seems more likely than armed conflict.
- Armed conflicts may break out in a few areas – especially Africa and the Middle East – but the risks of escalation into great power conflicts are small. A legal rule restricting the use of armed force is gradually consolidating
- The fewer reasons for going to war in the modern world are paralleled in the

development of a restrictive view on the freedom – the legal right — of states to use armed force.

- The 16th century Machiavelli ‘Prince’ and generations of rulers after him felt free to go to armed action whenever they saw a need or an advantage to do so.
- The 20th century League of Nations was a first grand attempt to create an international order of collective security. It failed. However, in 1945 a giant step was taken with the adoption of the UN Charter that contained rules against the use of armed force and sought to provide a system for collective security.
- The threat or use of force against the territorial integrity or political independence of other states was prohibited. (Art. 2:4) Only two exceptions were made: the Security Council could use or authorize the use of force, when it decided that there was a threat to the peace, breach of the peace or act of aggression (Art.42) and states were permitted to use force in self-defense against an armed attack until the Council took measures to restore the peace.(Art.51).
- From time to time these rules have been ignored or twisted and during the Cold War the security system failed to work, as Council action required agreement between the five permanent members of the Security Council and such agreement did not exist.
- Rather than looking to the Council for security Member states had to base it on their own defense and/or on alliances, such as NATO. Between the antagonistic blocks security was based in the last resort on mutually assured nuclear deterrence (MAD).

The UN and arms control and disarmament.

- Although the UN Charter had rather meager provisions about disarmament and the Cold War was characterized by arms races, arms control agreements were nevertheless reached between the superpowers and some important multilateral agreements emerged, in particular the Partial Test Ban Treaty (1967), the Non Proliferation Treaty (NPT) in 1968 and the Biological Weapons Convention (1972)
- To the gains in arms control during the Cold War we should add the

important innovation that was made at the UN through the introduction of the peace-keeping operations.

The end of the Cold War and détente brings great results

The end of the Cold war marked a new era. Détente facilitated important bilateral and multilateral agreements on arms control and disarmament:

- In 1990 the treaty on Conventional Armed Forces in Europe (CFE) resulted in significant weapons reductions and a new openness.
- In 1991 START I was reached between the superpowers and through parallel actions they eliminated whole categories of tactical nuclear weapons.
- In 1993 the Chemical Weapons Convention (CWC) was concluded.
- In 1995 the NPT was prolonged – without any time limit.
- In 1996 the Comprehensive Test Ban Treaty (CTBT) was signed.

The end of the Cold War also opened new possibilities of agreement between the P5 in the Security Council. The potential of the security system of the UN Charter was re-discovered. No veto was raised against the US proposed joint international armed action in 1991 to stop Saddam Hussein's aggression against and occupation of Kuwait. President Bush, the elder, whose skilful diplomacy had led to the action, spoke about "a new international order".

Regrettably, this hopeful new order did not develop. The disintegration of the Warsaw Pact was followed by the expansion of NATO. START 2 did not get off the ground. The Comprehensive Test Ban Treaty was ratified by France, Russia and the UK but as the US Senate rejected it and China and some other states have not ratified, it remains in limbo.

With the US withdrawal from the ABM in order to build the missile shield, the Iraq war in 2003 and the Bush administration's faith in military solutions a 'Cold Peace' developed. US efforts to include the Ukraine and Georgia in NATO and to place parts of the missile shield in Poland and the Czech Republic did not leave much in place of the détente that had followed the end

of the Cold War. In the second half of the 1990s disarmament stagnated.

I think Mr. Gorbachev was right in speaking 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).

From 2001 –during the Bush Junior presidency – tensions returned. The administration generally distrusted treaty commitments regarding arms control but did seek international support for action against terrorism and nuclear proliferation. Although the US missile shield was declared to aim at protection against ‘rogue states’ and terrorists, Russia and China were concerned that it was designed to allow the US to strike anywhere without the risk of a counterstrike. MAD would disappear.

- In the US National Security Doctrine of 2002 it was declared that faced with the risk of terrorism and missiles the US would feel free to take armed action unilaterally against any threat it determined called for such action.
- This position was acted upon in the March 2003 Iraq attack that ignored the absence of Security Council support and absence of any confirmation by UN inspections of Iraqi weapons of mass destruction. After 2003 Iraq war: a retreat from militarism &, chance for disarmament
- Perhaps the Iraq war and occupation marked the peak of US faith in what in today’s world can be secured through a superior military capacity.
- The war Iraq – as well as Israel’s armed attacks in Lebanon and Gaza– have prompted wide reactions against military actions, doubts about their effectiveness, and recommendations for arms control and disarmament.
- In 2006 the international Weapons of Mass Destruction Commission that Anna Lindh took the initiative to create and that I chaired, presented a report with 60 recommendations on how to free the world from nuclear, biological and chemical arms.
- Less than a year after our report the Wall Street Journal published a remarkable article. (Jan. 2007). Four former US statesmen – former foreign ministers Shultz and Kissinger, former defense minister, Perry and former

Senator Nunn –argued that unless the US and Russia took the lead in nuclear disarmament it was inevitable that there would be a spread of these weapons to more states and to terrorists. They further stated their view that after the end of the Cold War nuclear deterrence was obsolete between the US & Russia and of decreasing importance elsewhere. The article inspired wide support that included the two US presidential candidates.

- It is of interest to note that in an article about ten days ago (15 October 2010) in the Russian paper Izvestia some highly prominent senior Russians – including former Prime Minister Primakov, former Defense Minister Ivanov and the Chairman of the Kurchatov Institute, Professor Velikhov – take the same line as the American statesmen. They urge a new
- “global security thinking capable of taking the world beyond the Cold War-era logic centered on mutual deterrence and piecemeal disarmament and towards a new, cooperative system for addressing 21st century security threats effectively.” The Obama agenda

In 2009, Mr. Obama, now President of the US met with the Russian President, Mr. Medvedev, in London and the two leaders committed themselves to put the Cold War behind themselves and jointly work for arms control and disarmament, including the elimination of nuclear weapons.

Thereafter, in a speech on the 1st of April 2009 in Prague President Obama presented a detailed program. It was followed up by negotiations with 10 Russia about a new START, by initiatives to restart the Disarmament Conference in Geneva and by a declared readiness for direct talks with Iran. The agenda has evoked much enthusiasm but it has proved hard to achieve results. So far there is only halting progress:

- The signature with Russia of a new START is the most tangible success. The new restrictions on nuclear warheads and delivery vehicles are significant but not drastic. Perhaps the greatest achievement lies in reaching such a complex agreement in only one year. It signals a very positive political will on both sides. Without that good will, including a modification of US plans to place elements of the missile shield near Russian border, the parties would not have succeeded. While it is not certain, ratification seems likely.

- The 2010 Non Proliferation Treaty Review conference, thanks to the new positive signals about disarmament, including START, removed much of the bitterness existing since 2005 among non-nuclear weapon states. A resolution calling for a conference on a nuclear weapon free zone in the Middle East was crucial to secure continued positive support for the treaty.
- The US 2010 Nuclear Posture Review and National Security Doctrine have both moved the current US administration some distance away from earlier more militant positions. The idea of designing new nuclear weapons is rejected.
- The new Security Doctrine does not exclude preemptive or preventive strikes but declares that the US will seek to respect international standards, which I take is a modest bow to the relevance of the restrictions in the UN Charter.
- Similar to a new Russian doctrine that allows use of nuclear weapons only in situations “jeopardizing the very existence of the state” the US doctrine limits the use to “extreme circumstances to defend the vital interests of the United States or its allies and partners.”

Currently there is an intermission in the disarmament sphere. When these positive elements are noted and the very active support from world wide movements like Global Zero and reports like that of the Australia-Japan sponsored International Commission on Nuclear Non-Proliferation and Disarmament is registered, we must recognize that much hoped for progress is still missing:

- The chief UN forum for disarmament negotiations, the Geneva Conference on Disarmament, has still not been able to restart work.
- Negotiations about the so called Cut-Off Treaty, requiring all parties to stop production of fissile material for weapons, is blocked by Pakistan possibly wishing to produce more material. The dead-lock is highly worrisome as it could lead to a stock piling race involving Pakistan, India and – possibly – even China.
- No progress has been made so far in the contacts with Iran or DPRK.
- Above all, it is quite clear that the military strategists in both the US and

Russia have by no means accepted the view of the senior American and Russian statesmen that nuclear deterrence is obsolete between the US and Russia and obsolescent elsewhere.

- There seems, thus to be an important difference in both countries in the views held by some seasoned civilians and those held by senior military policy makers. The civilians seem to think there can no longer be war between great powers but the more conservative and cautious attitude of the military still prevails in doctrine, budget and planning – and in the US Congress.

There seems currently to be an ‘intermission’ in the disarmament drama. The events in the next act will depend upon attitudes and approaches taken by the main actors – the US, Russia and China. If the government of the three states succeed to further decrease tension and increase cooperation between themselves, their skeptical hard liners may come to accept more arms control and disarmament. Increasing interdependence – economic and other – will favour détente and cooperation. The same is true of the common interest in eliminating or at least neutralizing the risks coming from North Korea, Iran and terrorist groups. Some comments about the United Nations

I have spoken about the outlook for peace, non-use of force, disarmament and UN collective security. Let me make some further brief comments about the UN. We often hear criticisms of the United Nations and of the need to make the organization responsive to to-day’s challenges. To this we must first respond that the UN has, in fact tackled many new issues. UN peace-keeping operations today employ more than 100.000 persons!

The Security Council is addressing the problems of proliferation and terrorism with much energy. Perhaps it should pay equal attention to the issue of drugs. The drug related international criminality is of a dimension that today threatens not only the order but the stability of several states.

The Council has discussed threats to the global environment and probably ought to return to some of these issues that could be more ominous than the nuclear weapons issues.

Now let me turn to some of the criticism. Before the Iraq war we heard from some that the Security Council could make itself relevant only by supporting

the armed action. It is true that in taking the action the US and its allies ignored the Security Council but more important is that the Council showed the wisdom to refuse endorsing a military action that should never have been waged. The Council should not be trigger happy – and it is not.

A common criticism points to democratic deficits in the UN.

In the General Assembly every member state has one vote but two members have over a billion inhabitants while some others have only a few hundred thousand. One might deplore a development that has led to the full membership of many ministates and may lead to strange majorities. In the long run maybe some system of weighted voting will have to be introduced here – as in many other institutions. Nevertheless, it is valuable that there is a forum in the world, where all states – even the smallest — can make themselves heard.

Given its composition it is understandable that Assembly is given only the power to adopt recommendations and cannot adopt legislation. Yet, it is fair to note that the General Assembly is an important place for influencing and gauging the opinion of states and for launching ideas and policies that may later develop into law. Thus, arms control and disarmament is considered every year in the Assembly and, while not legislating, the Assembly has a crucial role in the development of international law.

The vast body of human rights instruments that today may be said to constitute a globalization of ethics was initiated in the Assembly. The concern about the human environment first led to governmental engagement here. The new law of the sea has its roots in recommendations by the General Assembly. The Security Council has also a democratic deficit. The states of the world have entrusted tremendous power to this body as a kind of ‘executive committee’, but how representative is it? Five great military powers and victor states from WWII gave themselves permanent seats and vetoes.

Today, Japan, India and Germany, while not great military powers, may be as important, if not more important players than France and the UK. However, given that these states could be expected – like the present permanent members – to pursue their national interests rather than trying to act in what they believe to be the interest of the UN membership perhaps it would be better not to make more permanent seats but to add a few seats that can be rotated, with the

understanding that big powers might be elected more often.

A sensible reform to avoid making the Council big and unwieldy would be to have only one seat and vote for the European Union. The Union aspires to have a common foreign policy. A common seat might help.

A good question concerns the veto power. It is generally viewed negatively as blocking the will of a majority and it certainly can be used by a permanent member to block more decisions than those that might affect their own vital interests. Perhaps a commitment could be made without any change in the Charter that negative votes would never be construed as vetoes except as regards mandatory actions under Chapter VII?

A common criticism is that all too often the UN fails to come to decisions. The Copenhagen meeting on the environment is frequently mentioned. However, we must be aware that to be effective decisions may need to have the support of all or at least two thirds of the world's states. Reaching such levels of support would be hard also in a many national legislatures.

Let me end this lecture and my discussion of a few questions relating to the UN by quoting a comment that Anna Lindh made in the General Assembly in 1999 – I quote:

“We have a tendency to blame the United Nations for our own failures and shortcomings. In fact, when the UN fails, we fail. If the UN loses its relevance, we lose. There is no real alternative to global cooperation to cope with increasingly global problems. For this, we need the UN – but a strengthened and reformed UN.”

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