



**Conference on Disarmament
Plenary session on the
UN Secretary-General's Agenda for Disarmament**

**Statement by H.E Dell Higgin
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to the Conference on Disarmament, Geneva**

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I welcome this opportunity to register New Zealand's support for you, Ambassador Walid Doudech, and for the other members of 'Team Tunisia', as you preside over the deliberations of the Conference on Disarmament.

We are grateful, Mr President, for your very constructive suggestion that the CD hold a debate today on the "Agenda for Disarmament" which UN Secretary-General Guterres launched recently here in Geneva. We are pleased to have this opportunity to focus on a number of the key points outlined in the SG's Agenda, especially those of most relevance to the work of this body.

In his Foreword, the SG has observed that the new reality of the dangerous times in which we live requires "disarmament and non-proliferation [to be] put at the centre of the work of the UN". My Government certainly shares this view - which we, too, see as being in the interests both of national and of human security - necessary, indeed, to "secur[e] our common future".

Disarmament, as the SG notes, is "a tool to help prevent armed conflict and to mitigate its impacts when it occurs". In NZ's view, the moral, if not legal, responsibility all UN Members have to move forward with strengthening the rules that give protection to civilians in situations of conflict becomes all the more urgent during times, as at present, of heightened danger. We must direct yet greater efforts at ensuring compliance with International Humanitarian Law (IHL) and at ending any impunity for non-compliance.

Disarmament to save humanity: weapons of mass destruction and other strategic weapons

The caption for the Agenda's first substantive Part, Part II, makes it clear that the imperative for the international community's focus on chemical, biological

and nuclear weapons flows from the risk each of these weapons poses for us as - in the words of Tom Lehrer - a weapon of “universal bereavement”.

The Secretary-General has chosen not to deal under Part II with the IHL-related implications of weapons of mass destruction, nor with all the humanitarian consequences underlying them. Instead, his comments on IHL - on the international community’s efforts to “progressively codify and develop rules to prohibit and restrict specific types of weapons, due to their disproportionate, uncontrollable or inhumane effects” - have been included, rather in the abstract as it were, under Part I.

Yet for NZ, as for so many other members of the international community, a key factor in our abhorrence and rejection of all three weapons of mass destruction is anchored in our view that their use is incompatible with the fundamental precepts of IHL (including the rules requiring *distinction* as between combatants and civilians, requiring *proportionality* as between military objectives and civilian harm, and against *superfluous injury* and *unnecessary suffering*).

Last year’s adoption of the Treaty on the Prohibition of Nuclear Weapons (TPNW) is a recent reflection of this viewpoint and of the desire of many of us here to remedy the ‘legal gap’ - the anomaly in the treatment, as a matter of international law, of these three weapons which existed before the advent of the TPNW. New Zealand is pleased now to have ratified the TPNW; our Instrument of Ratification was deposited with the SG just at the end of last month.

More generally, I note that the Agenda for Disarmament includes 8 action points on nuclear disarmament. In these, the SG makes the case for renewed dialogue to help Member States “return to a common vision and path leading to the total elimination of nuclear weapons” and appeals for the preservation of the norm against use of nuclear weapons and for the Comprehensive Nuclear-Test-Ban Treaty (CTBT) finally to enter into force.

There can be no doubt, Mr President, of New Zealand’s long-standing support, alongside our colleagues in the New Agenda Coalition and with other core members of the Humanitarian Initiative, for the total elimination of nuclear weapons. We have also worked assiduously in favour of related ‘*interim*’ goals - steps toward their total elimination - including the entry-into-force of the

CTBT (with Australia and Mexico we have led action on this in the UNGA for many years now) as well as measures to lower the risk of any use of nuclear weapons (such as de-alerting). Specifically as to the latter, I note that New Zealand has been a member of the De-alerting Group since it was established over a decade ago to lead advocacy on this issue in the UNGA, and we serve as its current Coordinator.

Accordingly, it can come as no surprise that New Zealand strongly supports the SG's objectives in this context and fully shares his view that "it is in the interest of national, collective and human security, as well as the survival of humanity, that nuclear weapons are never used again under any circumstances".

We welcome the priority the SG accords to the "urgent pursuit and implementation of measures to reduce the risk of any use of nuclear weapons, and to build mutual confidence" and are also grateful for the SG's willingness, and that of the High Representative for Disarmament, to increase their efforts to facilitate dialogue, both formally and informally, in order to advance the prospects for nuclear disarmament. We would wish to be optimistic - but we do find it difficult to believe that the action points identified by the SG can result in sufficient traction to reverse the distinctly negative trends increasingly evident in the implementation of established nuclear disarmament pathways.

Turning to the recommendations in the Agenda with regard to the other two categories of WMD, New Zealand certainly endorses the SG's call that the international community not revert back "to a moral dark age where the use of chemical, and potentially biological, weapons becomes tragically normalised" and we would hope that the SG's action points can help surmount any prospect of this.

In the face of concerns regarding the increasing risks associated with biological weapons, and in view of the institutional weakness of the Biological Weapons Convention (BWC), we support the SG's observations on the need to strengthen the BWC and support, too, the Agenda's recommendations both for the establishment of an investigative capacity into allegations of use, as well as for a coordinated response framework to any actual use, of biological weapons.

Equally, we endorse the SG's observations in his Agenda regarding chemical weapons. In addition to the requirement to carry forward work within the

Organisation for the Prohibition of Chemical Weapons (OPCW) in order to address issues of non-compliance with the Chemical Weapons Convention, we welcome the SG's action point regarding the need for the UN Security Council to provide for attribution and accountability for the horrific use of chemical weapons in the Syrian Arab Republic.

In this regard, New Zealand continues to deeply regret the dissolution of the UN-OPCW Joint Investigative Mechanism on Chemical Weapons Use in Syria. We have therefore supported recent efforts in the OPCW to work towards a mechanism for formally identifying perpetrators of chemical weapon attacks so that they can be held to account.

In the final section of Part II, the SG addresses the need to prevent the emergence of new domains of strategic competition and conflict. We welcome his observations on the importance of ensuring the security and sustainability of outer space activities and will be keen to contribute funding toward a relevant study by UNIDIR in this context.

Disarmament that saves lives: conventional weapons

We would expect there to be very widespread support for the SG's call for effective action to protect "civilians from the growing urbanisation of armed conflict, the ubiquitous use of improvised explosive devices and the deleterious impact of new technologies on humanitarian principles".

As a member of the fairly recently established Core Group on the Use of Explosive Weapons in Populated Areas, we particularly welcome the Agenda's focus on this issue and the SG's support for action to redress the immediate as well as long-term patterns of harm to civilians and civilian infrastructure so apparent in contemporary conflicts from explosive weapons with wide-area effects. We hope that the SG's recommendations will be able to make some measurable impact on this very real problem. We hope, too, that the SG's introduction of better coordination and a whole-of-system approach to the work by UN entities on improvised explosive devices will serve to ameliorate the widespread proliferation and devastating impact of these weapons.

The SG raises the important issue of armed drones and the negative impact these can have, for example, in terms of demonstrating compliance with international law and in complicating popular support for counter-terrorism

operations. We think it would indeed be useful, as the SG suggests, for the UN to support Member States in exploring the application of “common standards for the transfer, holdings and use of armed unmanned aerial vehicles”. We note however that given the existing coverage of *armed* drones in the Arms Trade Treaty, there are already some controls in place for States Parties to the ATT governing their transfer.

New Zealand welcomes the Agenda’s focus on the implications of the illicit trade in, and excessive accumulation of, conventional arms and its recognition that the 2030 Agenda for Sustainable Development has opened a window for a whole-of-system perspective on combatting the illicit trade in small arms. We agree with the SG’s observation that the present orientation toward compartmentalised and short-term projects has not kept pace with the seriousness and magnitude of the problem to be addressed, and we agree with his acknowledgement of the corresponding need for a new Fund - a single platform - for addressing all the dimensions of illicit small arms in a sustained and holistic way.

With reference to this, New Zealand was very pleased to have been able to announce (during the recent Review Conference of the UN’s Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms), and by way also of a contribution toward the global attainment of SDG Target 16.4, a contribution of NZ \$100,000 to the new Fund (Trust Facility) which the SG has established now for this purpose.

Equally, in recognition of what the SG rightly observes about the need for proper management of small arms stockpiles, and his action point under this heading, New Zealand will continue to be receptive to requests, especially those from our region, for bilateral assistance to ensure the safety and security of arms depots and stockpiles.

Strengthening partnerships for disarmament

I have sought today, Mr President, to cover the key issues addressed by the SG relevant to the topics on the agenda of the Conference on Disarmament. Stopping just at that, however, might risk conveying the impression that New Zealand believes all to be well with multilateralism and international rule-making in the disarmament context.

This is not at all the case. As the SG rightly remarks in his final section (Part V – “Strengthening Partnerships for Disarmament”), the UN’s disarmament organs have been “in a state of stagnation” since the turn of the 21st Century. Earlier in his Agenda (in the context of nuclear disarmament efforts under Part II), he refers to the “decades of paralysis in multilateral negotiating bodies”.

It is clear to my Delegation that the Conference on Disarmament - as the international community’s standing forum for multilateral disarmament negotiations - must take the lion’s share of responsibility for this indictment. The omission in the Agenda of any action step specifically directed at encouraging the CD back to work might seem to suggest that the SG regards the situation as indeed intractable.

For New Zealand’s part, we see no basis for optimism that the decision which the Conference took earlier this year to establish a number of Subsidiary Bodies will prove instrumental in enabling the CD to meet its mandate (any more than similar bodies have done so in previous years). We can see no point at which the CD is likely to prove able to surmount the consensus hurdle laid down in its Rules of Procedure and engage in meaningful negotiations.

The international community is fortunate that the UNGA has been able, at least to some extent, to step into the breach left by the Conference’s ongoing paralysis. As the SG acknowledges: “By necessity, the General Assembly has recently taken on the leading role in all aspects of the disarmament process”.

New Zealand takes pride in both the recent Treaties successfully negotiated in the UNGA - the Arms Trade Treaty and the TPNW. Both have filled very evident gaps in the coverage of international law-making and represent valuable additions to our global rules-based framework. Each is a testament to the value the General Assembly and its more open and inclusive Rules of Procedure can bring to meeting the aspirations of many United Nations members.

Equally, we can also see positives to the SG’s suggestions for an expansion of the UNGA’s contribution to disarmament processes - including in more cost-effective ways (such as by the replacement of governmental expert groups with expanded First Committee working groups). We welcome the SG’s intention to develop concrete options for the financial viability of the institutional structures supporting the implementation of major treaties and conventions.

We welcome, too, his undertaking regarding a strengthened strategic role for the United Nations Institute for Disarmament Research (UNIDIR) in all disarmament processes and deliberations: we are pleased to see this enhanced recognition of the importance of UNIDIR and the value it brings to disarmament work. We are also confident that, as the SG says, there is scope for a more substantive role for the Advisory Board on Disarmament Matters.

The Agenda for Disarmament concludes with the SG's hope that it will be able to serve as a catalyst for new ideas and new ways of working together so that disarmament - with all the positive outcomes that flow from disarmament measures - will be restored to the centre of the international community's common efforts for peace and security. New Zealand echoes the SG's wish.

Thank you.