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of the Council of the EU

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du Conseil de l'UE

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**Statement**  
**on behalf of the European Union**  
**by**

**H.E. Mr. Martin Palouš**  
**Permanent Representative of the Czech Republic**  
**to the United Nations**

**at the General debate**  
**of the 2009 United Nations Disarmament Commission**  
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*(check against delivery)*

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Mr. Chairman,

I have the honour to speak on behalf of the European Union.

The Candidate Countries Croatia<sup>1</sup> and the former Yugoslav Republic of Macedonia<sup>1</sup>, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, Serbia, as well as the Republic of Moldova and Ukraine, align themselves with this declaration.

Mr. Chairman,

1. First of all, I would like to congratulate you on your election as Chairman of the 2009 UNDC-session as well as all members of the Bureau. The EU looks forward to working closely with you to achieve a successful outcome of our session. Given current recent initiatives in the world of disarmament and especially nuclear disarmament, we look forward to building upon this momentum and taking this opportunity to have a fruitful debate with a view to making recommendations to the UNGA

2. We expect that our session will put forward the elements of the draft declaration of the 2010s as the fourth disarmament decade and submit them for consideration by the General Assembly at its sixty-fourth session as stipulated by the General Assembly Resolution 61/67. We are fully aware, that in the world of growing interdependence it is essential for the international community to stimulate and deepen awareness of the common humane interests in strengthening international peace and security. The international community today faces enormously great number of challenges. The solution of difficult and complex issues requires everyday political will of all members of the international community in conducting dialogue, promoting cooperation and developing confidence-building measures. It also requires deep acknowledgment of the relationship between disarmament, social and economic development and environmental protection. From this point of view the fourth disarmament decade could play its role in steering global efforts to meet contemporary challenges in the area of arms control, disarmament, non-proliferation and international security.

Mr. Chairman,

3. We have recently witnessed several positive developments in the international relations that have increased the hope of achieving tangible results in the field of disarmament. However, the launch using ballistic missile technology by the DPRK and the announcement to suspend the cooperation with the IAEA go against this positive current and it is not conducive to efforts to promote dialogue, regional peace and stability. As stated in the Declaration by the Presidency on behalf of the EU, I

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<sup>1</sup> Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process).

quote: *“The EU strongly condemns the „experimental communications satellite“ launch performed on 5 April 2009 by the government of the Democratic People's Republic of Korea (DPRK) in breach of the UNSC Resolution 1718. These actions place additional strains on regional stability at a time when the unresolved nuclear issue on the Korean Peninsula requires mutual confidence building. Such actions are also a matter of more general concern due to their global proliferation implications. The EU urges the DPRK to comply with the UNSC Resolution 1718 and immediately to suspend all activities related to its ballistic missile programme and abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner. The EU will continue actively to support efforts to resolve the security issues on the Korean Peninsula in a peaceful manner.”*(End of quotation.) We hope that all countries concerned will focus on ways to build confidence and restore dialogue.

4. The EU stresses the need for general and complete disarmament. Non-proliferation, disarmament and arms control remain indispensable elements of cooperative security between states. There is broad agreement that the security of the international community continues to be 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. The existence of potential clandestine military nuclear activities remains of particular concern, as is the proliferation of ballistic missiles of increasingly great range.

5. Our conviction, as expressed in the EU's 2003 Strategy against the Proliferation of WMD, is that a multilateral approach to non-proliferation provides the best means of countering the threat to international peace and security resulting from the proliferation of WMD and their means of delivery. It is thus of utmost importance that all existing disarmament and non-proliferation agreements are effectively resourced, implemented and fully complied with.

6. 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, based on three equally important and mutually reinforcing pillars: non-proliferation, disarmament and the peaceful uses of nuclear energy, provides the essential multilateral norm and the basis of all endeavours to address the security challenges in the nuclear field. In this regard, we recognize that major proliferation events have occurred since the end of the 2000 Review Conference. In view of the current proliferation risks, we are convinced that the NPT today is more important than ever; its authority and integrity must be preserved and strengthened. To this end the EU will continue to promote all the objectives laid down in the Treaty. The EU will continue to work towards universal accession to the NPT, calling on all States not party to the NPT to undertake commitment to non proliferation and disarmament and calling on those States to become States Parties to the NPT as non nuclear weapon States.

7. It is most important that all States Parties work together to meet the challenges of the NPT. We hope that the third session of the Preparatory Committee will provide tangible results and will contribute to the successful outcome of the 2010 Review Conference. We will endeavour to ensure that in a balanced, effective, concrete and pragmatic manner, the 2010 Conference examines the means of stepping up international efforts against proliferation, pursuing disarmament, and ensuring

the responsible development of the peaceful uses of nuclear energy by countries wishing to develop their capacities in this field.

8. The EU would like to highlight the IAEA's unique and indispensable role in verifying States compliance with their nuclear non-proliferation commitments. The EU believes the international safeguards system of the IAEA is the irreplaceable basis for verification in the global nuclear non-proliferation regime and to the success of this multilateral system. The EU would like to reiterate its call for the universal accession to the Comprehensive Safeguards Agreements and Additional protocols.

9. Europe's security 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 on promoting the concrete and realistic disarmament initiatives endorsed by our 27 Heads of States and Government, which we submitted to the United Nations General Assembly in 2008 with a view to the 2010 NPT Review Conference.

10. The Comprehensive Nuclear-Test-Ban-Treaty (CTBT) is as essential to nuclear disarmament as it is to non-proliferation. A new momentum in support of the CTBT's entry into force is being felt. In this regard the EU welcomes the decision of the new US administration to "immediately and aggressively pursue US ratification of the CTBT." We hope that this approach will inspire the remaining Annex 2 States to sign and ratify the Treaty without delay and without conditions. Pending the entry into force of the treaty, we urge all State to abide by a moratorium and to refrain from any actions that are contrary to the obligations and provisions of the CTBT. The EU will spare no efforts to confirm this momentum and to promote the early ratification of the Treaty by the few remaining Annex II States, notably ahead of the 2009 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (Article XIV Conference) and of the 2010 NPT Review Conference. The EU will continue to offer practical support, both for the universalisation of the CTBT and the credibility of its verification regime.

11. The Strategic Arms Reduction Treaty (START), which reduced US and Russian strategic nuclear weapons arsenal to 6,000 accountable warheads is due to expire in December 2009. The EU welcomes the commitments of these countries as reiterated in a recent joint declaration by President Obama and President Medvedev to seek a new agreement by the end of this year that will be legally binding, and sufficiently bold. A new arms control agreement between the US and Russia reflecting further nuclear reductions is a major issue on the disarmament agenda in the perspective of the 2010 Review Conference and would be an essential step forward.

12. Since security in Europe is linked to security in the Middle East, the EU puts particular importance on non-proliferation and disarmament issues in that region. The establishment of a mutually agreed and verifiable zone in the Middle East free of all nuclear weapons, as well as other Weapons of Mass Destruction and their means of delivery is regarded by the EU as a means of enhancing security and stability in the region. The EU remains committed to and recognizes the importance of implementing the relevant resolutions on the Middle East adopted by the UN Security Council and the resolution on the Middle East of the 1995 NPT Review and Extension Conference.

13. The proliferation risks presented in particular by the nuclear programs of Iran and DPRK continue to be a matter of ongoing serious concern to us. 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 regional and international security. We shall continue to engage in dialogue with Iran in the view to quickly find a negotiated solution in the context of the dual-track approach.

In that regard, the EU strongly supports the announced US engagement, including direct dialogue, with Iran and believes the current windows of the opportunity must be seized upon by Iran.

Mr. Chairman,

14. The EU is convinced that the UNDC - in this just opened cycle - should devote adequate attention to the conventional weapons, including the issue of Small Arms and Light Weapons.

15. The EU is strongly committed to eradicating the illicit accumulation and trade in SALW and associated ammunition. The EU aims to reduce the unregulated availability of SALW and associated ammunition in areas of conflict or potential conflict. To further its objectives, the EU has adopted a set of specific instruments.<sup>2</sup> The EU has notably decided in December 2008 to include in all future international agreements with third countries a specific article on illicit accumulation and trafficking of SALW and their ammunition.

16. The EU welcomes the positive discussions and fruitful results of the Third Biannual Meeting of States to consider the implementation of the Program of Action to Prevent, Combat and Eradicate the Illicit Trade in small Arms and light Weapons in All its Aspects (PoA). The adopted BMS3 Outcome Document highlights the key role for international cooperation, assistance and capacity building and offers UN member states a series of forward looking steps and measures and a reinvigorated institutional framework to address the proliferation of small arms and their misuse.

17. The EU supports full implementation, and further strengthening in the future, of the International Marking and Tracing Instrument inter alia by making it legally binding. At the first meeting devoted to its implementation that took place in July 2008 in the Framework of the BMS3 states agreed on a number of practical steps and measures that have to be taken to ensure full and effective implementation of the Instrument.

Mr. Chairman,

18. The EU strongly supports the UN process towards a comprehensive, legally binding Arms Trade Treaty to establish common international standards for the import, export and transfer of conventional arms, consistent with existing responsibilities of States under relevant international law and in full respect of their sovereignty and internal institutional and legal frameworks. The EU is

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<sup>2</sup> A Strategy to combat illicit accumulation and trafficking of SALW and associated ammunition, a Joint Action on combating the destabilizing accumulation and spread of SALW and a Common Position requiring Member States to introduce national legislation to effectively control the activities of brokering.

taking concrete steps to promote this UN process through a series of regional seminars. The EU is convinced that an ATT will make a tangible contribution towards global security and stability.

19. In order to provide a more effective answer to these serious challenges, on 8<sup>th</sup> December 2008 the EU adopted the common position 2008/9844/CFSP that reinforced and made legally binding the previous political commitments of its 1998 Code of Conduct on arms exports.

20. The EU reiterates its priority for promoting and achieving universal adherence and full implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and the Convention on Certain Conventional Weapons.

21. The European Union has consistently reiterated that the humanitarian impact of cluster munitions that cause unacceptable harm to civilians needs to be addressed urgently and effectively, taking into account both military requirements and humanitarian concerns. The European Union welcomes the adoption in Dublin of the Convention on Cluster Munitions (CCM) and its signature by 96 states (including 66 High Contracting Parties to the CCW). As several High Contracting Parties are not yet in a position to join the CCM, the EU is convinced that concluding in the framework of CCW a complementary agreement, compatible with the CCM, would significantly contribute to addressing the humanitarian impact of cluster munitions.

22. The EU is convinced that transparency in the field of conventional weapons is a key component for combating the uncontrolled dissemination of such weapons and for promoting an atmosphere of trust between States and security.

Mr. Chairman,

23. In conclusion we wish you, Mr. Chairman, all success in your endeavours and please be reassured of the full support of the European Union countries.