

United Nations Disarmament Commission

General exchange of views

Statement on behalf of the European Union

H.E. Mr. Gerhard Pfanzelter
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to the United Nations

New York, 10 April 2006

1. I have the honour to take the floor on behalf of the European Union. [The Acceding Countries Bulgaria and Romania, the Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Serbia and Montenegro, the EFTA countries Iceland and Norway, members of the European Economic Area, as well as Ukraine align themselves with this statement.]

2. Let me start by congratulating you warmly on your election as Chairman of the 2006 UNDC-session as well as all the members of the Bureau. The EU looks forward to working closely with you and we are confident that your able guidance we will lead us to a successful outcome on the two agenda items.

3. The EU welcomes that after several years of inactivity agreement was reached on the agenda for this year's session of the DC. While at the UNDC 2003 plenary meeting it was recognized that disarmament and non-proliferation issues are very critical and essential to peace, security and prosperity of our world, divergence of views impeded the desirable goal to see the UNDC again at work. Our objective is to agree on „Recommendations for achieving the objectives of nuclear disarmament and non-proliferation of nuclear weapons” and „Practical Confidence Building Measures in the Field of Conventional Arms“. In addition the EU is of the opinion that we should also use the opportunity provided for by the UNDC to discuss measures to improve the effectiveness of the UNDC. The EU looks forward to constructive discussions and will do its utmost to achieve consensus on concrete recommendations to the General Assembly.

Mr. Chairman,

4. It is timely for the UNDC to explore possible recommendations for achieving the objectives of nuclear disarmament and non-proliferation of nuclear weapons. Last year we saw the NPT Review Conference end without agreement on any of the substantive issues. The UN-Summit in September adopted a Final Document but failed to agree on language in the area of disarmament on non-proliferation. While the diplomatic events failed to reach consensus, there is broad agreement that the security of the international community is being challenged, both globally and regionally by the proliferation of weapons of mass destruction and their means of delivery and the risk that Non-State actors could gain access to those weapons. New threats have emerged, international terrorism has shown its tragic potentialities and nuclear clandestine activities have come to the surface. The EU recognizes the importance, from the point of view of nuclear disarmament, of the programmes for the destruction and elimination of nuclear weapons and the elimination of fissile material as defined under the G8 World Partnership.

5. It is thus of utmost importance that all existing disarmament and non-proliferation agreements are effectively implemented and fully complied with. The EU believes that the prevention of nuclear proliferation and the pursuit of nuclear disarmament in accordance with Article VI of the NPT are essential for global peace and security. The NPT is the cornerstone of this regime, based on three mutually reinforcing pillars: non-proliferation, disarmament and the peaceful use of nuclear energy. We believe the NPT is as important today as it was when first agreed more than 35 years ago. In order to contribute to preserving the integrity of the NPT the EU will continue to promote all the objectives laid down in the Treaty in a structured and balanced manner as identified in the EU Common Position that we adopted prior to the 2005 Review Conference.

6. We regret that last year's NPT Review Conference was unable to agree a substantive Final Document to address the most pressing challenges to the Treaty. We see this as a missed opportunity, but the Conference did provide an opportunity to discuss practical ways to prevent proliferation of nuclear

* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

weapons, to promote the pursuit of nuclear disarmament and to further develop nuclear energy applications for peaceful purposes. Other issues were raised, including the Resolution on the Middle East, Iran, NSAs, North Korea and the question of the withdrawal from the Treaty. Our conviction, as expressed in the EU's Strategy Against the Proliferation of WMD, is that a multilateral approach to non-proliferation provides the best means of countering this threat to international security. The NPT must not be undermined by State Parties seeking to acquire or contribute directly or indirectly to the proliferation of the nuclear weapons. The EU will continue to work towards universal accession to the NPT, calling on all States not party to the NPT to pledge commitments to non-proliferation and disarmament and calling on those States to become States Parties to the NPT as non nuclear weapon States.

7. The EU continues to support the Decisions and the Resolution adopted at the 1995 Review and Extension Conference and the Final Document of the 2000 NPT Review Conference, and shall bear in mind the current situation. We note also that the final report, which includes the programme of work, adopted by consensus at the 2005 NPT Review Conference, constitutes a reference for the future review process in which the EU will engage on the basis of its Common Position. Let me recall in this context also the proposal that, to contribute to a better operation of the NPT, we should consider holding the first Preparatory Committee meeting, in 2007, in Vienna. The second meeting would be held in Geneva, the third in New York.

8. The Comprehensive Nuclear Test Ban Treaty (CTBT) forms an essential part of the nuclear disarmament and non-proliferation regime. With a view to its entry into force as soon as possible, the EU reiterates its call on States, particularly those listed in Annex II, to sign and ratify the said Treaty without delay and without conditions and, pending its entry into force to abide by a moratorium on nuclear testing and to refrain from any action contrary to the obligations and provisions of the CTBT. In this context, the EU welcomes the Final Declaration of the Conference on the Entry into Force, which took place in September 2005. The EU would also like to highlight the importance of the work of the CTBT Organisation Preparatory Commission and we actively support the Special Representative of the States which have ratified the Treaty in his work promoting universal accession.

Mr. Chairman,

9. The ongoing stalemate in the Conference of Disarmament is a matter of concern. We are convinced that the current threats to peace and security require that this standstill be overcome. The EU is strongly committed to reaching a consensus on a programme of work in the CD and welcomes the fact that new ideas and new proposals have been put forward over the last few years. We appreciate these efforts aimed at promoting consensus for a programme of work and support the efforts of the six Presidencies of the CD this year to that end.

10. The EU appeals again to the Conference on Disarmament for the immediate commencement and early conclusion of a non-discriminatory, universally applicable Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, without pre-conditions, and bearing in mind the special coordinator's report and the mandate included therein and, pending entry into force of the said Treaty, calls on all States to declare and uphold a moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices. The EU welcomes the action of those of the five nuclear-weapon States which have decreed the relevant moratorium. The negotiation at the CD of such an FMCT constitutes a priority for the EU.

Mr. Chairman,

11. The EU supports the pursuit of nuclear disarmament and welcomes the reduction of strategic and non-strategic nuclear weapons and their delivery systems since the end of the Cold War. We stress the need for an overall reduction of the global stockpile of nuclear weapons in accordance with Article VI of

the NPT, in particular those with the largest arsenals. In this context, we recognize the application of the principle of irreversibility to guide all measures in the field of nuclear disarmament and arms control, as a contribution to the maintenance and enforcement of international peace, security and stability, taking these conditions into account. We are pursuing efforts to secure transparency as a voluntary confidence building measure.

12. The EU also highlights the importance of implementation of the declarations made by the Presidents of Russia and the United States of America in 1991 and 1992 on unilateral reductions in their stocks of non-strategic nuclear weapons and calls on all States with non-strategic nuclear weapons to include them in their general arms control and disarmament processes, with a view to their reduction and elimination. The EU recognises the importance, from the point of view of nuclear disarmament, of the programmes for the destruction and elimination of nuclear weapons and the elimination of fissile material as defined under the G8 Global Partnership.

Mr. Chairman,

13. Since security in Europe is linked to security in the Mediterranean, the EU puts particular importance on non-proliferation and disarmament issues in that region and gives top priority to universalisation and ratification of NPT and CTBT.

14. The EU calls on all States in that region to make the Middle East into an effectively verifiable zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, in keeping with the Resolution on the Middle East adopted at the 1995 Review and Extension Conference.

15. The EU acknowledges the importance of the Nuclear Weapon Free Zones (NWFZ), established on the basis of arrangements freely arrived at among states of the regions concerned. They enhance global and regional peace and security. We welcome and support the signature and ratification by the nuclear weapon states of the relevant protocols to the NWFZs following completion of the necessary consultations.

16. The EU pays particular attention to the need to reinforce compliance with the multilateral treaty regime by enhancing the detectability of violations, and strengthening the enforcement of obligations established by this treaty regime. To this end particular emphasis is placed on making best use of existing verification mechanisms and, where necessary, establishing additional verification instruments as well as strengthening the role of the UN Security Council which has the primary responsibility for the maintenance of international peace and security. The EU would like to highlight the IAEA's unique role in verifying States' compliance with their nuclear non-proliferation commitments and helping them, on request, to tighten up the security of nuclear materials and installations. The EU believes the international safeguards system of the IAEA is essential to the verification of the global nuclear non-proliferation regime and to the success of this multilateral system. The EU considers that comprehensive Safeguards Agreements together with Additional Protocols have a deterrent effect on nuclear proliferation and constitute the current IAEA verification standard. We are also of the opinion that these are the essential means for States Parties to demonstrate that they are fulfilling their obligations under Article III of the NPT. The EU would therefore like to reiterate its call for universal accession to the Comprehensive Safeguards Agreements and Additional Protocols. EU Member States are also working towards making the Additional Protocol a condition of supply for nuclear exports.

17. The European Union is committed to strong national and internationally co-ordinated export controls to complement our obligations under the NPT, supports the strengthening of the Nuclear Supplier Group guidelines and urges the NSG and Zangger Committee to share their experience on export controls to meet new non-proliferation challenges.

18. UNSCR resolution 1540 plays a crucial role in developing an effective mechanism of prevention and counter proliferation of WMD, their means of production and delivery to or from states and non-state actors world-wide. The resolution calls, inter alia, upon all states, in accordance with their national legal authorities and legislation and consistent with international law, to take co-operative action to prevent illicit trafficking in nuclear, chemical, or biological weapons, their means of delivery and related materials. We urge States to continue this vital work. The EU is willing to offer its assistance in implementing the provisions of the Resolution. We are ready to provide assistance in building legal and administrative infrastructure, sharing our experience of implementation and training respective national authorities.

19. The EU supports the Proliferation Security Initiative (Krakow Initiative) and the Global Threat Reduction Initiative and encourages States to participate in them. We emphasise the importance of the security of nuclear materials and installations and call on all States to ensure that effective arrangements for protection are in place. We therefore warmly welcome the successful outcome of the Conference in July 2005 to amend the CPPNM and urge all parties to ensure that the amendment to the Convention enters into force as soon as possible. In addition, we call upon all States that have not yet done so to adhere to the CPPNM, and its amendment and, until such time as the amendment has entered into force, for all states to act in accordance with the object and purpose of the amendment.

Mr. Chairman,

20. More broadly the European Union stresses the need for general disarmament.

Mr. Chairman,

21. This year the UN Disarmament Commission will also continue to work on “practical Confidence-Building Measures in the field of conventional arms”. We believe that the „Chairman’s perception paper“ of the 2003-session constitutes a good basis to build upon and learn from previous problems. The goal of CBMs in the field of conventional arms is to strengthen international peace and security, improve relations among States and to contribute to the prevention of war. The EU hopes that this session will bring about fruitful discussions leading to concrete and comprehensive recommendations in this field designed to make progress in strengthening confidence and security and in achieving disarmament. The UNDC can usefully contribute by the preparation of a list of CBMs. In this context, the EU welcomes the paper put forward by the Chairman of the second Working Group in 2003, which includes principles as well as practical measures.

22. CBMs are valuable tools in conflict prevention as well as in post-conflict stabilization and rehabilitation, but should not be regarded as a substitute or neither a precondition for disarmament measures nor divert attention from them. In both situations the essential task of arms control is the creation of a positive process, where measures implemented can create confidence and security through transparency and predictability. The confidence building process would be facilitated by good governance and the rule of law, particularly by arms transparency, openness and cooperation in military matters. CBMs should also fully respect the purposes and principles of the UN- Charter.

23. The EU supports and actively promotes the adoption of CBMs when there is a need for a step by step building of trust and an establishment of new patterns of interaction. In times of increased tension, openness and predictability are more important than ever. This implies, inter alia, verification regimes that ensure the reliability of the information provided.

24. Consideration could also be given to the establishment, on a voluntary basis, of regional, sub-regional or bilateral CBMs to meet specific needs. They could complement existing CBMs or arms control agreements, and they should contribute to strengthening overall security and stability. At global level,

States should actively improve the effectiveness of the UN-Register of Conventional Arms as well as the standardized system on reporting on military expenditures.

25. The OSCE area is a prime example of where CBMs have contributed to a new pattern of interaction. The discussions in 2003 showed no controversy. The role of the OSCE was recognized as an example of contribution to the building of security and stability on a number of geographical areas. Since the first CBMs were agreed at the Stockholm Conference in the mid-80s, the CFE Treaty and the successive Vienna Documents have been instrumental in the creation of a new military culture of openness and transparency. These documents, along with the Open Skies Treaty, which entered into force in January 2002, constitute the cornerstones of CBMs on conventional arms in Europe, and are fully supported by the European Union.

26. CBMs should cover not only measures, but also principles. The OSCE Code of Conduct on Politico-Military Aspects of Security contains norms that are fundamental to the EU Member States and other OSCE participating States. The Code stipulates, inter alia, that all armed forces must be under effective democratic and constitutional control and have clearly defined tasks. Furthermore, all participating States are committed to educate their military personnel in international humanitarian law, rules governing armed conflict and ensure transparency and public access to information related to the armed forces. The EU expresses the hope that the UNDC will endorse these principles in its recommendations.

27. The negotiations within the UN-framework leading up to the UN Programme of Action (PoA) served as an inspiration to the OSCE Document on Small Arms and Light Weapons. The EU considers the OSCE Document on Small Arms and Light Weapons to constitute regional implementation of UN PoA and hopes to build upon its existing CBMs based on the outcome of the 2006 UN PoA Review Conference.

28. The new European Strategy on SALW and their ammunition (adopted on 15 December 2005) formalises the Union's existing small arms policies. It is a strategy with a global geographic scope and makes several proposals for progress at the 2006 Review Conference, encompasses CBMs, and in that spirit we provide technical and financial assistance to many programmes and projects related to SALW. The Strategy identifies Africa as the continent worst affected by the impact of internal and cross border conflicts aggravated by the destabilising influx of small arms and light weapons, but the strategy covers Eastern Europe, Asia and Latin America as well.

29. The EU's Code of Conduct on Arms Exports adopted in 1998 has ushered in a new degree of transparency between governments in arms transactions not only through building upon common criteria for arms exports but also through the establishment of an information exchange and consultation mechanism. An internal review of the Code of Conduct is nearing completion.

30. The EU considers transparency in armaments as fundamental in building confidence and security. In this context, the UN Register of Conventional Arms, which is now in its thirteenth year of operation, is a key instrument. The EU is committed to securing the widest possible participation in the register, and to improve its relevance and effectiveness in a way that continues to contribute to regional and sub-regional confidence- building efforts.

31. In the longer term, the EU believes that a positive contribution will be made to transparency, and to confidence in the arms trade, by the elaboration of an international treaty to establish common standards for the global trade in conventional arms. The EU is committed to moving this initiative forward.

32. The EU also attaches great importance to the efforts of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (WA). These efforts include

promoting responsible export policies towards, and effective export controls over, small arms and light weapons in order to prevent their uncontrolled proliferation, destabilising accumulation and diversion. In 2003 the WA Participating States also approved a number of additional important initiatives. These included tightening controls over Man Portable Air Defence Systems (MANPADS), agreeing to enhance transparency of SALW transfers, and establishing elements for national legislation on arms brokering.

33. The EU reiterates its endorsement of the 58th UNGA Resolution “Promotion at a regional level in the organization for security and cooperation in Europe of the United Nations Programme of Action on the illicit trade in small arms and light weapons in all its aspects” of the 59th UNGA Resolution “Consolidation of peace through practical disarmament measures” and the 60th UNGA resolutions “Problems arising from the accumulation of conventional ammunition stockpiles in surplus” and “Objective information on military matters, including transparency of military expenditures”.

34. We also recall our support for the May 1996 UNDC Guidelines for Arms Transfers, as well as the April 1999 UNDC guidelines on Conventional Arms control and Limitation and Disarmament with particular emphasis on the consolidation of peace.

35. Let me conclude by stressing again that the European Union is committed to continue to actively participate in all appropriate fora to discuss and elaborate concrete CBMs, which contribute to security and co-operation between all Member States of the United Nations. Under your able guidance and with the work already done in 2003 I am confident that we will have fruitful deliberations and a productive session of the Disarmament Commission.

Thank you, Mr. Chairman.