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Revisiting consensus in multilateral disarmament negotiations

Trends, challenges and the way forward

Adedeji Ebo

Katherine Prizeman



**United
Nations**

OFFICE FOR DISARMAMENT AFFAIRS
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Preface

THIS PAPER EXAMINES THE EVOLVING ROLE OF consensus in multilateral disarmament negotiations from the tenth special session of the General Assembly (1978) to the present day. It aims to support Member States in considering how to balance progress in disarmament with the legitimacy associated with consensus-based outcomes.

Rather than offering a legal definition or interpretation of consensus, the authors reflect upon historical examples of its practical application, particularly in the areas of nuclear disarmament and conventional arms. The case studies presented do not imply approval or disapproval of positions taken by States.

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Introduction

MULTILATERAL DISARMAMENT NEGOTIATIONS UNDER United Nations auspices have traditionally sought consensual outcomes, regardless of the specific formal decision-making rules governing particular bodies. The preference for consensus is rooted in the legitimacy it is perceived to confer in matters of security — the fundamental concern of States. Because disarmament is directly linked to international security and, by extension, national security, many States have considered consensual decision-making essential to producing outcomes that are both credible and implementable.

Reflecting this approach, consensus decision-making was seen as essential to negotiations and deliberations in two of the three main disarmament bodies recognized in 1978 by the General Assembly at its first special session devoted to disarmament.¹ The outcome document affirmed the central role of consensus — particularly in the realm of nuclear disarmament negotiations — and the priority States attached to it. The General Assembly noted its awareness “of the continuing requirement for a single

multilateral disarmament negotiating forum of limited size taking decisions on the basis of consensus”.²

In addition to disarmament bodies explicitly mandated to operate by consensus, others have applied consensus decision-making as a matter of practice, reflecting the broader understanding of consensus as the norm in disarmament processes. These include groups of governmental experts, which often serve as a precursor to broader General Assembly engagement on emerging disarmament issues. Although such groups are formally expert bodies appointed to advise the Secretary-General, they have increasingly functioned in practice as intergovernmental negotiating forums, partly in response to long-standing stalemates across elements of the disarmament machinery. By established practice, groups of governmental experts operate based on consensus insofar as any substantive recommendations require agreement from all members. As a result, while these groups lack formal rules of procedure, their decisions on substance and advice to the Secretary-General effectively rest with participating States. In some cases, the objection of a single governmental expert prevented agreement on a substantive report.

While consensus remains a fundamental guiding principle in disarmament negotiations, its application has faced increasing criticism in recent

¹ By General Assembly resolution [S-10/2](#), the first special session of the General Assembly devoted to disarmament established the so-called disarmament machinery, which remains largely unchanged as of this writing. The “Committee on Disarmament”, which later became the present-day Conference on Disarmament, was explicitly mandated to conduct its work by consensus (para. 120 (a)). The Disarmament Commission, while operating under the rules of procedure of the General Assembly, was nevertheless mandated to “make every effort to ensure that, in so far as possible, decisions on substantive issues be adopted by consensus” (para. 118 (b)). The third component, the First Committee of the General Assembly, operates under the rules of procedure of its parent body, which allow for voting.

² *Ibid.*, para. 120.



Quote 1 Growing frustration over the requirement of consensus as a “veto power”

The veto power in the Conference on Disarmament, regarding procedural issues, directly contributes to the paralysis of this forum, serving always the interests of a few States.

Consensus can no longer be viewed as an imperative rather than as a legitimate collective aspiration to reach agreements and take action.

Statement by Mexico, seventy-ninth session of the First Committee of the General Assembly, 28 October 2024

years. Some States argue that consensus has been privileged over substantive progress and that it can be instrumentalized as a de facto “veto power”, enabling one or a few actors to control outcomes — or prevent them altogether. Frustration over this dynamic has grown amid an increasingly difficult geopolitical context, in which multilateral disarmament has become more contested, complex and challenging. Against this backdrop, some have called for changes in working methods to ensure that consensus is not “abused” (see quote 1).³ This helps explain an emerging trend — particularly in the First Committee context — towards mandating negotiating

³ Mexico has been particularly vocal in disarmament bodies, including the First Committee of the General Assembly, arguing that consensus can no longer be seen as an “imperative” or a “legitimate, collective aspiration” given its weaponization as a “veto power”. See [statement](#) by Mexico, thematic debate on the disarmament machinery, seventy-ninth session of the First Committee of the General Assembly, 28 October 2024.

processes under the General Assembly’s rules of procedure, which permit voting when consensus cannot be reached. Box 1 provides context on First Committee practice under those rules.

In other instances, more flexible approaches to consensus have evolved. There have been cases in which a State, or a small group of States, has chosen not to break consensus but “dissociated”, “disassociated” or “distanced” itself from particular elements — or even from an agreement as a whole — indicating that it does not consider itself bound by any obligations or commitments arising from those elements (see boxes 2 and 3 for examples of this practice).⁴

While several disarmament bodies, including treaty follow-up and review mechanisms, still often adopt outcomes by consensus without accompanying explanations of position or dissociation, States have used such qualifications in other contexts to preserve consensus while signalling reservations. This emerging trend could be seen as encouraging an “à la carte” approach — enabling States to cherry-pick which elements of agreements they support.

⁴ In a statement to the General Assembly, the Russian Federation criticized the “Pact for the Future” process for providing insufficient time to negotiate paragraph by paragraph and distanced itself from the outcome — particularly the provisions on disarmament, human rights and the engagement of non-governmental entities in the work of the United Nations ([A/79/PV.3](#)). It is also worth noting that General Assembly resolutions are generally recommendatory in character (see Charter of the United Nations, art. 10); in practice, language from outcomes adopted by vote — or from consensus outcomes from which a State has dissociated — is less likely to be treated as “agreed language” in subsequent negotiations.

Box 1

The decision-making practices of the Main Committees of the General Assembly*

1. The **First Committee (Disarmament and International Security)** frequently adopts resolutions and decisions by vote, including votes on individual paragraphs. At the eightieth session, 49 of the 63 adopted draft proposals were subject to a vote, with 160 votes taken on separate paragraphs.
2. The **Second Committee (Economic and Financial)** generally adopts resolutions and decisions by consensus.
3. The **Third Committee (Social, Humanitarian and Cultural Issues)** adopts a significant share of its resolutions and decisions by vote (approximately one third).
4. The **Fourth Committee (Special Political and Decolonization)** shows mixed practice: draft resolutions related to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and Israeli practices are typically adopted by a recorded vote, while other items see a mix of votes and adoptions without a vote, and other agenda items followed a similar mixed pattern.
5. The **Fifth Committee (Budget)** operates largely by consensus, with votes rarely taken.
6. The **Sixth Committee (Legal)** follows a tradition of consensus decision-making.

* The patterns described reflect typical practice.

In practice, it requires States to strike a delicate balance: pursuing substantive progress beyond the confines of consensus while still respecting the spirit and intent of the principle.

This paper examines consensus as a critical normative foundation of multilateral disarmament by exploring how it has been applied in negotiation processes across two substantive workstreams: (a) nuclear disarmament and non-proliferation; and (b) conventional weapons.

The paper first explores the meaning of “consensus” in the context of multilateral disarmament negotiations. It then reviews how the principle has been applied in intergovernmental processes relating to nuclear disarmament and non-proliferation, and to conventional weapons. It concludes with observations and recommendations for policymakers on how to support meaningful disarmament outcomes that balance inclusivity and practicality — so that consensus is treated as a foundational principle, not an immovable obstacle.

Box 2

Adoption of the Pact for the Future, September 2024

Prior to the opening segment of the Summit of the Future in September 2024, the Russian Federation introduced amendment [A/79/L.3](#) to draft resolution [A/79/L.2](#) under the same name, “The Pact for the Future”, and announced that it would distance itself from the consensus on the document if the amendment was not included. The Russian delegation further noted that the Pact did not create new mandates or obligations on Member States and was simply a declaration. It underscored that new mandates and obligations would only occur as a result of a different process than how the work on the Pact was organized.

The Republic of the Congo, on behalf of the African Group, made a motion that no action be taken on the amendment, which was seconded by Mexico.

The General Assembly then took a recorded vote on the motion submitted by the African Group that no action be taken on the proposed amendment (143 in favour, 7 against and 15 abstentions).

The Assembly then took action on the resolution entitled “Pact for the Future” ([L.2](#)), adopting it without a vote.

Box 3

Open-ended Working Group on security of and in the use of information and communications technologies 2021–2025

The Open-ended Working Group, mandated by the General Assembly to “act on the basis of consensus”, adopted three progress reports and a final report by consensus. While no State broke consensus on the reports, several either made oral explanations of position or contributed written explanations published in a compendium as an information note of the Working Group (see [A/AC.292/2023/INF/5](#), [A/AC.292/2024/INF/5](#) and [A/AC.292/2025/INF/5](#)).

“Mr. Chair, the United States would like to express its disassociation with paragraphs 9, 12, 28, and 53(a) of the report. The United States remains deeply disappointed that the report retains references to gender and the Sustainable Development Goals [SDGs]. The United States strongly supports protecting women and girls, defending their rights, and promoting women’s empowerment, and promotes

the ability of women and girls to engage in all aspects of social, civic, political, and economic life. However, the United States does not support references in the final report to 'gender'.

"Additionally, the Sustainable Development Goals advance a programme of soft global governance that is inconsistent with United States sovereignty and adverse to the rights and interests of Americans, and the United States does not support references in the final report to SDGs."

Statement by the United States following the adoption
of the final report, 11 July 2025

"[W]e are disappointed by the inclusion of language on human rights, international humanitarian law, as well as the overemphasis on gender issues, despite clear disagreement of like-minded delegations. Such contentious topics should not have been incorporated in the report without achieving a consensus. Therefore, we do vehemently reserve the right to interpret or reject those provisions that contradict our national fundamental principles, policies, laws, regulations and values."

Joint statement on behalf of Belarus, Burundi, China,
Cuba, the Democratic People's Republic of Korea, the Islamic
Republic of Iran, Nicaragua, the Russian Federation, the Sudan,
the Syrian Arab Republic and the Bolivarian Republic of Venezuela
28 July 2023

The meaning of consensus in the context of multilateral disarmament

CONSENSUS IS GENERALLY UNDERSTOOD AS A decision-making procedure characterized by the absence of objection.⁵ In multilateral disarmament negotiations, however, “consensus” carries a particular nuance that distinguishes it from “unanimity”. In practical terms, consensus is reached when no State formally objects to a decision, including by requesting a vote. Importantly, “joining consensus” does not necessarily mean that a State agrees with every element of the text or outcome. It is entirely possible — and often the case — that a State joins consensus to adopt the text while maintaining specific reservations or substantive concerns.⁶

In this context, “explanations of vote” are an important tool for making consensus work in practice, allowing States to place reservations on the record without rejecting the outcome as a whole (see box 4). Explanations of vote may also be used to clarify why a State voted against a decision or chose to abstain. In some instances, States explicitly note that, although they do not agree with every element of an outcome document, they were willing to make concessions in the interest of achieving

consensus.⁷ Such statements are common in negotiated outcomes, including in the First Committee of the General Assembly, where a State may join consensus on a specific resolution or decision while expressing concern over specific content. In the General Assembly, explanations of vote may be delivered both before and after action, giving States ample opportunity to provide context and articulate caveats to their positions.

Consensus outcomes in United Nations disarmament negotiations are often treated as sources of “agreed language” that can be reused in later processes without further negotiation. Reliance on previously agreed language is common in follow-up and review mechanisms,⁸ particularly when a more progressive text cannot be agreed upon by consensus. At the same time, challenges have emerged when language previously accepted by consensus is later contested by some States as no longer acceptable.⁹

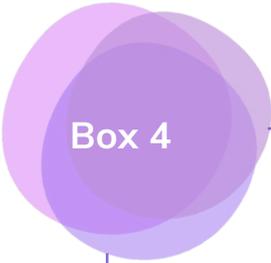
5 United Nations Convention on the Law of the Sea (10 December 1982), art. 161 (8) (e): “For the purposes of subparagraphs (d), (f) and (g), ‘consensus’ means the absence of any formal objection.”

6 For further reading on consensus, see Rüdiger Wolfrum, Jakob Pichon, “Consensus”, *Max Planck Encyclopedias of International Law* (Oxford Public International Law, October 2010). There is additional complexity in the context of treaty-making, as a State may join consensus on the text but subsequently enter a reservation or choose not to join the treaty at all.

7 There is additional complexity in the context of treaty-making, as a State may join consensus on the text but subsequently enter a reservation or choose not to join the treaty at all.

8 See, for example, the review processes for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Reliance on previously agreed language also applies when negotiating annual reports within processes such as the Open-ended Working Group on security of and in the use of information and communication technologies.

9 In the context of nuclear disarmament discussions, a significant share of previously agreed language is now considered “out-of-date” or otherwise no longer acceptable. As a result, in the NPT review process, reuse of language beyond general commitments to the Treaty and its goals has proven increasingly difficult.



Box 4

Example of an explanation of vote

“The United Kingdom and France have joined consensus on this resolution [entitled ‘The relationship between disarmament and development’]. We support the mainstreaming of disarmament issues in development policy, particularly in the field of conventional weapons, small arms and light weapons and disarmament, demobilization and reintegration. That said, we feel it necessary to make our position clear on other aspects of this text:

The notion of a ‘symbiotic relationship’ between disarmament and development appears questionable to us as the conditions conducive to disarmament are not necessarily dependent on development only, as seen with the growing military expenditure of some developing countries. “

There is no automatic link between the two but rather a complex relationship that this notion does not accurately capture.”

Statement by France, also on behalf of the United Kingdom,
sixty-eighth session of the First Committee of the General Assembly,
5 November 2013 ([A/C.1/68/PV.2](#)).

The application of consensus in multilateral disarmament processes

Nuclear disarmament and non-proliferation

CONSENSUS DECISION-MAKING IS A WELL-established practice in nuclear disarmament negotiations, the General Assembly having enshrined its centrality in the final document of the first special session of the General Assembly devoted to disarmament. Consensus has long been viewed as essential to producing effective and implementable agreements in the nuclear field, given the unique responsibility of nuclear-weapon States to disarm. At the same time, profound and persistent divergences of views — especially the entrenched division between nuclear “haves” and “have-nots” — create unique obstacles to consensus, notably on matters directly related to the elimination of nuclear weapons and the Middle East.

These challenges are perhaps most visible in the long-standing paralysis in the Conference on Disarmament, which has not carried out substantive negotiations for more than 25 years. Although some substantive discussions have taken place in subsidiary bodies and thematic meetings convened under various presidencies, agreement on a multilateral negotiating mandate has remained elusive. Members have prioritized different objectives — including a fissile

material cut-off treaty, a comprehensive nuclear weapons convention, and legally binding negative security assurances — making a balanced programme of work unattainable. Owing to the consensus requirement, a single State’s opposition to launching negotiations on an issue that otherwise enjoys broad support can be sufficient to prolong the stalemate (see quote 2). Moreover, the consensus rule can enable States to “hide behind” the one delegation that breaks consensus, creating the impression of isolated opposition even



Quote 2 **Remarks to the Conference on Disarmament's 2025 opening session**

[W]e hope that procedural issues will not stand in the way of substantive work. The Conference must be willing to move beyond the zero-sum game of de facto vetoes, portrayed as ‘consensus-decision making’.

Statement by Canada, Conference on Disarmament, 25 January 2025

when a wider group may share similar views.

The last substantive negotiation in the Conference on Disarmament resulted in the Comprehensive Nuclear Test-Ban Treaty, adopted in 1996. However, the adoption itself took place through the General Assembly by vote, underscoring the challenges associated with consensus decision-making in the Conference. After determining that the Treaty's text received near-universal support,¹⁰ Australia submitted it to the President of the General Assembly, together with a request to resume the fiftieth session to consider it and a draft resolution calling for its adoption.¹¹ Resolution 50/245 was subsequently adopted, with India voting against.

In a letter¹² to the President of the General Assembly before the vote, the Russian Federation argued that this approach departed from established practice for elaborating multilateral agreements in the Conference on Disarmament. It nonetheless agreed, citing the “exceptional nature of the situation” surrounding the Treaty, while emphasizing that the General Assembly's decision must be without prejudice to the Conference's rules of procedure and established practice and must not set a precedent. Similarly, in introducing the draft resolution, Australia

¹⁰ For further background, refer to the related documents submitted by Argentina (CD/1416), France (CD/1413), the Russian Federation and the United States (CD/1417), and the European Union (CD/1420).

¹¹ A/50/1024.

¹² A/50/1032.

Quote 3

The 2015 NPT Review Conference: A break in consensus

We regret that we were not able to support the draft consensus document tabled by the President of the conference. The blame for the inability of this conference to produce a forward-looking consensus document, however, lies squarely with those states that were unable to show any flexibility in pursuit of the convening of a Middle East conference that enshrined the principles of consensus and equality. ...

While we regret that this Review Conference will not produce a final consensus document, we leave New York satisfied that the NPT will continue to serve as a fundamental norm undergirding all of our efforts to achieve international peace and security for all.

Remarks by the United States, ninth NPT Review Conference, 22 May 2015

stressed that the submission reflected “particular and exceptional circumstances” that should not set a precedent. Many States echoed this point while expressing support for the Conference on Disarmament's operating procedures.

The constraining effects of consensus can also be seen in relation to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), often described as the “cornerstone” of the nuclear disarmament and non-proliferation regime. In the NPT review process, disagreement by nuclear-weapon States — given their special status under the Treaty — could arguably render an outcome unimplementable and therefore ineffective, even if all other States parties supported it. Still, the prerogative to block consensus is not exclusive to nuclear-weapon States;



Quote 4

Explanation of vote on the text of the Treaty on the Prohibition of Nuclear Weapons

Notwithstanding these positive aspects of the ban treaty movement, the Netherlands could not support the draft that was put before us. We have signaled at the beginning of this session that we would be unable to sign up to any instrument that is incompatible with our NATO [North Atlantic Treaty Organization] obligations, that contains inadequate verification provisions or that undermines the Non-Proliferation Treaty.

We have negotiated in good faith and have been open about our intentions. Now we must be equally straightforward and conclude that this draft does not meet our criteria.

Statement by the Netherlands, United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination, 7 July 2017

non-nuclear-weapon States have also refused to join the consensus.

Although the rules of procedure¹³ of NPT Review Conferences permit voting, this option has never been used to adopt decisions. Under those rules, if all efforts to achieve consensus on a substantive matter have been exhausted, the President — following a 48-hour deferment to facilitate consensus agreement — may conduct a vote. Decisions would then be taken by a two-thirds majority of representatives present and voting, provided that the majority includes at least a majority of the States participating in the Conference.

¹³ NPT/CONF.2020/1, annex III, rule 28.

The rules distinguish between matters of substance and matters of procedure: procedural decisions can be taken by immediate vote, whereas all efforts must first be exhausted to attain consensus on substantive matters.¹⁴ What constitutes “exhausting all efforts to reach consensus” is not defined, leaving significant room for interpretation and affording the presiding officer discretion in determining when the threshold has been met.

In practice, several Review Conferences — including the most recent two — have failed to adopt a substantive outcome (see quote 3).¹⁵ Since the first Review Conference in 1975, the established practice has been to pursue a consensus final document. The 1995 decision on the NPT’s indefinite extension offered the clearest indication that majority decision-making might be possible. Nevertheless, while the NPT review rules provide a voting fallback and thus do not entrench a single-State de facto “veto” as in

¹⁴ Notably, the NPT and the Comprehensive Nuclear Test-Ban Treaty were both eventually adopted through voting at the General Assembly — by resolutions 2373 (XXII) and 50/245, respectively — despite aspirations for consensus during the negotiations.

¹⁵ The 2015 NPT Review Conference concluded without consensus on a substantive final document owing to ongoing divisions related to implementation of the 1995 resolution on the establishment of Middle East zone free of nuclear weapons. The 2022 Review Conference similarly failed to adopt a substantive outcome when the Russian Federation broke consensus on the final day over language related to Ukraine. See United Nations Office for Disarmament Affairs, *United Nations Disarmament Yearbook*, vols. 40 (2015) and 47 (2022).

the Conference on Disarmament, the prevailing view among States has been that a non-consensual NPT outcome would be politically weak.

Even as voting has not been pursued within the NPT framework, efforts to increase pressure on nuclear-weapon States to meet their article VI obligations¹⁶ have gained traction outside that process — and, by extension, outside the established practice of consensus (see quotes 4 and 5). These efforts culminated with the 2017 adoption, by vote, of the Treaty on the Prohibition of Nuclear Weapons (TPNW), with 122 votes in favour, 1 against and 1 abstention.¹⁷

The TPNW negotiations were intentionally pursued outside consensus-based forums and under procedures that permitted voting, marking a significant shift in nuclear disarmament diplomacy.

The General Assembly resolution mandating the negotiating conference (71/258) did not specify decision-making procedures, meaning the General Assembly's rules applied. The Conference

16 NPT, article VI: "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

17 The Netherlands voted against, while Singapore abstained. None of the nuclear-weapon States participated in the negotiations, and, of the NATO Allies, only the Netherlands participated. See [A/72/206](#), para. 15.



Quote 5
Criticism of the TPNW and its treatment of consensus

Because it [TPNW] ignores the security context and rejects the necessary role of deterrence policies, this treaty is not an 'effective measure' against nuclear disarmament: it will not lead to any weapons being dismantled. Because it dissociates itself from the goal of general and complete disarmament, which is at the core of Article VI of the NPT, the Treaty could lead to a race to develop conventional capabilities and consequently military escalation.

Because it is exclusively based on a 'humanitarian' and in fact largely moralistic approach, this treaty deepens political divisions and tends to undermine the very foundations of multilateralism, namely dialogue and cooperation with a view to reaching consensus."

Statement by France, seventy-second session of the First Committee of the General Assembly, 13 October 2017

subsequently adopted its own rules, explicitly allowing for voting.¹⁸

A noteworthy pattern, however, is that instruments adopted by vote are often implemented through processes that revert to consensus, whether through

18 The precursor body to the TPNW negotiating conference, the Open-ended Working Group on taking forward multilateral nuclear disarmament negotiations, marked the genesis of the shift away from consensus in the nuclear field. In mandating the body, the General Assembly called upon the participating States "to make their best endeavours to reach general agreement" (70/33) with no requirement for consensus decisions. Its rules of procedure state, "The Conference shall make its best endeavours to ensure that the work of the Conference is accomplished by consensus." See [A/CONF.229/2017/5](#), rules 33–35 ("Decision-making") and rule 33 ("Consensus").

formal rules or established practice. This has been evident in the meetings of States parties to the TPNW. In the three Meetings of States Parties held since the Treaty's adoption, all decisions have been adopted by consensus, even though the rules of procedure permit voting.¹⁹ Negotiations on the rules of procedure for the first Meeting of States Parties were contentious: some States sought to avoid any situation in which a single State could block outcomes, while others strongly preferred to retain an option that would effectively allow a veto. The adopted rules provide that if the President determines that all efforts to reach consensus have been exhausted — or to ensure that a decision can be reached before the end of the session — decisions on matters of substance may be taken by a two-thirds majority of the States parties present and voting. This approach broadly mirrors NPT practice, but without the waiting period.

Although TPNW States parties are often considered broadly like-minded, differences remain — for example, on the proposal for a victims' assistance trust fund. Even so, consensus continues to be the preferred approach and the standard towards which States parties generally strive. Nonetheless, the negotiation and adoption of the TPNW — criticized by the nuclear-weapon and nuclear-aligned States as lacking practicality — marked a significant turning point, both in relation to consensus decision-making and in the empowerment of non-nuclear-weapon States within the wider nuclear disarmament debate.

¹⁹ [TPNW/MSP/2025/11](#), [TPNW/MSP/2023/14](#) and [TPNW/MSP/2022/6](#).

Conventional weapons, including ammunition

Multilateral negotiations on conventional weapons differ from the nuclear field in one fundamental respect: all States possess conventional weapons and ammunition of various types. As a result, there is no inherent hierarchy comparable to that between nuclear-weapon and non-nuclear-weapon States, even if related discussions sometimes refer to “militarily significant” or “militarily advanced” States.

Across conventional weapons discussions, consensus decision-making remains central, reflecting a rationale similar to that in nuclear disarmament: in matters of international security, consensus is often viewed as necessary to confer legitimacy and ensure buy-in. While regulation is frequently the objective, States have also pursued the prohibition of certain conventional weapons based on their inhumane or indiscriminate effects.²⁰

The Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects is an instructive example. Like the NPT, its rules of procedure for follow-up meetings allow voting, yet voting was not used for many years.²¹ In 2018, however,

²⁰ The Convention on Prohibitions and Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, through specific protocols, prohibits the use of any weapon designed to injure by fragments which cannot be detected in the human body by X-rays ([Protocol I](#)); non-detectable anti-personnel mines and their transfer, and non-self-destructing and non-self-deactivating mines outside fenced, monitored and marked areas ([Amended Protocol II](#)); weapons primarily designed to set fire to objects or cause burn injuries against civilians ([Protocol III](#)); and the use and transfer of laser weapons designed to cause permanent blindness ([Protocol IV](#)).

²¹ The rules of procedure of the 2001 United Nations Conference (A/CONF.192/16), negotiated and later adopted by the Programme of Action follow-up

sharp divergences over the inclusion of ammunition broke the long-standing practice of consensus and introduced a precedent for voting, although States subsequently returned to consensus adoption of outcome documents.

In 2001, the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, initially envisaged as negotiating a legally binding instrument, adopted by consensus a political framework comprising normative commitments at national, regional and global levels. At the first Review Conference in 2006, disagreement over language related to civilian possession of small arms and light weapons and transfers to non-State actors prevented the adoption of an outcome document. Even then, the option of voting was not pursued.

After the second Review Conference adopted a substantive outcome document in 2012, States again faced difficult negotiations in 2018, culminating in a “unanimous vote” on the document as a whole.²² Explicit references to small-arms ammunition — and, to a lesser extent, provisions concerning unauthorized recipients and terrorists — were among the contentious issues. Because two States objected to the paragraphs referencing ammunition, those paragraphs were put to a vote, marking a departure from the long-held practice of consensus decision-

making on substantive matters under the Programme of Action. Although the outcome document was ultimately adopted as a whole by a unanimous recorded vote, with 98 votes in favour to none against, the fact that contested paragraphs were put to a vote meant it was not adopted by consensus in the strictest sense.²³

Similar dynamics emerged in the Arms Trade Treaty process. Although negotiations took place under procedures requiring consensus, States ultimately adopted the Treaty through a vote in the General Assembly after consensus proved unattainable.²⁴ Decision-making procedures were a point of contention from the outset, with many States insisting that substantive decisions be taken by consensus.

States first convened to negotiate the Treaty in July 2012 and reconvened in March 2013 but were unable to agree on a final text by consensus. At the final diplomatic conference, three States²⁵ lodged formal objections, prompting debate over whether overwhelming support could be interpreted as “consensus” despite explicit opposition by a small number of delegations. Some States strongly rejected that interpretation. The President ruled that consensus had not been achieved and that the Treaty could therefore not be adopted in that form. Supporters subsequently brought the text to the General Assembly plenary, where it was adopted by vote.

mechanism, outlined a tiered voting approach differentiating between decisions of substance and procedure (rule 35). This standard has subsequently been applied to all follow-up meetings, including biennial meetings of States and review conferences.

22 During the final stages of negotiations, one State objected to the President’s request that the Conference adopt the outcome “by consensus”, although a vote was not explicitly called. Eventually, Mozambique, supported by several other States, called for a vote on the document as a whole (98-0-0). Prior to action on the document as a whole, the United States requested votes on two paragraphs containing references to ammunition.

23 [A/CONF.192/2018/RC/3](#).

24 The General Assembly adopted the Arms Trade Treaty on 2 April 2013 by 154 votes in favour to 3 votes against, with 23 abstentions. After the official vote, the delegation of Angola (which had abstained) and Cape Verde (which had not voted) informed the secretariat of the negotiating conference that they had intended to vote in favour of the resolution. Accordingly, 156 States voted in favour of the resolution ([67/234 B](#)), 3 voted against it, and 22 abstained from voting. See [A/67/PV.71](#).

25 Democratic People’s Republic of Korea, Islamic Republic of Iran and Syrian Arab Republic.



Quote 6

Dissociating from the outcome to maintain opposition

[T]he Russian side was forced to ultimately distance itself from the outcomes of the [Open-ended Working Group] activities and abstain from adopting the United Nations General Assembly resolution 78/47 establishing the above-mentioned mechanism. In this context, we would like to remind once again that the Russian Federation does not consider itself bound by any political or, even more so, legal obligations in connection with the adoption of the Global Framework and does not intend to comply with its provisions, including the reports' submission.

Statement by the Russian Federation,
Preparatory Meeting of States on the Global Framework for Through-life Conventional Ammunition Management, 23–27 June 2025

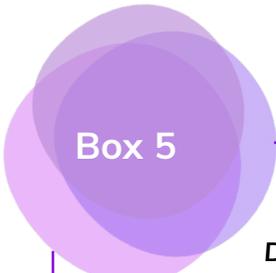
At the first Conference of States Parties to the Arms Trade Treaty, held in Cancún in August 2015, States parties debated rules of procedure that were ultimately adopted by consensus. The discussions revealed divergent views on whether consensus should be treated as an absolute or whether a voting fallback should exist. Many delegations expressed concern about the unsuccessful attempts at consensus decision-making during the treaty negotiations. Under the adopted rules, States would strive for consensus on matters of substance and those with financial implications, but if all efforts fail, decisions could be taken by a two-thirds majority of States parties present and voting. For procedural matters, the rules similarly prioritize consensus but allow

decisions by a simple majority if consensus cannot be reached.²⁶

Although not subsidiary to the General Assembly, the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) is also illustrative. Its consensus-based decision-making has facilitated participation by a wide range of States, including those sometimes characterized as militarily significant, but it has also made substantive progress difficult. For example, discussions on lethal autonomous weapons systems within the CCW Group of Governmental Experts have included engagement by States sceptical of the need for new international rules.

At the same time, the difficulties of consensus and the CCW's careful balancing of military and humanitarian considerations have contributed to the pursuit of arms control instruments outside the United Nations, including prohibitions on cluster munitions and anti-personnel landmines. Delays in advancing a CCW protocol on cluster munitions helped catalyse a group of like-minded States and the launch of the Oslo Process (see box 5). Similarly, when the first Review Conference of the CCW, in 1980, failed to reach consensus on comprehensive measures addressing anti-personnel landmines, Canada announced that it would host the

²⁶ [ATT/CSP1/CONF/1](#).



Box 5

Diplomatic Conference on an International Total Ban on Anti-Personnel Land Mines (Oslo Diplomatic Conference)

The Diplomatic Conference, which was convened by Norway, opened on 1 September 1997. The host country announced the draft Rules of Procedure at the end of the Brussels Conference (the follow-up to the 1996 Ottawa Conference). Modelled on those used in the negotiation of the 1977 Protocols additional to the Geneva Conventions of 12 August 1949, they provided for resolution of issues by a two-thirds majority vote in cases where consensus proved impossible.

International Strategy Conference “Towards a Global Ban on Anti-personnel Mines”, helping set the stage for what became the Ottawa Process.

More recently, negotiations on the Global Framework for Through-life Conventional Ammunition Management demonstrated novel approaches to protecting progress in the face of opposition by a very small number of States. The Russian Federation and Belarus dissociated themselves from the Global Framework and the recommendations of its Open-ended Working Group, arguing that the outcome document was insufficiently balanced and did not adequately reflect their

priorities — particularly regarding the characterization of the Global Framework as a mutual understanding on guiding principles and voluntary guidelines.²⁷ The Russian Federation also objected to references to non-universal instruments and to gender considerations (see quote 6). An initial Russian proposal to record in the procedural report that there was no consensus on the outcome document met strong opposition and was ultimately withdrawn after lengthy negotiations. The procedural report, therefore, stated that the Working Group adopted its final report “without a vote” rather than “by consensus”.

²⁷ See [A/78/111](#), para. 23.

Conclusions, recommendations and the way forward

THE NORM OF CONSENSUS DECISION-MAKING IN multilateral disarmament is well established, even though the rules for applying consensus have varied and evolved across forums, processes and types of decisions.²⁸ In practice, consensus is often treated as the default approach even where rules provide for voting. Consensus-based outcomes are therefore likely to remain a defining feature of multilateral disarmament negotiations, insofar as they are widely viewed as conferring legitimacy and universality. Despite innovations in how consensus has been interpreted and applied across disarmament and arms control processes, the principle can be expected to endure. The prevailing view that international security questions require consensus is likely to persist, given that such matters strike at the core of State security.

At the same time, the tendency to treat consensus as de facto veto power has encouraged the pursuit of creative and adaptable alternatives rather than a strict, uniform application of the norm. In this regard, it is worth considering how the specific context of each process and

subject area may warrant greater nuance in how consensus is understood and operationalized.²⁹

What, then, can be done to support meaningful and inclusive disarmament outcomes when the consensus principle remains fundamental to multilateral disarmament negotiations?

- **Treating consensus as a binary, zero-sum proposition has been a hindrance to substantive progress.** It is therefore critical to create space for States to reflect on how consensus has evolved and been implemented over time across different issue areas, taking into account both its benefits and challenges. The elasticity of the norm can be a strength, and States should continue to support and explore its evolution through dedicated discussions of the disarmament machinery, as well as through forum-specific exchanges. In the current period of heightened strain on multilateralism, it is also important to recognize consensus as a practical instrument for bridging

²⁸ The United Nations Atomic Energy Commission, established by General Assembly resolution [1\(\)](#), took decisions by majority. The original Disarmament Commission, established by resolution [502](#), operated under rules of procedure developed by the Commission. See United Nations, Department of Political and Security Council Affairs, *The United Nations and Disarmament 1945–1970* (New York: United Nations, 1970) (United Nations publication, Sales No. 70.IX.1).

²⁹ More flexible decision-making procedures could plausibly enable broad endorsement of instruments addressing certain international humanitarian law-related norms. By contrast, measures addressing the possession of nuclear weapons necessarily require the engagement and consent of the States concerned, without which adherence is likely to be limited in practice.

established approaches and emerging expectations.

- **Given the particular importance that many States attach to consensus on matters of direct relevance to national security, States could consider whether consensus should apply equally to substantive and procedural decisions, insofar as these can be meaningfully distinguished.** In some cases, applying consensus only to substantive outcomes may be an option worthy of attention. States might also consider differentiating between “tiers” of substance — for example, requiring consensus for outcomes that entail tangible national implementation, while allowing a lower threshold for political declarations or similar instruments. Such approaches are particularly relevant where procedural differences are used to block the commencement

of substantive discussions altogether. Similarly, where dissociation is contemplated, it may be useful to distinguish between elements that are fundamental to the subject matter at hand and those more tangential in nature.

- **While consensus outcomes may carry heightened legitimacy, outcomes with broad majority support should also be viewed positively and, in some cases, may be worth pursuing — particularly where the price of consensus is a “lowest common denominator” result.** This dynamic is often reflected in majority-adopted General Assembly resolutions that attract negative votes from only a small number of States. In assessing overall support for a proposal, the level and pattern of abstention should also be considered.



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