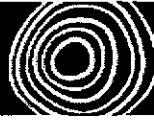


DANISH PRESIDENCY OF
THE EUROPEAN UNION

eu2002.dk



PRESIDENCE DANOISE DE
L'UNION EUROPEENNE

**FIFTY-SEVENTH SESSION OF THE
GENERAL ASSEMBLY**

FIRST COMMITTEE

GENERAL DEBATE

**Statement by
H.E. Ambassador Erling Harild Nielsen
on behalf of the European Union**

**NEW YORK
September 30, 2002**

Check against delivery

Mr Chairman,

Allow me to congratulate you most sincerely on your election as Chairman of the First Committee. I am confident that you will guide us through the committee's work in an excellent way. I wish to assure you of our wholehearted support in the discharge of your important responsibilities.

I have the honour to speak on behalf of the European Union. The Central and Eastern Europe countries associated with the European Union - Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia - and the associated countries Cyprus and Malta have expressed their wish to align themselves with the statement I am about to give.

As I speak, more than a year has now passed since the horrific terrorist attacks against the United States of America of September the 11th 2001. Thousands of innocent people became victims of terrorism and many died in a selfless and heroic effort to save the lives of others. It is with deep sorrow that we remember that tragic day. Our thoughts go to the bereaved families and friends in the United States and throughout the world who were stricken by the violence unleashed a year ago.

The security and stability of the international community is being challenged, both globally and regionally, by the risks brought about by the proliferation of weapons of mass destruction and their means of delivery. The terrorist attacks of September 11 have given an even greater sense of urgency to the common efforts required from all states to prevent these weapons and their means of delivery from reaching the hands of terrorist groups.

The EU responded quickly to the challenge of international terrorism. On 21 September 2001, the Extraordinary European Council adopted conclusions and a plan of action in order to give the necessary impetus to the EU's actions to combat terrorism. On 10 December the EU Council of Ministers launched a Targeted Initiative within the field of non-proliferation, disarmament and arms control to counter the threat of terrorism. To add further substance and direction to the Initiative the Council of Ministers adopted a list of concrete measures in April 2002. This list identifies four areas of action: a review and strengthening of relevant multilateral instruments in the field of non-proliferation, disarmament and export control; full implementation of export controls; international co-operation in the field of protection and assistance against the use or threat of use of chemical and biological weapons; and enhanced political dialogue with third countries in the field of non-proliferation, disarmament and arms control.

Mr Chairman,

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remains the cornerstone of the global non-proliferation regime and the essential founda-

tion for the pursuit of nuclear disarmament. The EU supports wholeheartedly the objectives laid down in the Treaty and is committed to the effective implementation of the Final Document of the 2000 NPT Review Conference and of the decisions and the resolution adopted at the 1995 NPT Review and Extension Conference. The EU welcomes the work of the 1st Preparatory Meeting held in New York in April 2002 and calls on all States to make a success of the preparatory meetings leading up to the Review Conference in 2005. The preparatory work should be a balanced exercise, paying due attention to all aspects of the Treaty's implementation: nuclear non-proliferation, disarmament as well as peaceful uses of nuclear energy.

The Union welcomes the announcement of the signature by the United States and the Federation of Russia of a new treaty on the reduction of their strategic nuclear arsenals. In this context, the principles of irreversibility and transparency remain important. This treaty is a step forward and a positive contribution to the efforts of the international community in the field of disarmament and non-proliferation. The EU hopes that it will be followed by other initiatives to strengthen international security and stability.

The European Union continues to attach special importance to achieving universal adherence to the NPT. The EU therefore welcomes the recent announcement by Cuba that it intends to accede to the NPT as a non-nuclear weapon state and calls upon those States not yet parties to the NPT to accede as non-nuclear weapons states.

Mr Chairman,

The importance and urgency of continuing the signing and ratification process of the Comprehensive Nuclear Test Ban Treaty (CTBT) in order to enable its entry into force as soon as possible as was underlined in the Final Document of the 2000 NPT Review Conference. The Union wishes to reiterate that it spares no efforts in promoting the early entry into force of the Treaty and universal accession to it. It is with this in mind that the Union expresses its full support for the rapid establishment and for the operation of the verification regime. To ensure that the resolve of the international community does not weaken, it calls on all those States that have not yet done so to sign and ratify the CTBT, without delay and without conditions, in particular those States whose ratification is required for the Treaty to enter into force.

Mr Chairman,

The negotiation at the Conference on Disarmament of a non-discriminatory and universal Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT) constitutes an essential stage in nuclear non-proliferation and disarmament. The European Union regrets that a consensus has not yet been reached in the Conference on Disarmament in order to launch the negotiation with the mandate approved in 1995 and in 1998. We reiterate our call to the members of the CD to make every effort to attain the objective as soon as possible. The EU has

stated that the "Amorim proposal" contains elements for a rapid agreement if all CD members display a spirit of openness and pragmatism. In this respect, the Union restates its view that the work of the CD's subsidiary bodies should begin without delay on the basis of mandates which are sufficiently pragmatic and broad to be the subject of an agreement and cover the FMCT, nuclear disarmament and the prevention of the arms race in outer space.

It is regrettable that the CD has now finished its fourth consecutive year without consensus on a work programme. The EU, however, welcomes that new and creative ideas for a work programme have been put forward during this years' sessions of the CD, including a cross-group effort and other efforts by EU Member States to develop a work programme. The EU hopes such initiatives will receive constructive attention from all the CD delegations in the coming months – hopefully enabling us to start substantive work in the CD from the outset of the first session of 2003.

Furthermore, the European Union would like to recall its attachment to the follow-up of the enlargement process of the CD that is the only multilateral negotiating forum for disarmament and arms control. The follow-up on this process is of great importance in particular to those members of the European Union that are not yet members of the Conference as well as the associated countries with the Union which have submitted their request for admission to this Conference.

Mr Chairman,

The IAEA's international safeguards system is the fundamental pillar of the global nuclear non-proliferation regime. We share the concerns of the IAEA and regret that 48 States Parties to the NPT have not yet entered into comprehensive safeguards agreements with the IAEA. We call upon those States to fulfil their obligations in accordance with Article III of the Treaty and to conclude comprehensive safeguards agreements as a matter of urgency.

The EU considers Additional Protocols to be an integral part of the IAEA safeguards system. The Union accords a high priority to the implementation of an Additional Protocol by all concerned states. We therefore urge concerned states to conclude and implement an Additional Protocol as soon as possible. All Member States of the EU have committed themselves to enter their Additional Protocols into force simultaneously and we aim to do so as soon as possible.

The EU wishes to recall its concern regarding the continued existence of un-safeguarded nuclear facilities and material in States not parties to the NPT or equivalent treaties. The EU appeals to all States not party to the NPT to place all their nuclear activities under IAEA-safeguards.

The European Union believes that the creation of internationally recognised nuclear-weapon-free-zones, based on arrangements freely concluded be-

tween the States of the region, strengthens regional and global peace and security. We welcome and support signature and ratification by the nuclear weapons States of the relevant Protocols of nuclear weapons free zones and look forward to the entry into force of the African nuclear-weapon-free zone treaty at an early date.

Mr Chairman,

In the same context, we repeat our appeal to the countries of South Asia to make every effort to prevent an arms race in the region. We continue to urge India and Pakistan to cooperate in the efforts of the international community to strengthen the non-proliferation and disarmament regime. We repeat our call for them to implement the specific measures set out in United Nations Security Council Resolution 1172, in particular acceding to the NPT and the signing and ratification of the CTBT. Both countries have declared moratoria on nuclear testing and willingness to participate in the negotiation of a FMCT. We call on them to take all necessary measures towards fulfilling their stated intention.

While we note with interest the commitment made by the Democratic Peoples Republic of Korea at Pyongyang on 17 September that it would comply with all related international agreements in the nuclear field, we remain seriously concerned by its continuing failure to implement fully its binding safeguards agreement with the IAEA. We deplore the lack of tangible progress made on important verification issues over the past year. The EU urges the DPRK to work with the IAEA to implement the specific verification steps proposed last year without further delay and in full compliance with its safeguards agreement. The European Union repeats its appeal to the DPRK to sign and ratify unconditionally the CTBT without delay. Finally, the European Union also notes with interest the DPRK's stated intention of continuing its moratorium on missiles and expresses its concern with regard to DPRK exports of missiles and missile technology.

The EU remains committed to the full implementation of the UN Security Council Resolutions on the Middle East and the 1995 Review and Extension Conference of the NPT. We continue to support efforts to establish an effectively verifiable Middle East zone free of weapons of mass destruction and their delivery systems. Furthermore, we call on all States in the region that have not done so to conclude a comprehensive safeguards agreement with the IAEA, to negotiate such agreements and bring them into force as soon as possible. The European Union believes that the accession of all States in the region to the conventions banning chemical and biological weapons and to the NPT would make an essential and extremely significant contribution to peace and to regional and global security.

Mr Chairman,

It remains a matter of major concern to the EU, that three and a half years have passed since the IAEA has been able to implement its mandate in Iraq under relevant UN Security Council resolutions, and that the Agency re-

mains unable to provide any assurances regarding Iraq's compliance with its obligations under those resolutions. We note with interest that Iraq's Foreign Minister in a letter of 16 September 2002 to the United Nations Secretary General announced the decision of the Iraqi Government to let the weapons inspectors return to Iraq. The EU strongly urges Iraq without conditions to implement in full and without any delays all relevant Security Council resolutions, and to enable the IAEA and the UN Monitoring and Verification Commission (UNMOVIC) to carry out its mandate in Iraq.

Mr. Chairman,

The European Union is deeply concerned about the growing proliferation of ballistic missiles capable of carrying weapons of mass destruction. The EU sees an urgent need for the development of globally accepted norms and practices in support of ballistic missile non-proliferation. The International Code of Conduct against the proliferation of ballistic missiles will be an important first step towards the integration of ballistic missiles in the multilateral non-proliferation and disarmament regime. The Code also confirms the commitment by Subscribing States to the United Nations Declaration on International co-operation in the exploration and use of outer space for the benefit and in the interest of all states. The EU is prepared to work together with other Subscribing States to further develop the Code.

The European Union has supported from the very beginning, the drafting of an international code. The EU is aware that the Code is not the only missile initiative around. It was never meant to be. The EU would welcome increased UN involvement in the missile issue. We therefore welcome the conclusion of the UN Panel of Governmental Experts on Missiles that – quote – it is essential to have continued international efforts to deal with the issue of missiles – unquote. It is, however, also important to achieve quick results of a truly substantive nature. We think that the ICOC is the most concrete and advanced initiative in this field. The European Union urges all States to attend the ICOC launching conference in the Hague on 25- 26 November 2002 and join the Code.

Mr Chairman,

The European Union considers the Chemical Weapons Convention (CWC) a unique instrument for a complete ban on chemical weapons and for their destruction under international verification. The European Union has carried out demarches to promote universal adherence to the States that have yet to sign and ratify the Convention.

The European Union also recalls the importance of Articles IV and V of the Convention, obliging relevant States to destroy 100% of their chemical weapons and their chemical weapons production facilities not later than ten years after the entry into force of the Convention. The European Union calls on all the States Parties concerned to do everything to ensure compliance with the prescribed deadlines. We are fully aware of the application by the Russian Federation of a revised delayed draft plan for destruction of its

chemical weapons. The European Union stresses the importance of ensuring that the OPCW and all member states be provided with the relevant information to allow decisions on such new deadlines.

Mr Chairman,

The Biological and Toxin Weapons Convention represents a key instrument to prevent biological agents or toxins from being used as weapons. The total ban on such weapons of mass destruction becomes especially important in the light of their actual use for terrorist purposes over the last year. The European Union attaches high priority to the strengthening of the Convention and a successful outcome of the Fifth Review Conference when it resumes in November of this year. Member States of the EU have considered the issue of national compliance and legislative and regulatory implementation measures and support proposals to strengthen such measures. The Union has presented proposals to this effect as well as on confidence building on non-compliance clarification and investigation during the first part of the Fifth Review Conference in November of 2001. The European Union believes that such proposals could be agreed for a follow-up process to strengthen the BTWC when the Review Conference resumes in November of this year. The Union is consulting with States Parties for a consensus along these lines at the Review Conference and encourages other States Parties to take a similar approach.

Mr Chairman,

September 11 has highlighted the importance of effective export control measures. The European Union finds it essential that all exporting states assume their responsibilities and take measures to ensure that exports of sensitive materials, equipment and technologies are subject to appropriate surveillance and control. Export controls ensure that transfers take place for peaceful purposes as required by the relevant conventions and treaties facilitating also co-operation and technological development.

In this context The European Union supports the efforts of the Nuclear Suppliers Group, the Australia Group, the Missile Technology Control Regime and the Wassenaar Arrangement, of which all European member states are members - to prevent the proliferation of weapons of mass destruction and their means of delivery and - in the case of the Wassenaar Arrangement - to promote transparency and greater responsibility in transfer of conventional arms and dual-use goods and technologies.

Mr Chairman,

The European Union played an active part in the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects as well as in the elaboration of the UN Programme of Action, in the

negotiations on the UN Firearms Protocol and in the adoption of the OSCE document on small arms and light weapons.

The European Union stresses the need for a prompt implementation of the UN Programme of Action to combat illicit trade in small arms and light weapons. The European Union had hoped for a stronger Programme of Action on certain points. Therefore, the European Union is committed to an effective, ambitious and continuous follow-up process leading through the 2003 and 2005 Conferences to the next Review Conference in 2006. The 2003 Conference will be the first occasion to take stock of the progress, or the lack thereof, in the implementation of the Programme of Action. However, taking stock must be a dynamic process in which there is room for making proposals for strengthening and developing the measures contained in the Programme of Action. Only by using the two bi-annual conferences and the time between them will we be able to prepare appropriately for a successful 2006 Review Conference.

The European Union Joint Action on small arms and light weapons constitutes the overall framework of the EU policy within this field. The EU Joint Action stipulates a set of principles and measures that the EU will pursue in relevant international fora and in a regional context and contains provisions of technical and financial assistance. In July 2002, its scope of application was extended to include ammunition. The EU intends to carry on its support in aid of affected states aiming at inter alia collection and destruction of small arms and light weapons.

Information on the implementation of the EU Joint Action can be found in the second annual report that will soon be published. The report gives an overview of the EU and its Member States' efforts but does also contain reflection on the priorities for future assistance by the European Union.

Mr Chairman,

Responsibility in arms transfer policies is essential in addressing the small arms problem. The Code of Conduct on Arms Exports, approved by the EU Council on 8 June 1998, establishes criteria for conventional arms transfers and provides for consultation procedures to promote convergence of national arms export policies.

The European Union each year publishes a report on the application of the Code by Member States. This year's report will be marked by increased transparency through better and more comprehensive statistical data and a compendium of agreed practices related to the Code. Among the items covered are exports of equipment for humanitarian purposes, control of arms brokering activities, requirements of end-user certificates, transit and the production of military goods under licence.

Mr Chairman,

The European Union underlines the importance of the UN Register of Conventional Arms, which this year has its 10th anniversary, not only as a global confidence-building measure to support stability and security, but also as a measure encouraging regional efforts aimed at greater transparency. The value of the Register will be increased by as large a participation as possible. The Union reiterates its call on all States to submit timely returns of their imports and exports to the Register, including, to further increase transparency and strengthen the value of the Register, information on military holdings and procurement through national production. The EU also reiterates its support for an expanded Register, for its scope to be extended as quickly as possible and for its universalisation.

Mr Chairman,

Ratification or accession of almost 130 states to the Ottawa Convention on the prohibition of anti-personnel mines leaves no doubt that an international norm has been established that can no longer be ignored. The European Union remains strongly committed to promote a global eradication of anti-personnel mines and will continue to campaign for a universal and swift application of the Convention. The EU urges non-signatories to accede to the Convention without delay. Among them, some of the biggest and most populated countries in the world within which huge stocks of antipersonnel mines are still stored. Furthermore, the European Union calls upon non-state actors as well to abide by the principles of the Convention and comply with them.

The Convention lay down strict time limits for the destruction of stocks and the clearance of mined areas. Even though the Convention gives some degree of flexibility, we must all do our utmost to achieve the objectives within the set deadlines of the Convention. Compliance with the Convention and humanitarian mine activities are mutually reinforcing. In this regard, the European Union will work for a strengthening of international coordination and cooperation within humanitarian mine action as a whole.

The European Union will, although moved primarily by humanitarian concerns, give priority to directing its aid towards those States Parties that put the Convention's principles and objectives into practice. Apart from some exemptions in the Convention, the European Union regards the use, stockpiling, production and transfer of anti-personnel mines, whatever the context or reasons, as banned by the Convention. By pledging a total of EUR 240 million in support of mine action for the period 2002-2009, the European Union stands ready to contribute to the anti-personnel mine efforts.

Mr Chairman,

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 an important instrument. During the Second Review Conference last year, the States Parties were able to agree upon several important steps. The most important of these steps was of

course the extension of the Convention's scope of application to cover not only international armed conflicts but also conflicts not of an international character. The EU is highly satisfied with this achievement. In our opinion it is therefore of utmost importance, that all States Parties adhere to the Amended Article 1, as soon as possible.

Another achievement was the establishment of a Group of Governmental Experts to consider further measures to address the issues of "Explosive Remnants of War" and "Mines Other than Anti-personnel Mines" and "Options to promote Compliance with the CCW".

On the substance, a number of proposals and ideas have already been formulated throughout the meetings of the Group this year. These ideas will have to be examined at the Meeting of the States Parties to the CCW in December 2002.

The EU is particularly concerned by the serious problems caused by the "explosive remnants of war" and the humanitarian and social consequences of the presence of unexploded ordnance. It is therefore the strong wish of the EU that the Group of Governmental Experts on ERW would soon be able to start negotiating a legally binding instrument.

Furthermore, the EU remains concerned about the serious humanitarian problems caused by the irresponsible use of anti-vehicle (AV) mines as well as the use of sensitive types of AV mines for which appropriate measures should be considered in order to reduce the risks these types of weapons might pose to civilians. The EU supports the development of a legally binding instrument that should include provisions of detectability and technological improvements of remotely delivered AV mines.

Mr Chairman,

The European Union urges the Nations not to relax their efforts to achieve the fundamental objectives of disarmament and non-proliferation. The multilateral efforts must continue, indeed they must be stepped up. The European Union trusts that this session of the First Committee will contribute to that goal in accordance with the Organisation's mission: the consolidation of peace and security through international co-operation.

Thank you, Mr Chairman