

# CONFERENCE ON DISARMAMENT

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## FINAL RECORD OF THE NINE HUNDRED AND FIFTY-SECOND PLENARY MEETING

Held at the Palais des Nations, Geneva,  
on Wednesday, 17 March 2004, at 11.05 a.m.

President: Mr. Pablo MACEDO (Mexico)

The PRESIDENT (translated from Spanish): I declare open the 952nd plenary meeting of the Conference on Disarmament.

It is a privilege for me to extend a warm welcome on behalf of the Conference on Disarmament to His Excellency the Minister for Foreign Affairs of the Netherlands, Dr. Bernard Bot, who will be addressing the Conference today. We appreciate this further demonstration of the great importance which the Government of the Netherlands attaches to arms control and disarmament and, in particular, to the work of our Conference. You have the floor, Sir.

Mr. BOT (Netherlands): Thank you very much, Mr. President, for your kind words. I must say it is a great pleasure to be here in sunny Geneva after the wintry and snowy atmosphere of New York, where I was yesterday, but let me first of all, on behalf of the Government of the Netherlands, express our deep-felt condolences for the terrible events that shook the world a few days ago in Spain. It reinforces our conviction that we should all join hands in combating terrorism, and show no weakness. We express our great and sincere sympathy with the victims and their families.

Mr. President, it is a great honour to address the Conference on Disarmament today and I wish to congratulate you on your recent assumption of the presidency. Let me assure you of our delegation's full support for your endeavours to promote the purposes of this Conference.

Over the past decade, we have witnessed the continuing proliferation of weapons of mass destruction and related technologies to unstable regions and possibly, beyond governments - into the hands of terrorist organizations. We have experienced a shift in the conduct and scope of destruction on the part of terrorists. In a globalized world in which the use of networks creates multiplier effects, risks and dangers multiply as well - turning also the simplest conventional arms into weapons which could wield an enormous impact, as was shown again last week by the horrible attacks in Madrid. In short, the grim stability of the cold war has given way to instabilities and to a growing potential for disaster.

If that is our situation, what are we going to do about it? What is the role of arms control in our present day and age? How can we prevent, stop and reverse the proliferation of weapons, including weapons of mass destruction?

These are the questions that all of us have to answer. Today, in this house, in this room, which for decades has been dedicated to multilateral arms control, I feel privileged to stand before you and share some of my thoughts with you.

As the challenges we face are interlinked, I would like to discuss weapons of mass destruction as well as conventional arms.

In all areas concerned, our focus should be not only on strengthening the international legal framework, but also on implementation.

(Mr. Bot, Netherlands)

At the same time, it is clear that nothing will work if the United Nations system itself does not adapt to the demands of our time, which is why I will also briefly touch upon the reform of the United Nations.

Let me start with nuclear arms control. There is no doubt in my mind that the number one security risk in this century is nuclear weapons. What I fear is not so much an Armageddon of total nuclear annihilation, but the double risk of limited nuclear escalation.

It is a double risk because more countries aspire to acquire nuclear weapons technology, and at the same time we see an increasing risk of terrorists laying their hands on these weapons and having no scruples about using them. These concerns have been compounded by the recent revelations of the scale of commercial nuclear proliferation that implicated individuals from various parts of the globe, including Europe. What we are fighting is a multiheaded monster, so we have to fight at various levels.

The prime level at which we have to deal with the proliferation of nuclear weapons and technology is the Nuclear Non-Proliferation Treaty. The NPT provides the norm that nuclear weapons, being the ultimate weapons of mass destruction, are not to be proliferated.

But every day we read about the clandestine trade in nuclear materials and technology, involving not only non-State actors, but also countries that are, or have been, violating their commitments under the NPT. Then there are those countries that do not adhere to the Treaty.

The appropriate response to these challenges is a complex matter. What is crucial in my view is the strict and effective enforcement of countries' existing obligations. Looking at the violations that have taken place, we have to conclude that we have not been sufficiently alert to these risks in the past. Strengthening the control mechanisms of safeguards and additional verification measures is of the greatest importance on the national, the regional, and the global scale.

IAEA is the central organization in this verification regime, needing our full support politically and financially. It is vital that all countries join the Additional Protocol as part of their safeguards obligations. Effective, independent verification is the best provider of security for everyone, and I am heartened by the fact that recently Iran and Libya have joined us in this line of thinking.

But in dealing effectively with non-proliferation, the NPT in itself is not enough. We must expand the legal framework of which the NPT forms the basis. We need the entry into force of the Comprehensive Test-Ban Treaty, because it would restrict the qualitative improvement of nuclear weapons and put an end to the development of advanced new types of nuclear weapons.

The next logical step on the road towards nuclear disarmament, agreed by all States parties to the NPT and for many years the aim of this body, would be a treaty that would cut off the production of fissile material (FMCT) for military explosive purposes.

(Mr. Bot, Netherlands)

Next year will see another NPT Review Conference. The States parties have a heavy responsibility: they will have to ensure the continued relevance of this essential security instrument in the years ahead. That requires political resolve to address proliferation leaks in the treaty, recognition of the importance of strict compliance, and the propping up of the verification powers and capabilities of IAEA. It also implies reaffirmation of the unequivocal undertaking for the total elimination of nuclear weapons, as confirmed in 2000 by all the NPT member States.

Let me dwell on that theme as well. We have seen tremendous reductions in nuclear weapons since the mid-1980s. This, however, should not be a reason for complacency. The Moscow Treaty foresees unprecedented low levels of strategic weapons, but we must look beyond those. Further measures can and should be taken, as defined in the 13 steps of the NPT 2000 Final Document.

The Netherlands attaches great importance to transparency and accountability. We feel that the nuclear-weapon States bear a crucial responsibility to report to the NPT on their progress in implementing article VI and to inform us about the size of their arsenals and their stocks of fissile material. Legally binding negative security guarantees by the nuclear-weapon States would strengthen the nuclear non-proliferation regime by taking away one rationale for some countries to seek nuclear weapons.

Last year, together with Belgium and Norway, the Netherlands presented a working paper on this issue. We are reaching out to like-minded countries to further develop and expand our thinking. The purpose remains to provide language that has a real chance to meet with consensus, bridging existing divergences.

The Biological Weapons Convention is another area in which effective multilateralism is much needed. The process of strengthening compliance with that treaty is recovering from the shocks it went through a few years ago. We had to settle for a process that is less ambitious than we had hoped. Nevertheless, the modest programme that is presently being undertaken is useful. It contributes to the strengthened enforcement of the treaty and thereby to effective non-proliferation, for instance in the realm of biosecurity and national legislation. I would like to pay tribute to Ambassador Tibor Tóth of Hungary, who has been in the driver's seat for almost a decade now, and finally was allowed to hand over the torch to a successor.

I come to another area of non-proliferation policy: strict export controls. Export control groups are seen by some as being discriminatory and hampering the technological development of less developed nations. I do not share this criticism. First of all because the overwhelming majority of nations is not negatively affected by these export controls. And secondly because of the proven extent to which dangerous goods and technologies have spread, part of these goods originating in Europe. To me this indicates that we need to strengthen these controls rather than weaken them.

(Mr. Bot, Netherlands)

This brings me to yet another element in our non-proliferation efforts, the Proliferation Security Initiative. It seeks to address situations where proliferation is actually under way or on the brink of happening. The recent uncovering of clandestine networks has made it abundantly clear that the robust enforcement of existing laws, pooling of intelligence and swift coordination between various nations can deliver results.

A final element could be a serious review of the nuclear fuel cycle to make the peaceful use of nuclear energy more proliferation-resistant, with respect to both States and subnational groups. Several ideas have been launched on this matter recently, in particular by the Director General of IAEA and by the President of the United States of America. These ideas have a long-term perspective, but need our attention now. Mainly in the IAEA context, but an FMCT should be an essential part of a worldwide non-discriminatory system to bring sensitive nuclear technologies under international control and minimize the flow of weapons-grade nuclear materials.

The Netherlands will soon be holding the presidency of the European Union. For us, the Europe Union, like NATO, is an important international framework for addressing proliferation. It has developed a strategy which proceeds from the EU's commitment to the multilateral system and to the rule of law. At the same time, the Union recognizes that in order to uphold the law one needs strict enforcement. So the EU will be more demanding in its overall relations with third countries especially with respect to non-proliferation, at the same time fostering inclusiveness and remaining open to engage countries' security concerns.

There is more to weapons of mass destruction than their proliferation. Let me conclude this part by taking a broader look at the subject. Literally. The paintings by the Spanish artist José María Sert on the walls of this room, home to the CD, are dramatic and heavy with symbolism. They look down on many years of negotiations. But notwithstanding the achievements of the past, the CD is an institution under siege. Its purpose is to produce results in the form of treaties, to give hands and feet to international norms. It has a good record in doing so. But since the completion of the Comprehensive Test-Ban Treaty (CTBT) in 1996, presided over by the Netherlands, the steady production of treaties has come to a standstill. The heart of the problem is not the failure of you diplomats here in Geneva, but is a reflection of diverging political and strategic concerns in some capitals. So, if you allow me, I will address my concerns through you to the policy makers in your capitals.

My concern is this: if the present stalemate is prolonged by policy decisions that would endanger the prospect of compromise over a work programme, we might lose the only multilateral treaty breeder the international community has in the field of security. This would be detrimental to the long-term stability and security of our world. Treaties and multilateral negotiations are not the panacea for world security, but they are the basis of our collective security. Rot at the base endangers the entire building.

There is widespread support in this room for the compromise proposal for a programme of work developed by the five Ambassadors, previous Presidents of the CD. I would like to take this opportunity to call on those capitals that are still reviewing their positions on the CD's programme of work to take a favourable look at the "A-5 proposal", which includes negotiating

(Mr. Bot, Netherlands)

an FMCT. We are convinced that an FMCT would serve all our security interests, both from the perspective of nuclear disarmament and for reasons of promoting nuclear non-proliferation. My country has been working consistently in an informal process over the past few years in order to keep the FMCT alive in Geneva. We would happily give that up and concentrate on the real thing, which is negotiating.

I have dwelt on the threats we face from weapons of mass destruction and the possibility of providing answers to these threats. But for many people in the world these weapons are not the prime concern. There are other weapons, the conventional ones, which are the scourge of the earth to those millions. Weapons that maim and kill on a daily basis and that cause tremendous human suffering.

The Convention on Certain Conventional Weapons (CCW) has gone through an important process of revitalization. We take some modest pride in the fact that we were able to lead the negotiations towards the successful adoption of a protocol on explosive remnants of war. The first legally binding instrument in this environment since 1996. Urgent humanitarian concerns must be addressed; we will make a great effort to make this protocol effective. We also call upon countries that have not yet acceded to the CCW and its protocols to do so without delay.

The Ottawa Mine Ban Convention faces its first Review Conference at the end of this year, at the Nairobi Summit on a Mine-free World. The convention has been extremely successful in prohibiting anti-personnel landmines. More than 140 countries have joined the treaty, and the transfer of these mines has come to a standstill. But millions of mines are still in the ground.

Regrettably, a number of major countries still remain outside of the convention. They continue to believe in the military usefulness of anti-personnel landmines. We hope some day they will draw the same conclusion as most of us did: that anti-personnel landmines are weapons which have an unacceptable rate of indiscriminate effects.

With regard to small arms and light weapons, my country considers it crucial to start looking ahead right now at the upcoming United Nations Conference on Small Arms in 2006, in order to have it produce concrete and measurable goals, such as binding instruments on marking and tracing and on export control. A very concrete goal is of course having an instrument in place on the brokering of small arms, which Norway and the Netherlands are jointly pursuing.

Particularly when speaking about worldwide security, it is relevant to touch upon the place of the United Nations in the international community.

Just as NATO and the EU have adapted themselves to post-cold-war realities, the United Nations system must be modernized to ensure its effectiveness. We need a United Nations that is both legitimate and effective if our efforts are to bear fruit. If the United Nations system were ever to tumble, much else would be buried under the rubble.

(Mr. Bot, Netherlands)

That is why we strongly supported Secretary-General Kofi Annan (to whom I talked extensively yesterday also on these matters) calling together a high-level panel which focuses on responses to fundamental global threats and the institutional changes needed to deal with them. But neither the panel nor the Secretary-General's own efforts can discharge us from our own responsibility to think about these issues and to suggest possible solutions. The Netherlands is playing a very active role in the ongoing review.

In our view, the Security Council should be strengthened in two ways. Through improved representation of broad sections of world opinion. And by better interaction between the Council and the United Nations at large.

Furthermore, we wholeheartedly support the process of strengthening the General Assembly as the chief representative organ of the United Nations. We aim at drastically changing its working methods and particularly at agreeing on a shorter, more coherent and more relevant agenda.

That is also why we welcome the efforts by the outgoing Chair of the First Committee to streamline its work and make the Committee more efficient. Improving the Committee's good housekeeping is a crucial step to heightening its political relevance.

All in all, on United Nations reform, major decisions are required, both regarding the fundamental principles of international cooperation and the corresponding institutional changes. They will have to be taken at the highest intergovernmental level. A summit in the second half of 2005, currently under discussion in New York, could in our view be the culmination point. We should agree on such a watershed event.

I am glad to have been given the opportunity to lay out our views as to how we can better address worldwide threats to security. If nowadays risks and dangers essentially manifest themselves in networks spanning the globe, solutions must lie in strengthened international cooperation. In an effective multilateral system of treaties and norms, with strict compliance and enforcement.

The Conference on Disarmament should play an important role in further shaping that system. I hope that next time I have the honour to address your Conference, it will be the pressure cooker it used to be. You can count on the Netherlands in bringing that about.

The PRESIDENT (translated from Spanish): I thank the Minister for Foreign Affairs of the Netherlands for his statement and for the very kind words he addressed to the Chair. The statement that we have just heard will be circulated later. I now suspend the plenary meeting for a few minutes in order to escort the Minister for Foreign Affairs of the Netherlands from the Council Chamber. Please remain in your seats.

The meeting was suspended at 11.30 a.m. and resumed at 11.35 a.m.

The PRESIDENT (translated from Spanish): I have no more speakers on my list for today. Does any delegation wish to take the floor at this stage? If not, this concludes our business for today.

The next plenary meeting of the Conference will be held tomorrow, Thursday 18 March, at 10 a.m. in this room. As you have already been informed, at that meeting the Conference will be addressed by His Excellency Tyrone Fernando, Minister for Foreign Affairs of Sri Lanka. Please be punctual.

The meeting rose at 11.40 a.m.