

CONFERENCE ON DISARMAMENT

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LETTER DATED 18 DECEMBER 2008 ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT BY THE PERMANENT REPRESENTATIVE OF THE FRENCH REPUBLIC TO THE CONFERENCE, TRANSMITTING A COPY OF A LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE FRENCH MINISTER FOR FOREIGN AND EUROPEAN AFFAIRS, Mr. BERNARD KOUCHNER, ACCOMPANIED BY A LETTER FROM THE PRESIDENT OF THE FRENCH REPUBLIC TO THE SECRETARY-GENERAL OF THE UNITED NATIONS AND BY THE STATEMENT ON STRENGTHENING INTERNATIONAL SECURITY ADOPTED BY THE EUROPEAN COUNCIL ON 11 DECEMBER 2008

I have the honour to transmit to you herewith a copy of a letter addressed to you by the French Minister for Foreign and European Affairs, Mr Bernard Kouchner. The purpose of this correspondence is to request circulation as official documents of the Conference on Disarmament of (i) the letter addressed on 5 December 2008 to the Secretary-General of the United Nations by the President of the French Republic, the current President of the Council of the European Union, and (ii) the *Statement on strengthening international security* adopted on 11 December 2008 by the 27 States members of the European Union. These two documents are appended to the letter from Mr. Kouchner.

(Signed): Eric Danon
Ambassador
Permanent Representative of France
to the Conference on Disarmament

Paris, 18 December 2008

Sir,

On 5 December, the President of the French Republic, in his capacity as current President of the European Union, addressed a letter to the Secretary-General of the United Nations drawing his attention to disarmament initiatives which the European Union has presented to the United Nations this year.

The European proposals are ambitious, concrete and realistic. They are also a sign of Europe's determination to continue to contribute actively to disarmament in parallel with the significant steps towards nuclear disarmament already taken by the two members of the Union which possess nuclear weapons. The European Union would now like the international community to join it in backing and carrying out this plan of action: if progress towards disarmament is to be made, a commitment from all States is needed.

As the current President of the European Union points out in his letter, Europe wishes to work for peace. This is true in disarmament matters, but also in countering terrorism, in resisting the proliferation of weapons of mass destruction and the means of delivering them, in the safety of space activities and in crisis management. The European Union has sought to provide convincing responses to the new, more diverse, less visible and less predictable threats to its security. Thus it has just adopted a *Statement on strengthening international security* which will enable it to mobilize all the instruments available to it efficiently in tackling the complexity of modern-day challenges.

I have the honour to transmit to you herewith the letter of the current president of the European Union and the *Statement on strengthening international security* endorsed by the European Council on 11 December 2008. I think it important to bring these documents, addressing questions of non-proliferation, disarmament and security in space that are of direct interest to the Conference on Disarmament, to the attention of the Conference.

I should be grateful to you for taking the necessary steps to have this letter and the statement, with the accompanying translations into English, published and distributed together as an official document of the Conference on Disarmament.

Accept, Sir, the assurances of my highest consideration.

(Signed): Bernard Kouchner

**LETTER ADDRESSED BY THE PRESIDENT OF THE FRENCH REPUBLIC,
CURRENT PRESIDENT OF THE COUNCIL OF THE EUROPEAN UNION,
TO THE SECRETARY-GENERAL OF THE UNITED NATIONS***

Sir,

The United Nations has an important role to play in the debate on disarmament. Europe wishes to be a full participant in that discussion. Accordingly, I should like to draw your attention to the proposals which the European Union presented at the United Nations this year.

On 23 September I told the United Nations General Assembly that the European Union wanted to act in the service of peace. This is true in the case of counter-terrorism, non-proliferation of weapons of mass destruction and their means of delivery, and crisis management.

It is also true with respect to disarmament, particularly nuclear disarmament. This matter is of special interest to Europe, two of whose member States have nuclear weapons. Europe has already made great strides towards disarmament. Considering that its security will also benefit from the pursuit of global disarmament efforts, Europe stands ready to do more; we aspire to address all aspects of disarmament, as we are convinced of the need to work towards general disarmament. In this area, as in others, Europe intends to act in accordance with a coordinated political and strategic vision.

In 2010 the international non-proliferation regime will reach a milestone with the convening of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. We should seize that opportunity to make progress towards a safer world in which all of the Treaty's objectives, whether in the area of non-proliferation, disarmament or access to the peaceful uses of nuclear energy, can be met. With respect to disarmament, Europe wished to propose a clear way forward this year by presenting a number of practical, realistic initiatives at the United Nations General Assembly:

- Universal ratification of the Comprehensive Nuclear-Test-Ban Treaty and completion of its verification regime, and dismantling, as soon as possible, of all nuclear testing facilities, in a manner that is transparent and open to the international community
- Immediate opening, without preconditions, of negotiations on a treaty banning the production of fissile material for nuclear weapons and observance of an immediate moratorium on the production of such material
- Development of confidence-building and transparency measures by the nuclear Powers

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- Further progress in the discussions under way between the United States and the Russian Federation on the development of a legally binding post-Strategic Arms Reduction Treaty (START) arrangement, and overall reduction of global nuclear weapon stockpiles pursuant to article VI of the Non-Proliferation Treaty, in particular by the States with the biggest arsenals
- Inclusion of tactical nuclear weapons, by those States that have them, in general arms control and disarmament processes, with a view to their reduction and elimination
- Opening of consultations on a treaty banning short- and intermediate-range ground-to-ground missiles
- Universal subscription to and implementation of the Hague Code of Conduct
- Mobilization in all other areas of disarmament

Progress on the road to disarmament requires that the will to move forward be shared by all. Non-proliferation, disarmament and arms control, along with confidence-building, transparency and reciprocity, are essential elements of collective security.

I hope that the international community will join the European Union in supporting and carrying out this plan of action. It is an ambitious agenda that has a real prospect of leading to concrete advances towards disarmament.

Europe is counting on your support. I therefore ask that you convey to the international community, particularly within the United Nations, this initiative in support of a safer world.

Accept, Sir, the assurances of my highest consideration.

(Signed): Nicolas **Sarkozy**

STATEMENT ON STRENGTHENING INTERNATIONAL SECURITY

1. This statement gives further details of some of the principles and objectives set out in the European Security Strategy and the report on its implementation, with particular reference to counter-terrorism, drug trafficking, proliferation and disarmament.
2. It is our duty to mobilise all EU instruments effectively, to address the complexity of current crises, in particular through crisis prevention and management and post-conflict stabilisation. In addition to this contribution to security and development, Europe also has to face up to new threats to its security and to its values of democracy and liberty. These new threats are more diverse, less visible and less predictable. The EU has to provide credible responses to these threats, whatever their source, whatever their form, through prevention, deterrence and response, in close coordination with its principal partners in the world and with the relevant international organisations, in particular the United Nations, which has global responsibility for peace and security.
3. We have an unremitting determination to combat all manifestations of **terrorism**, in particular the threat posed by international terrorist organisations. We shall pursue this aim, with due regard for human rights, international humanitarian law and the right of asylum, by building a Europe safe from terrorism, cooperating on criminal matters and sharing information between European authorities more effectively. We shall upgrade our tools for the prevention and early detection of radicalisation and recruitment. We also need closer cooperation between the Member States of the EU on the prevention of terrorist financing.
4. We shall focus on use of the Internet by terrorist networks, through improved sharing of national information on the subject, through developing a European alert platform and through the amended version of the Framework Decision on combating terrorism, which is to make recruitment and incitement to terrorism via the Internet a criminal offence.
5. We shall together with our partners step up cooperation on counter-terrorism, in particular with those parts of the world which are afflicted by terrorism and radicalisation (North Africa, South Asia and, in the longer term, the horn of Africa) and particularly with Pakistan and Afghanistan, for example along the lines of our thinking on how to cooperate with the countries of the Sahel, which are facing an increased terrorist threat which directly threatens EU interests.
6. We are united in our determination to combat the proliferation of weapons of mass destruction and their means of delivery. The EU acknowledges that major proliferation challenges have arisen in recent years and stresses that the international community must be ready to face up to them and to tackle them resolutely in future years. We shall step up the implementation of our 2003 strategy, which clearly sets out our commitment in this field.
7. We shall be firm in our response to **proliferation** crises. A negotiated solution to the Iranian nuclear issue is of cardinal importance for the EU, since if Iran were to acquire a military nuclear capability, this would constitute an unacceptable threat to our security, both regional and international. In order to achieve such a solution, we shall continue to engage in dialogue and additional measures to increase pressure on Iran will have to be considered should it fail to comply with the urgent requests of the United Nations Security Council.

8. If it is to be effective, our action against proliferation must also be based on resolute operational cooperation to obstruct illicit transfers, control exports even more effectively, counter illegal networks, take punitive action against proliferation financing and reduce the risk of a link-up between terrorism and weapons of mass destruction. The new lines for EU action to combat proliferation will be implemented without delay. They will boost the effectiveness of the EU's 2003 strategy.

9. Strengthening the non-proliferation regime is a top priority for us; we shall continue our efforts with a view to the universalisation and effective implementation of non-proliferation rules and instruments, in particular through improving means of verification. It is important that the development of nuclear energy for peaceful uses takes place in the best safety, security and non-proliferation conditions. International efforts aimed at establishing multilateral mechanisms, by helping to strengthen energy security, can also offer a credible alternative to the development of national capabilities for sensitive fuel cycle technologies. We have taken specific measures along these lines, with our announcement that the European Union stands ready to contribute financially up to EUR 25 million to the creation of a nuclear fuel bank under the control of the IAEA as soon as institutional procedures have been achieved.

10. Europe's security also benefits from continued global **disarmament** efforts. We welcome the nuclear disarmament measures taken by the two EU nuclear-weapon states and their initiatives in this field. We call on the international community to work to promote the concrete and realistic disarmament initiatives which the EU submitted at the United Nations General Assembly: universal ratification of the Comprehensive Nuclear-Test-Ban Treaty, completion of its verification regime and the dismantling as soon as possible of all nuclear testing facilities in a manner that is transparent and open to the international community; the opening without delay and without preconditions of negotiations for a treaty banning the production of fissile material for nuclear weapons and the introduction of an immediate moratorium on the production of such material; establishment of confidence and transparency measures by the nuclear powers; further progress in the current discussions between the United States and Russia on the development of a legally binding post-START arrangement, and an overall reduction in the global stockpile of nuclear weapons in accordance with Article VI of the NPT, in particular by the states which possess the largest arsenals; inclusion of tactical nuclear weapons, by those states which have them, in their general arms control and disarmament processes, with a view to their reduction and elimination; start of consultations on a treaty banning short- and intermediate-range ground-to-ground missiles; accession to and implementation by all of the Hague Code of Conduct; and mobilisation in all other areas of disarmament.

11. We call more than ever for universal accession to and full implementation of the Chemical Weapons Convention and the Bacteriological Weapons Convention. In particular, the risk that terrorist organisations might acquire chemical and/or biological weapons and systems for delivering them represents a serious threat to international security. We reaffirm the EU's political and financial support for chemical and biological disarmament through, amongst other things, the EU Joint Actions adopted in support of the Organisation for the Prohibition of Chemical Weapons, for the destruction of chemical weapons in Russia, in support of the Bacteriological Weapons Convention and of the World Health Organisation, which were developed under the 2003 Strategy.

12. On **conventional disarmament**, the EU supports the objective of banning cluster weapons that cause unacceptable harm to civilians and is ready to contribute to it. The EU reaffirms its deep concern at the grave humanitarian consequences of the use of cluster weapons against civilians. The vast majority of Member States signed the Oslo Convention on 3 December, but the largest military powers have not yet acceded to the convention. The EU plays a driving role in promoting the speedy adoption of a protocol on these weapons in the CCW forum.

13. We shall continue to combat the destabilising effects of illegal trade in and excessive concentration of conventional weapons. We welcome the adoption, by a very large majority, of the UN General Assembly Resolution on the Arms Trade Treaty (ATT). We have adopted practical measures against the illegal trade in small arms and light weapons, especially trafficking by air. We welcome the decision to include an article on small arms and light weapons in all agreements with third countries which have a political and security dimension. The adoption in the form of a common position of the EU Code of Conduct on Arms Exports, which has proved its worth since it was introduced in 1998, would constitute significant progress.

14. **Security of outer space activities**, maintaining access to space and the need for surveillance and early-warning capabilities are priority issues for Europe. We call on our partners to support our draft Code of Conduct for outer space activities, which proposes transparency and confidence-building measures to increase the security of activities in outer space. We shall be continuing our consultations with our partners on this important issue.

15. **Drug trafficking** networks have many links, especially with terrorist networks, making it ever more important for us to stop drugs being brought into Europe. We welcome the establishment of the Anti-Drug Coordination Centre for the Mediterranean, along the lines of the existing centre for the Atlantic, which will make it easier to coordinate our efforts to combat the phenomenon. In cooperation with our partners, we shall continue to step up our efforts to stop the diversion of precursors, especially to Afghanistan.

16. **Piracy** constitutes a growing threat to the interests of the international community. In response to acts of piracy off the coast of Somalia and pursuant to United Nations Security Council Resolution 1816, the European Union has decided to launch operation ATALANTA to help deter, prevent and punish acts of piracy and armed robbery off the Somali coast and to protect WFP vessels and other vulnerable shipping.

17. In recent years, a number of EU countries have been faced with serious cyber-attacks and intrusions directed against public and private bodies. We are therefore pursuing our efforts to increase the protection and resilience of our networks, by increasing operational cooperation between Member States.

18. In conjunction with the report on the implementation of the European Security Strategy, this statement will enable the European Union better to address the challenges and threats which it will have to deal with in the coming years.
