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STATEMENT BY

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on the occasion of the sixty-eighth session of the General Assembly, First Committee, Thematic Debate on Conventional Weapons

NEW YORK, 28 October 2013
Mr. Chairman,

In addition to the statement of the European Union we would like to make the following remarks.

We have come a long way, since the life and work of the 17th century Dutch writer and lawyer Hugo Grotius, Hugo de Groot in Dutch. In 1625 he wrote *De iure belli ac pacis* (On the laws of war and peace), a first attempt in modern times to lay down rules for warfare. He can be seen as the grandfather of international humanitarian law.

While war might be a constant reality in the history of mankind, increasing international regulation of the use of and trade in conventional arms shows that progress can be made and IS actually made. At present we have many legal sources regulating the conduct of States when they resort to the use of force. International law is strengthened every year, through little steps or even by rather big leaps.

**Arms Trade Treaty**
The most recent legal leap is obviously the adoption of the Arms Trade Treaty by the UNGA in April of this year. This treaty will make our world a safer place, reduce the irresponsible transfers of arms where a clear risk exists that these arms could be used to commit violations of international humanitarian law or human rights law, and reduce the risk of diversion of arms to the illicit market. We welcome the inclusion of a specific provision on gender-based violence in the ATT and stress the need for implementation of this criterion. Of course, these rules only work well when the international community as a whole abides by them. The Netherlands signed the ATT on June 3rd and is presently preparing the ratification. A strong call upon those countries that have not yet done so to sign the ATT at the shortest possible notice, is the message I share with you on behalf of the Dutch government.

The strength of our common rules as laid down in this treaty depends on their implementation and their universalization. To those countries struggling with the implementation of the norms of the ATT, I would suggest contacting the UNSCAR (UN Trust Facility Supporting Cooperation on Arms Regulation) for assistance. The Netherlands has committed 500,000 EUR to this Fund, and is willing to assist other countries whilst relying on our expertise on arms export control. The EU is also finalizing an assistance program to support ATT implementation.

**Transparency in Armaments and National Legislation resolutions**
Transparency is key to oversight on the implementation of treaties. During the ATT conference the Netherlands has negotiated for a strong paragraph on reporting. We are satisfied with the result and look forward to a first annual report upon the treaty’s entry into force.

We will continue to strongly support the UN Register for Conventional Arms and the Database on National Legislation on Arms Transfers, by introducing two resolutions on these matters. Awaiting the entry into force of and universal participation in the ATT, these two instruments retain their enormous value to the international community. In the draft resolutions on Transparency in Armaments and on National Legislation on Arms Transfers we call upon all States to provide UNODA with the required information. The recent decline in information sharing is of great concern to us. These instruments can contribute to peace and security, only if the wider UN membership contributes to it.

**Anti-Personnel Landmine Treaty and Cluster Munition Convention**
The Anti-Personnel Mine Ban Convention and the Cluster Munition Convention remain as important today as they were at their time of adoption. Both treaties are important achievements in the field of
international law. On landmines great progress has been made in clearing mined areas – with 25 States Parties having completed their demining programmes, in stockpile destruction – with over 44.5 million mines destroyed. Most important the number of new victims has decreased dramatically. The killing or maiming of civilians through indiscriminate munitions can under no circumstances be defended. The use of cluster munitions by states not-party to the Convention on Cluster Munitions, such as Syria, deserves the strongest condemnation. The conventions have placed anti-personnel landmines and cluster munitions under a widely accepted and respected ban. However, not all States in this room have as yet become a party to these conventions. When we listen to the stories of victims of landmines or unexploded cluster bombs, when we see their pictures, nobody can remain untouched. We therefore call upon all states not party to both treaties to join these treaties.

We should continue our commitment to achieve a conclusive end to the suffering caused by anti-personnel mines. The Netherlands puts its money where its mouth is and has made 45 million Euro available for humanitarian demining and clearance of cluster munitions for four years between 2012 and 2016. With a continued commitment of resources and with enhanced national ownership, the landmine issue could be crossed off the global to-do list within a decade following next year’s Third Review Conference – the Maputo Summit on a Mine-Free World.

**Lethal Autonomous Robot Systems**
The possible development of Lethal Autonomous Robot Systems raises many legal, ethical and policy questions. In the Netherlands we have started a discussion on this issue with involvement of the ministries of Foreign Affairs and Defence, relevant partners of civil society and academia in order to get a better understanding of the developments in this field and the related problems. In answering the question about the legality of weapon systems we are guided by international law and in particular by International Humanitarian Law. While developing new weapon systems, states should remain within the boundaries of international law. We will participate actively in discussions on LARS and in that regard support the proposal of the CCW chair for an informal discussion on LARS in the framework of CCW.

**Small Arms and Light Weapons**
Small Arms and Light Weapons are in fact often weapons of mass destruction. They kill and injure more people every day than any other weapon system. One of the areas of concern is the proliferation of large quantities of Small Arms and Light Weapons in Africa after the events in Northern Africa during the Arab Spring. Some of the weapons used by the armed groups in Northern Mali where traced back to weapon depots in Libya. We therefore stress the need to continue to address this issue. We look back with satisfaction to the outcome of the 2012 Review Conference and the renewed commitment to the implementation of the UN Programme of Action. We look forward to the upcoming Biannual Meeting of States Parties where we hope to build on these results. We also stress the need of further research into the issues of the proliferation small arms in Africa. To that end The Netherlands finances a research project with the Small Arms Survey.

Mr. Chairman,

The Netherlands looks forward to working with all delegations during these coming weeks. Let us continue to build together on the basis laid down four centuries ago by Hugo Grotius, and work towards a strengthened legal order that can contribute to worldwide peace, security and stability.