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**United Nations General Assembly
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First Committee**

**Statement by
H.E. Ambassador Chris Sanders, the Netherlands,
on behalf of
the European Union**

Cluster: Other Weapons of Mass Destruction

New York, 19 October 2004

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First Committee (UNGA59)
Cluster: Other Weapons of Mass Destruction

Mr Chairman,

It is the honour to take the floor on behalf of the European Union. The candidate countries Bulgaria, Romania, Turkey and Croatia*, the countries of the Stabilisation and Association Process and potential candidates Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia and Serbia and Montenegro, as well as the EFTA countries Iceland and Norway, members of the European Economic Area, align themselves with this statement regarding the Chemical Weapons Convention (CWC), the Biological and Toxin Weapons Convention (BTWC) and the issue of ballistic missiles, including the Hague Code of Conduct against the Proliferation of Ballistic Missiles.

(CWC and BTWC)

Mr Chairman,

1. The EU is of the opinion that the CWC is a unique disarmament and non-proliferation instrument, the strict application of which must be fully guaranteed. The BTWC is the cornerstone of our efforts to prevent biological agents and toxins from being developed as weapons. The EU supports and promotes wholeheartedly the universal adherence to and the implementation of the objectives laid down in these Treaties. It is equally supportive of the organisation that is facilitating the implementation of and ensuring compliance with the CWC, the Organisation for the Prohibition of Chemical Weapons (OPCW).
2. In strong support of the goal of universality the EU has carried out within the framework of its common position demarches to most states not party to these treaties, and we welcome those states that have recently become a State Party to the CWC and BTWC, including some of its near neighbors. The threat of possible use of chemical and biological weapons by non-state actors has become real. These treaties, if universally adopted and fully implemented and complied with can play an important role in countering this threat. The EU will therefore continue to stress the importance of these treaties in its relations with third countries.

(CWC)

Mr Chairman,

3. In the European Union's Strategy against the Proliferation of Weapons of Mass Destruction, adopted in December 2003, we have identified a number of concrete actions in support of promoting and reinforcing the CWC and the BTWC. The EU is now in the course of implementing this strategy, and I would like to mention a few concrete actions taken so far.

* Croatia continues to be part of the Stabilisation and Association Process

4. The EU is finalising a Joint Action with the OPCW, that would allow for financial support to CWC programmes in the area of universality, national implementation as well as international cooperation in the field of chemical activities. The EU will also consider - within the framework of its CTR-efforts - giving support to OPCW States Parties facing administrative or financial difficulties in their implementation of the Chemical Weapons Convention.

5. The Strategy against the proliferation of weapons of mass destruction underlines the importance of the challenge inspection mechanism in the context of the CWC. The EU is promoting the instrument of challenge inspections in the framework of the Chemical Weapons Convention and beyond. A few months ago, Austria organised and hosted an EU-seminar on challenge inspections which concluded in an EU Action Plan on this subject which will further raise the overall awareness of the procedural and practical issues surrounding challenge inspections. The EU believes that the Technical Secretariat must be well prepared and equipped to conduct a challenge inspection. This issue is now addressed in the CWC competent bodies as well as in the framework of political dialogue with third States.

(BT ...)

Mr Chairman,

6. In our strategy against the proliferation of WMD the EU has indicated that it will take the lead in efforts to strengthen regulations on trade with material that can be used for the production of biological weapons. The EU will also take the lead in supporting national implementation of the BTWC (e.g. in providing technical assistance). As a follow up of last years Meeting of States Parties the EU will consider giving support to states with administrative or financial difficulties in their national implementation of the BTWC. The EU is considering setting up a roster of legal experts similar to the one set up by OPCW for the Chemical Weapons Convention, to assist countries in the drafting of legislation.

7. Since the BTWC does not contain at present a verification mechanism, the EU will try to find ways to strengthen compliance with the Convention. In this context we fully support the interessional program of work for the years 2003 - 2005 in Geneva. However, the EU remains committed to develop measures to verify compliance with the BTWC and believes it would be an appropriate subject for consideration at the Review Conference with a view to identifying further action. The EU would also welcome further discussion on the proposal to review and update the existing mechanism under the UN Secretary General for investigating cases of alleged use of BW, in suspicious outbreaks of disease which was established on the basis of UNGA Resolution 37C of 1987, and endorsed by the UNGA in 1990 (Resolution 45/57), in order to render this mechanism more operational.

Mr Chairman,

8. In the view of the EU, the two topics that are under consideration of this year's meetings in the context of the BTWC are important elements for strengthening the Convention. The EU would like to express its satisfaction with the comprehensive exchange of information that took place at the expert meeting in July this year. At this meeting EU-member states have made clear their support of the existing verification mechanisms and systems including existing mechanisms for investigations of alleged use. At the meeting EU-member states also made clear their support of the work of the World Health Organisation, the World Organisation for Animal Health (OIE), and the Food and Agricultural Organisation in preventing and monitoring outbreaks of diseases. On a number of issues the EU already works closely together with these organisations. We intend to intensify our co-operation in the future. At the forthcoming Meeting of States Parties, the EU strongly favours a substantive outcome.

(HCOC)

Mr Chairman,

9. In addressing the problem of ballistic missiles capable of delivering weapons of mass destruction, the Hague Code of Conduct against the Proliferation of Ballistic Missiles (HCOC) has since its adoption in November 2002 become an important element of the global non-proliferation regime. [5] countries have now subscribed to the Code and more countries are seriously considering taking this step soon.
10. The EU supports the Hague Code of Conduct, the only normative instrument in the field of ballistic missile proliferation. We remain deeply convinced that the Code of Conduct constitutes the most concrete initiative in the fight against the proliferation of ballistic missiles and offers the best chances of leading to tangible results in the short term. This includes the right of every State to reap the benefits of the peaceful use of space.
11. The HCOC is an initial, though essential step to effectively address the problem of missile proliferation from a multilateral global perspective without precluding other initiatives or, in the longer term, more comprehensive approaches.
12. For the first time in this Committee, support is being sought for tabling a draft resolution on the subject of the Hague Code of Conduct against the Proliferation of Ballistic Missiles. This draft resolution would introduce the HCOC in a transparent way into the wider framework of the United Nations. The EU is committed to promoting a closer relationship between the Code and the UN system. In line with this and EU's global and multilateral approach when dealing with non-proliferation issues, the EU will fully support this draft resolution and all EU Member States will co-sponsor it. The EU calls upon all other delegations to do likewise.

Thank you, Mr Chairman.