

**SECRETARY-GENERAL'S
ADVISORY BOARD FOR DISARMAMENT MATTERS
48th Session, 16-18 July 2007**

Opening Remarks by
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The opening of this 48th session of the Advisory Board on Disarmament Matters is a special occasion in many respects. Today is the 62nd anniversary of the Trinity event, the world's first test of a nuclear explosive device, and a quiet reminder of the distance that remains to be travelled to achieve global nuclear disarmament. This is also the opening of the Board's 48th session, its first and only formal session this year, following a period in which the field of disarmament has suffered too many setbacks and witnessed too few significant achievements.

I am particularly grateful to open this session because this is my first opportunity to address you as the High Representative for Disarmament Affairs. I very much look forward to assisting your work and benefiting from your counsel over the years ahead in discovering new ways to revitalize the contribution of disarmament to international peace and security.

In welcoming you today, I would like in particular to congratulate Ambassador Ho-jin Lee upon his appointment as your Chairman this year, and to assure the Board that he will have the full support and cooperation of the Office for Disarmament Affairs (ODA), including the assistance of your competent new Secretary, Mr. Tam Chung. For my own first contribution, I would like to provide a brief *tour d'horizon* of developments since the Board's last session.

I have had the privilege of working in this field for many years, including with some members of this Board, and have a deep respect for the important contributions from each part of the UN disarmament machinery. Though the Board is but one part of this machinery, it succeeded last year under the aegis of your chairperson, Professor Joy Ogwu, in addressing a full agenda – which included disarmament, non-proliferation, building an international security system, and norm-building for small arms and light weapons. I thank her for her contributions as chairperson and thank the Board for its many recommendations, which the Secretary-General has conveyed to the General Assembly.

The work of the UN disarmament machinery is always influenced not just by its own internal procedures and work practices, but also by developments arising from its wider international context, which in recent years has not generally been auspicious. The disappointing outcomes of the 2005 World Summit and the 2005 NPT Review Conference were both symptoms of a deeper malaise in the world today over the credibility, effectiveness and fairness of existing international initiatives to promote disarmament and non-proliferation.

In late 2006 and early 2007, specific concerns over Iran's nuclear activities led the Security Council to adopt sanctions Resolutions 1737 and 1747 – and additional sanctions resolutions following missile launches and the nuclear test by the Democratic People's Republic of Korea in 2006. The ultimate fate of the diplomatic efforts now underway largely *outside* the

United Nations to resolve these issues will have a profound effect upon prospects for further progress in disarmament and non-proliferation *inside* the UN disarmament machinery.

The world is not, of course, driven only by crises and random events – it is also shaped by legal commitments made under important international instruments, and by longstanding practices of compliance. The Review Conferences in 2006 of the states parties to the Biological Weapons Convention (BWC) and the Convention on Certain Conventional Weapons (CCW) demonstrated strong levels of support for these treaties.

The “rule of law” embodying disarmament and non-proliferation norms also received some support last year at the regional level, as five Central Asian states concluded a treaty establishing a nuclear-weapon-free zone in their region, the first such zone entirely north of the Equator, though further consultations are needed to gain adherents to its Protocol.

Legal norms took another step forward in the field of conventional arms, when the General Assembly adopted a resolution endorsing the negotiation of an Arms Trade Treaty in December 2006. With respect to norms relating to small arms and light weapons, the Economic Community of West African States (ECOWAS) succeeded in converting its 1998 moratorium on such weapons into a legally binding instrument. This progress was tempered at the global level by the lack of significant progress at the 2006 UN Conference to review the implementation of the Programme of Action on the illicit trade in small arms and light weapons. Preparations are now underway in the “Geneva process” for the next Biennial Meeting of States in 2008.

Other recent advances of the rule of law include the entry into force of the Convention on the Suppression of Acts of Nuclear Terrorism, and Protocol V of the CCW on Explosive Remnants of War. In addition, two protocols to the 1988 Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation were open for signature – this is important in international efforts to prevent the use of non-military ships in transporting or using weapons of mass destruction (WMD).

Individually, these legal initiatives offer little by way of an absolute guarantee against future threats. Collectively, however, they testify to the depth of support in the world for extending and strengthening the rule of law against the production or use of deadly weapons.

The basic challenge ahead facing the UN disarmament machinery will be to find ways of shaping the evolution of this rule of law in directions that will strengthen multilateral norms, particularly with respect to the elimination of all WMD and the regulation and control of a wide range of conventional arms, including small arms and light weapons, landmines, and other such weaponry, as well as new and emerging weapons. Not coincidentally, I note that the issues on the Board’s agenda for this session will cover both disarmament and emerging weapons.

First committee

The General Assembly’s First Committee offers a good illustration of two competing trends in disarmament – on the one hand, there is widespread agreement in the world on the

fundamental goals of disarmament; yet on the other hand, great divisions remain over the means to achieve them.

Late last year, the 61st session of the First Committee adopted 52 resolutions and two decisions on a wide range of disarmament and arms regulation issues. Both the adopted resolutions and the deliberations – which have become increasingly interactive in recent years – have revealed strong support for the relevant treaties. Even so, bloc voting persists on several such resolutions and over a third had 50 or more votes either against or in abstention. One State cast the only negative vote on a dozen resolutions. All together, this shows eloquently the depth of the divergence of views.

Nuclear weapons issues continued to prove to be among the most divisive and the votes over the years on these resolutions have revealed some polarization among member states -- specifically, between states with and without such weapons, and between North and South. While virtually all states agreed that the NPT is the fundamental instrument seeking to achieve disarmament, non-proliferation, and to promote peaceful uses of nuclear energy, there were wide differences over the relative priorities of these activities. I personally witnessed many of these differences at the 2005 NPT Review Conference.

Undoubtedly a leading highlight of the First Committee's work was the adoption of a resolution spearheaded by the UK and sponsored by 105 Member States for negotiating an Arms Trade Treaty, which requested the Secretary-General to establish a Group of Governmental Experts to examine the feasibility, scope and parameters of such a treaty. The resolution will serve to keep this ambitious initiative within the framework of the United Nations.

Less auspicious was the decision by Canada to withdraw, in the interest of avoiding a divisive vote, its resolution calling for the negotiation of a fissile materials cut-off treaty, a decision that echoed deep differences that persist elsewhere in the UN disarmament machinery, in particular the Conference on Disarmament.

Conference on disarmament (CD)

Each year, delegates to the CD meet in Geneva and resume their efforts from the year before to forge a consensus that will allow for negotiations to commence -- and for each year over the last decade, such efforts have fallen short of success. Deliberations in the 2007 session, although showing new degrees of intensity and focus, have yet to break the deadlock.

Much of the focus this year was upon gaining support for draft Presidential Decision, CD/2007/L.1, which proposed the appointment of four Co-ordinators – three of whom would preside over *substantive discussions* on nuclear disarmament and the prevention of nuclear war, the prevention of an arms race in outer space, and negative security assurances for non-nuclear-weapon States, while the fourth would preside over *negotiations* on a fissile materials cut-off treaty. On 29 June, the CD adjourned its second session this year without having reached any such consensus, and the third and final session this year will take place from 30 July to 14 September.

Some hold the CD's consensus rule responsible for the Conference's inability to agree on a substantive programme of work, and there have been proposals in the past, as recently as the one advocated by the WMD Commission, chaired by Hans Blix, to dispense with the consensus rule for purely procedural matters. Nobody, however, views the persisting divisions in the CD as due exclusively to procedural matters.

The differences reflect some of the same profound disagreements among member states over fundamental priorities, including the relationship of disarmament to progress on non-proliferation. There is still some possibility that the third session may ultimately produce an agreement to proceed as proposed in the draft Presidential Decision L.1. Yet if it produces no such outcome, attention will turn once again to some of the deeper sources of the difficulties – namely, the fundamental national policy differences that persist among the CD's member states.

In time, I do believe that the world community will increasingly come to recognize the many advantages of multilateral cooperation in both disarmament and non-proliferation, and that this will eventually lead to the start of negotiations in the world's sole multilateral disarmament negotiating forum. I would welcome your own views on how this result could soon be achieved.

Disarmament commission

In contrast to the First Committee and the CD, the mandate of the UN Disarmament Commission – now entering its 55th year -- is exclusively deliberative in nature. Last December, the Commission adopted its provisional agenda for 2007, which focused on two key substantive issues: recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons, and practical confidence-building measures in the field of conventional weapons.

The Commission held a positive, if somewhat contentious, session this year from 9 to 27 April. While recognizing that many challenges lie ahead, delegations may well succeed in achieving a consensus on recommendations by 2008, when the Commission completes its three-year deliberative cycle.

Office for Disarmament Affairs (ODA)

No review of the current state of the UN disarmament machinery would be complete without an update on the status of the conversion of the Secretariat's Department for Disarmament Affairs (DDA) into the new ODA. You are all aware that this change followed a proposal made by the Secretary-General in a letter to the President of the General Assembly on 15 February this year (A/61/749, Annex II) and approved on 15 March by the General Assembly in Resolution 61/257.

The Secretary-General recognizes that progress in the fields of disarmament and non-proliferation also has the potential to advance many other goals of the United Nations, even outside the field of international peace and security, just as further setbacks or failures can hinder the achievement of such goals. He has accordingly voiced his determination to revitalize the Secretariat's work in this field – his reorganization plan retains the former Department's key

mandates and personnel, while deepening its participation in the policy decision-making process of the Secretariat. The new Office, which will keep its independent status in the Secretariat, and will report directly to the Secretary-General through me as the High Representative. The level of the post has been kept at the rank of Under-Secretary-General.

I very much look forward to assisting the Secretary-General in fulfilling his vision by strengthening the new Office's assistance to member states and other parts of the UN disarmament machinery, improving the efficiency and effectiveness of its daily work in the Secretariat, and deepening its engagement with individuals and groups in civil society.

I also intend to give close attention to disarmament-related activities undertaken at the regional and sub-regional levels, which I believe have great potential for giving multilateral norms a stronger political foundation worldwide. There is, to be sure, a rich array of issues that will require the world's close attention over the years ahead.

Key issues concerning WMD

I am certain that the United Nations will continue to attach high priority to the goals of eliminating WMD, while preventing both their geographic spread and potential acquisition by terrorists. These priorities are especially important with respect to nuclear weapons, given the highly destructive, widespread and indiscriminate effects from the use of even one device. The danger that terrorists may one day acquire such weapons only underscores the urgency of new efforts to speed their elimination everywhere, while strengthening non-proliferation controls and expanding international cooperation against any future terrorist acquisition of nuclear weapons or any other WMD.

International concerns over actual or possible nuclear weapon-related activities in the DPRK and Iran are best viewed in this light. The concern must not be simply to assess the impact of such capabilities by these specific countries, but to weigh also the dangers that any such acquisition would pose for the world community's ability to achieve its fully multilateral disarmament and non-proliferation goals.

Disarmament is inconceivable in a world where more and more states are acquiring WMD, yet it also true that there can be little hope for achieving non-proliferation goals in a world devoid of concrete progress on disarmament. Progress in both of these areas remains the best guarantee against any future use of such weapons.

The entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) would serve both disarmament and non-proliferation goals, by eliminating one of the key technical means for conducting a nuclear arms race and by creating new hurdles to the design and development of nuclear weapons by additional states. The treaty already has 177 signatories, including 34 out of the required 44 states listed in Annex 2 of the treaty. The impressive capabilities of the treaty's unique verification system -- which currently consists of some 321 monitoring facilities worldwide -- were demonstrated by its timely detection and characterization of the 9 October 2006 nuclear test by the DPRK. The next entry-into-force Conference of the CTBT is scheduled to take place in Vienna from 17-18 September.

Biological weapons represent another type of WMD that have potential uses as a strategic weapon threatening large populations. After many years of difficulties following the collapse of efforts to create a system of verification to monitor compliance with the BWC, the states parties met in Geneva from 20 November to 8 December for the treaty's Sixth Review Conference and adopted a "Final Declaration" demonstrating that the treaty continues to enjoy a solid foundation of support from its member states.

One of the highlights of this conference was agreement to establish an "Implementation Support Unit" in the Geneva Branch of ODA. This unit will not only support meetings agreed by the Conference, but will also assist national implementation and promote universal membership in the treaty and confidence-building measures among member states.

With the adoption of General Assembly resolution 60/288 on 8 September 2006 on the United Nations Global Counter-Terrorism Strategy, ODA had been assigned additional responsibilities to assist Member States in the implementation of that strategy. Specifically, within the framework of the Counter-Terrorism Implementation Task Force – which is composed of UN departments, programmes, funds and agencies – ODA is responsible for the establishment of a single comprehensive Biological-incident Database and the updating and maintenance of the roster of experts and laboratories for the Secretary-General's investigation mechanism on alleged use of biological weapons.

Another key development has been the gradual progress in implementing UN Security Council Resolution 1540 -- which obliges all states to adopt controls against the proliferation or terrorist acquisition of WMD or their delivery vehicles -- and its related Resolution 1673. The Council's 1540 Committee has continued to monitor its implementation by gathering national reports and by originating letters asking for clarification and additional information.

Building on the work of the former Department, ODA is working with member states, sub-regional, regional, and intergovernmental organizations to support implementation of this important resolution. In 2006, DDA organized three regional seminars, with the generous financial support of donor governments and host countries in China, for the Asia and Pacific region, in Ghana for the African Region, and in Peru for the Latin America and Caribbean region. In May 2007, ODA organized a sub-regional seminar in Jamaica focussing specifically on the issues of concern of the Caribbean States.

Improving export controls is vitally important, but surely not the only way that the UN contributes to reducing risks of WMD. The United Nations has organized and published various studies over the years on verification issues and the most recent Panel of Governmental Experts on Verification in All its Aspects, established by resolution 59/60, will soon produce a report that will be submitted to the General Assembly. The report approaches the issue prospectively, looking to some new issues, including challenges involving non-state actors and the possible contributions of civil society in monitoring, as well as possible contributions of verification in the field of small arms. Much credit for the agreement on the group's final report is due to its Chairman, Mr. John Barrett, who persistently worked to achieve a consensus.

Missiles pose yet another challenging WMD issue. In response to General Assembly Resolution 59/67 (2004), the Secretary-General established a Panel of Governmental Experts in 2007 on the issue of missiles in all its aspects, which will submit its report to the General Assembly next year. This will be the third such report by panels of governmental experts on this difficult subject, as efforts continue to develop some norms to constrain developments in a field that broadly spans both WMD and conventional arms.

Key issues concerning conventional arms

The subject of “arms regulation” appears explicitly in the Charter and the regulation of conventional arms was one of the first goals of the United Nations, along with WMD disarmament. Yet while several WMD treaties have entered into force, the rule of law governing conventional arms has remained comparatively underdeveloped. We are witnessing today what might be the very early stages of a gradual historical shift, involving a growing international recognition and a renewed emphasis on the importance of binding commitments in this field.

Before 2001, there were very few international constraints against the illicit trade in small arms and light weapons. Since the adoption that year of the Programme of Action, however, more and more states are taking domestic legislative steps that are consistent with its provisions. This is a welcome development indeed, given the catastrophic human and economic costs of this illicit trade each year, especially in developing countries.

Though last year’s Review Conference of the implementation of the Programme of Action failed to produce a consensus on a final outcome document and follow-up process, the conference went a long way to ensure that the issue of small arms would remain in the forefront of the international agenda of arms regulation. The statements and debate were informative, and there was extensive interest and participation from civil society. The former DDA provided extensive assistance to member states and worked closely with civil society to make this a productive event.

As international interest continues to grow for stronger controls over this deadly illicit market, ODA will continue such assistance in the years to come – most immediately, in preparation for the next Biennial Meeting of States in 2008. On 29 June, the Security Council issued a Presidential Statement (S/PRST/2007/24) underscoring the devastating consequences of this illicit trade and strongly affirming the need to implement the Programme of Action. The statement requests the Secretary-General to submit to the Council a biennial report, starting next year, containing his analysis, observations and recommendations on the implementation of the Programme of Action – this will be a new responsibility for ODA.

Also in June this year, the Group of Governmental Experts on illicit brokering in small arms and light weapons concluded its work with a consensus Report that will be submitted to the next session of the General Assembly. The report contains recommendations on measures to enhance international cooperation to prevent and combat such brokering. DDA contributed to this effort by providing substantive support, preparing background materials and organizing workshops that were funded by the Governments of Norway and the Netherlands. This funding

also covered a study by UNIDIR, DDA, and the Small Arms Survey on developing a mechanism to prevent such illicit brokering.

The United Nations has, through its Register of Conventional Arms, also worked for many years to improve transparency over the production and trade in seven categories of major conventional weapons. On average about 120 States have been reporting regularly to the Register in recent years, including almost all the major producers, exporters and importers of conventional arms.

In July last year, the Group of Governmental Experts examining the Register concluded its work, having made significant progress on a number of issues concerning the operation and further development of the Register. While small arms and light weapons were not covered by the Register, the Group recommended that States that wish to do so could report their transfers of such weapons to the Register on the basis of an optional standardized form. This information would be made available through the Secretary-General's annual consolidated report to the General Assembly on the United Nations Register.

With respect to another transparency measure, the UN Standardized Instrument for Reporting Military Expenditures, the number of states (82) reporting data using this instrument matched the all-time high recorded in 2002, with significant growth in the numbers of these reports occurring since 2000. Transparency remains an area with considerable growth potential over the years to come.

As noted earlier, the Third Review Conference of the States Parties to the Convention on Certain Conventional Weapons also took place in 2006. The Conference commemorated the entry into force of Protocol V dealing with Explosive Remnants of War, and established a Sponsorship Programme to assist the least developed States in implementing the Convention – it also adopted a plan of action to universalize the Convention, as well as a new compliance mechanism.

The Conference did not, however, succeed in adopting a new instrument on Mines Other Than Anti-Personnel Mines, a subject that had been under discussion within the Convention's Group of Governmental Experts mechanism for several years. Addressing the issue of cluster munitions in his message of 7 November to this Conference, Secretary-General Kofi Annan challenged participants "to devise effective norms that will reduce and ultimately eliminate the horrendous humanitarian and development impact" of such weapons.

ODA -- and its three Regional Centres in Latin America and the Caribbean, Africa, and Asia and the Pacific -- continues to promote disarmament and arms regulation at regional and sub-regional levels, working both with States and civil society. Much of this work has focused on issues relating to efforts to curtail the illicit trade in small arms and in implementing Security Council Resolution 1540 – with both efforts focusing on national implementation of agreed global norms. Next week, the Council of the European Union will consider an ODA proposal to organize six regional and sub-regional workshops to universalize the CCW – if approved, the project will be implemented jointly by ODA's Geneva Branch, the three regional centres, UNIDIR, the International Committee of the Red Cross, and the UN Mine Action team.

ODA's vigorous efforts have succeeded in engaging the African Regional Centre in security sector reform and other projects, while also putting it on a sounder financial footing. I hope that the work of the consultative mechanism for its revitalization will further our efforts. I also want to inform you that during the last ministerial meeting of the Standing Advisory Committee on Security Questions in Central Africa, held in Sao Tomé, the ministers entrusted ODA and the Economic Community of Central African States (ECCAS) with the responsibility to assist them in the elaboration of a legal instrument on small arms and light weapons, as well as of a Code of Conduct for security and armed forces in Central Africa.

I am also pleased to inform you that we are currently scheduling a signature ceremony with the Permanent Representative of Nepal to open the way for the relocation of the Regional Centre for Asia and the Pacific to the region.

Other priorities

ODA is also engaged in a number of additional activities that cut across entire regions and categories of weapons systems. It is, for example, actively involved in implementing the UN Disarmament Information Programme, which seeks to educate the public about the work of the United Nations in all areas of disarmament. The key publication in this effort is its comprehensive Disarmament Yearbook, has been available in electronic format on the Office's web site since 2004.

The Office has been a pioneer in promoting disarmament and non-proliferation education, and maintains a dedicated web site on this subject (at <http://disarmament.un.org/education/>). This work has brought the Office into close contact with local government officials, educators, and youth leaders around the world, strengthening their understanding of substantive issues in these fields. The Office has also maintained other specialized web sites, including those devoted to the 2006 Review Conference on the Programme of Action, the 2006 Review Conference on the Convention on Certain Conventional Weapons, and the 2006 Review Conference of the BWC.

Conclusion

I have spoken at length and so will conclude very briefly. The Advisory Board on Disarmament Matters plays a vitally important role in the division of labour within the UN disarmament machinery. As members serving in your individual capacities, you are free to provide your views without having to ensure that they echo established governmental policies, while acknowledging the practical realities of securing broad support and follow-through with your recommendations. The issues now on your agenda are broad and challenging and I look forward to your advice on how the United Nations could best address them. Please accept my very best wishes as you proceed and my own personal commitment to assist you in any way I can to ensure a successful outcome.