



**Permanent Mission of
the Kingdom of the Netherlands**

31-33, av. Giuseppe-Motta
1202 Genève

Tel. 022 748 18 00

Farewell speech

to the Conference on Disarmament

by H.E. Mr. Chris C. Sanders
Ambassador

Permanent Representative of the Kingdom of the Netherlands
to the Conference on Disarmament

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Mr. President,

Today's meeting of the CD will be the last one for me, which is sufficient reason to say a few words. My predecessor tried to establish a rule for the duration of farewell speeches of one page per year spent in the CD. This rule has been almost forgotten by now, and this is fortunate, because I certainly do not intend to make a speech of six pages.

If I would say that the CD is in a bad condition, you would probably say that I have a remarkable gift for stating the obvious. Many, many hours have been spent inside and out of this room, discussing why this is the case and how to remedy the problem of the CD.

I hope you believe me when I say that there is no simple answer. The need to agree on a programme of work with consensus is often seen as the problem. But this rule has always been there, and has not prevented the CD from working in the past. At some time after the conclusion of the CTBT in 1996 different members of the CD developed different priorities for the program of work. In the past, this program provided for the establishment of several subsidiary bodies, that could work in parallel, without being linked. As from the end of the nineties this approach was no longer possible, as the establishment of certain ad-hoc committees was no longer acceptable to all members of the CD. Some called it linkage, others called it balance, but the sentiments in a few important capitals were sufficiently strong to prevent any agreement on a compromise solution.

It is too easy to blame the consensus rule. Real underlying political differences and security interests have been at stake, which is of course legitimate. It is my feeling at this stage however, that the most recent ideas about a possible program of work have made the political and security arguments less and less convincing. I will not repeat what I said in my concluding statement as CD president in February this year. But I continue to have difficulties in understanding how a programme of work based on my Food for Thought paper, maybe in a slightly amended form, could ever harm anybody's security interests. I still believe that the Food for Thought paper offers a fighting chance to reach a compromise, if some of us are prepared to go the extra mile.

So much for the CD and its program of work. There are two other subjects I would like to address briefly. One is the increasing misuse of the consensus rule in the UN system for relatively minor issues, the other is the broader dimension of the UN disarmament machinery.

As I said, consensus is a legitimate and necessary principle when we make decisions on issues that affect our core security interests. We will not accept to be out-voted if those interests are genuinely at stake. I am deeply concerned, however, to see that a small number of countries increasingly use the consensus rule to veto proposals on minor issues. Consensus is a vulnerable but precious good. A consensus decision is important, because it enjoys the maximum support possible. Consensus should be found in the final stages of a negotiation, when compromises on major outstanding differences are being made. I see however that some are playing games with the need to reach consensus. They take a maximalist approach to block prematurely even relatively minor issues, where an overwhelming majority sees no problems. To claim that those minor points would pose unacceptable risks to their security interests is not credible, is a grave exaggeration, and in fact even a bit ridiculous. I really wonder how long the international community can continue to accept such a course of action by responsible negotiators and governments. If we believe in effective multilateralism as the ultimate guardian of our security interests, we need to remedy this.

My third point today, as I said, is the vitality of the UN disarmament machinery as a whole. As we all know, the present machinery was established by the first Special Session on Disarmament of the General Assembly in the late seventies of the previous century. I am not an expert on how and why decisions were taken at that time. I know that the CD was meant to be the principal body for negotiating multilateral legally binding instruments, and that the universal UNDC was supposed to develop creative politically binding recommendations to bring the cause of UN disarmament forward.

Clearly the existing UN disarmament machinery was created under circumstances that are very different from today's. It performed reasonably well for some decades. But if we look at the present situation, where both the CD and the UNDC are more or less moribund, it would make sense to see whether a review of the machinery could at least clean up old structures that are dysfunctional, and hopefully replace them with something more effective.

As regards the CD, we must realize that this body is not a protected hunting ground for making multilateral treaties on disarmament related issues. Such treaties have been made elsewhere, and will probably continue to be made elsewhere. The most recent example is the treaty that was made by the sixth committee of the GA on WMD and Terrorism. Why do we need the CD and the UNDC? Why could we not settle for one single universal body that would perform all the necessary functions we need on disarmament at the present time? Could the First Committee fulfil such a role, just as some other Committees seem capable of negotiating treaties?

I am not saying that this would be a panacea for all the outstanding political problems, but it would at least streamline and simplify the situation, and we could also work out for which type of decisions consensus would be required and for which a vote would be appropriate. Such a simplification of the machinery might also save us some money, which is from the Dutch point of view not something unimportant.

The conservative view is that, as it was SSOD I that created the decalogue and the machinery, we cannot change it, and we need to stick to it forever. This is obviously not true, because a new SSOD can undo the decisions of its predecessors. In fact any General Assembly can make our machinery more up to date and more responsive to actual developments.

Still I have found that there is strong resistance to having an overhaul of the existing machinery, either because of vested interests or because of fear of losing control of the process. Fear of change however, is one of the worst counsels in a world that continues to change dramatically.

The logical and simple conclusion would be to convene an SSOD IV to discuss these issues and to decide on how to do things better. I know there are some problems on agreeing to convene an SSOD IV, but these do not seem to be insurmountable. May be the upcoming UN Summit can mobilize the necessary political support for overcoming these obstacles.

Mr President,

These were a few observations that I wanted to share with the CD before leaving you. I am grateful for having been a member of the conference for so long. The quality of the debate has always been excellent. The professionalism of the colleagues has been outstanding. I would like to thank you, all the members, for your cooperation and friendship. I would also like to thank you Mr President, and all your predecessors, that have made so many efforts to get the CD back to work. I also thank our Secretary General, Sergei Ordzonikhidze, and the Deputy Secretary General, Mr Enrique Roman Morey, and all the other colleagues from DDA and the Secretariat. Last but not least I thank our interpreters, and I apologize to them for having spoken so many times without a prepared text.

Thank you, Mr. President