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REPORT ON NETHERLANDS GOVERNMENT POLICIES RELATED TO WEAPONS OF MASS DESTRUCTION, ARMS CONTROL ISSUES

**Government policy documents, speeches, parliamentary questions and answers;
PENN reports**

November 2002 - December 2003

Foreword

This is a compilation of reports and documents relating to developments in the foreign policy of the Netherlands in the area of nuclear weapons, nuclear weapons policy and more generally weapons of mass destruction over the period Nov 2002 - Dec 2003. The documents are mostly professional translations of letters to parliament by government ministers, ministers' speeches and policy notes, replies to questions by parliamentarians on these issues. Also included are regular PENN-NI reports made on these issues for a broader international audience (which explained some of the basic elements of Dutch politics to foreigners) and a number of important American ngo documents and newspaper articles, which were used in PENN-NI advocacy work in the Netherlands. Most of the material published here was distributed separately throughout the year so as to inform our international networks as quickly as possible. All the parliamentary documents relate to the Lower House.

Of particular interest to a foreign audience are the various speeches by the former Minister of Foreign Affairs Jaap de Hoop Scheffer, who is now NATO Secretary General. He was replaced as Minister of Foreign Affairs by Minister Bot in December.

The first part of this report gives a short summary of relevant developments, a selection of translated documents is in the appendix, by and large in chronological order. An index is also included.

The compilation gives most of the relevant developments in the Netherlands although some documents are not included because they have not been translated. Now and again documents are referred to which are not included. We refer readers familiar with the Dutch language to www.eurobomb.nl, where under 'publicaties' a more complete collection of Dutch official documents can be found in the Facts & Reports series (all issues online), which we have also distributed in a printed version within the Netherlands. The index on the website is a complete guide to the F&R issue in which particular documents can be found.

Much more information than we can publish here was received from the US, UK and elsewhere and distributed within the Netherlands to parliamentarians, media contacts, professionals and the ngo community. Naturally it was also used in various opeds published in newspapers and magazines, as well as in radio and TV interviews.

Karel Koster

Project on European Nuclear Non-Proliferation - Netherlands

Jan 2004

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REPORT ON WMD-RELATED POLICY DEVELOPMENTS IN THE NETHERLANDS

Nov 2002 - Dec 2003

Introduction

At the beginning of 2003 a new Dutch government was voted into power. As always it was a coalition government, this time consisting of the Christian Democrats, the conservative (right-wing) liberals VVD and the centrist liberals of D66. The last party was also part of the two so-called purple cabinets of the period 1996-2002, which excluded the Christian Democrats but included Labour and the VVD. The present cabinet took some time to form, because negotiations on another combination, Labour-Christian Democrats, dragged on for months. The caretaker cabinet, which was in power until 26 May, supported the US-led war against Iraq but had to tread more carefully after the elections in January (see my description of that situation in my newsletter of 22 January, appendix). Once the new cabinet was installed it initiated a set of foreign policies which were to some extent a continuation of the old, but in others symbolised a strong turn towards the US. The most visible expression of this was participation in the Stabilisation force in Iraq, despite the fact that parliament was not unanimously supportive. In general Dutch governments have a strong preference for support across the political spectrum for foreign deployments of Dutch troops. In this case Green Left (GL) and Socialist Party (SP) opposed (together 17 seats), while Labour (also in opposition with 42 seats) agreed, although it was internally divided on the issue. This situation repeated itself in December when the parliamentary mandate for extension of the deployment had to be renewed.

Iraq deployment along with EU developments (enlargement, constitution, consequences for Netherlands) were the most important foreign policy issues.

They themselves were far overshadowed by internal policy changes, most markedly huge cuts in various budgets, and a harsher immigration/refugee policy. Law and order was also important, as well as relations between the Dutch population and the migrant Muslim community. This has come to the fore because of the explicit attempts by prominent politicians to link the Muslim community with the dangers of possible terrorist attacks. According to this reasoning certain mosques are in fact recruiting grounds for terrorist networks.

On WMD related issues the government steered clear of almost all controversy except on the CTBT ratification: it still took the official position that all governments (therefore including the US) should ratify the CTBT. Furthermore, it showed clear disapproval of the US 'mini-nuke' programme. On the New Agenda resolution table at the UN First Committee in September, the Netherlands abstained. On missile defence the government announced that it was backing certain research and development programmes, in accordance with a NATO decision. The US mini-nuke program was criticised in conditional terms in reply to parliamentary questions. The nuclear weapons deployed on Dutch soil were not an issue, barely mentioned in passing in parliamentary debate.

Elections – arms control and related points in some of the political platforms on which the elections were fought

Nuclear weapons in Netherlands:

Labour Party: work on international initiatives in the EU context aimed at dismantling of nuclear weapons stored in Holland

GreenLeft and Socialist Party: removal nuclear weapons

Missile Defence:

Labour Party: anti-missile systems not a good way of ensuring world stability

GL: opposes all types of anti-missile systems

D66: argues against development of anti-missile shields

Proliferation

VVD: co-operative effort EU and USA needed to counter WMD proliferation

CDA: security policy aims at preventing proliferation of nbc weapons

Labour: work in EU context on international initiatives to prevent proliferation of new nuclear weapons.

Fighting terrorism

VVD: combined action US and EU in fighting terrorism; this requires both internal and international combination of forces

CDA: Security policy is aimed at the fight against terrorism, among others

D66: International plan against international terrorism

Labour: Remain alerted about terrorist organisations threatening use of nbc weapons. Fighting terrorism will become one of the major tasks of the army

GreenLeft: The fight against terrorism is in the first place the responsibility of police and intelligence services and international law; it also involve the fight against poverty; A UN commissioner with the responsibility of fighting terrorism is needed; the right to fight a war of liberation when this is recognised by the UN remains valid

Socialist Party: Demarcate and remove fundamental breeding ground of terrorist organisations. Waging war is not effective and costs many victims.

CTBT

From the guidelines for the Dutch delegation at the UN: "*As in previous years, the Netherlands will argue for a resolution on speedy introduction of the Comprehensive Test Ban Treaty (CTBT). However, the United States is expected to maintain its hard line on ratification of the CTBT.*" (DVF/PJ-256/03 – 18 September 2003 - see appendix).

New Agenda Coalition

Efforts by the Dutch ngo community to persuade the government to support the New Agenda resolutions in October failed. In reply to questions put to him by Labour foreign affairs spokesman Koenders Minister de Hoop Scheffer wrote the following to explain the Dutch abstention:

"In general both resolutions argue for a path to nuclear disarmament or arms control which is not supported by the concerned nuclear weapons states in the final documents of the Review Conference of the Non-Proliferation Treaty of 1995 and 2000, among others. This gives both resolutions a low level of realism." (30 October 2003 - see appendix)

Proliferation issues

ICOC

In November 2002 the Dutch government launched an International Code of Conduct against Ballistic Missile Proliferation. The Minister of Foreign Affairs stated in the opening speech at the conference launching this initiative on 25 November 2002 that "*The Netherlands has always been an active supporter of international efforts in the field of disarmament, arms control and non-proliferation. We believe in the fundamental value of multilateralism*" (see appendix).

Iraq WMD

The government supported the US-led war on Iraq because it followed the reasoning of the British government that the government of Saddam Hussein had not fulfilled its obligations under the UN resolutions directing it to destroy its WMD. Like the UK the Netherlands government regarded 1441 as sufficient mandate for the war. In fact the Dutch government also propagated the presence of WMD in Iraq as a *casus belli*. For example Prime Minister

Balkenende on 18 March 2003, during a parliamentary debate on the eve of the war, stated: "*The essential point is, however, the disarmament of an aggressor who has weapons of mass destruction and in any case does not answer the questions put to him by the international community.*" In the same debate the SP and GL attacked the possibility of first use of nuclear weapons against Iraq by the US. Minister of Defence Kamp defended US policy on this, i.e. the option of using nuclear weapons in reaction to biological or chemical weapons use. A minor scandal around the issue of Iraqi WMD as *casus belli* arose in July/August, when the Financial Times quoted a Downing Street memo (16 Sept 2002, Hutton inquiry document BBC/4/0069) which referred to consultations between premier Blair and premier Balkenende in September 2002. The memo was part of the documentation released in the Kelly inquiry and resulted in minor uproar in Holland in the summer of 2003 because it appeared that a British draft of the September WMD Iraq report had been passed on to the Dutch premier, who had not informed his Ministers of Defence and Foreign Affairs. However, this procedural issue essentially served as a smokescreen for a far more important question, which was to what extent the September dossier (later shown to have been manipulated to some extent by the Downing Street spin doctors) had formed the basis of the decision by the Dutch government to support the US-UK alliance in its path to war. Close questioning by a number of (mainly opposition) MPs regarding the precise nature of the information on which the Dutch government had based its decision finally resulted in a point-blank refusal by the government to release the information, even in closed session. A parliamentary majority accepted this position.

Iran

On 22 Jan. the Minister of Foreign Affairs replied to questions regarding Iranian nuclear installations by MP Wilders (VVD), stating that the Dutch government shared American concerns that these countries have programmes aimed at purchasing and developing nuclear weapons and the means of delivery", but distinguished between the different countries named by president Bush as being part of an "axis of evil".

Further questions on the Iran nuclear programme by the same MP were answered on 14 April (see appendix) and on later occasions (5 Aug, 4 Sept, 8 Sept, and 6 Oct). Labour MP's Koenders and Samson asked questions in May 2003 about the possibility that Urenco, an Anglo-Dutch-German nuclear firm was the original source of the design of a centrifuge found in Iran. MP van Bommel (SP) questioned the government on purported Israeli plans to attack Iran on 31 October (appendix). The minister replied: "*The government does not speculate on hypothetical situations based on press reports.*

The Dutch government believes that Israel has the right and the duty to protect its citizens against terrorist attacks. In doing so, the Israeli government should act within the framework of international law and refrain from action that might lead to further escalation." On 21 November the government sent an extensive note on the history of the Iranian nuclear programme to parliament.

North Korea

On 21 February 2003 the Minister of Foreign Affairs sent a letter to the Lower House describing developments in the North Korean nuclear programme and international efforts to negotiate with that country. The EU position is described in the letter.

MP van Bommel questioned the minister 24 June 2003 on a possible plan for blockading North Korea in connection with its nuclear programme, as part of the Proliferation Security Initiative in which the Netherlands is participating. The government replied: "*Nor has a sea blockade of North Korea been proposed.*" (see appendix under PENN report 29 July). In that same reply the minister described the aims of the PSI.

PSI

Holland was one of the founding members of this coalition of the willing, set up by the USA. See the reply to the North Korea questions.

Missile Defence

Replying on 3 Oct. 2003 to written questions related to the defence budget, Minister of Defence Kamp stated that the government would invest in improvement of the Patriot PAC III launchers and missiles, as part of a Theatre Missile Defence programme. It was also participating in a study of TMD systems on board LCF frigates of the Netherlands navy. A decision on that system is expected in 2005.

US nuclear weapons policy

A resolution tabled 200203 by Van Bommel (SP) (appendix, 29 July PENN report) rejecting the possible use by the US of nuclear weapons in a war against Iraq was supported only by three opposition parties and therefore rejected.

A further SP/GL resolution calling on the EU to call on the US not to use nuclear weapons an attack on Iraq, was tabled and voted down on 18 March 2003.

Government stated in response to questions by H. Van Bommel (SP) (5 April 2003 Ref DVB/NN-120/03), regarding the so-called 'Spratt/Fruse amendment', that *"Although withdrawal of Section 3136 need not necessarily result in a lowering of the threshold for the use of nuclear weapons or in the resumption of nuclear testing, its withdrawal could represent a step in that direction and might send a signal that the United States' express intention is to keep open for itself the option of developing nuclear weapons of relatively low yield. That would be at odds with Article 6 of the Non-Proliferation Treaty (NPT) and the decisions taken at the NPT Review Conference in 2000. From this point of view, the Dutch government regards as undesirable any activities that could contribute to a lowering of the threshold for the use of nuclear weapons and activities that could contribute to a resumption of nuclear tests."*

This was by far the most confrontational official reply regarding US policies on nuclear weapons.

The Minister of Foreign Affairs gave a similar answer to further questions asked about the US mininuke legislation by MP Karimi (GL) on 24 September 2003 (appendix). He acknowledged that the US debate on the possibilities of mininukes would not help the ratification of the CTBT and reaffirmed the efforts by the Dutch government to hasten the process towards that ratification.

NATO

Questioned on 14112002 by MP Farah Karimi during a debate on the Sept. 2002 NATO summit, the Minister of Foreign Affairs de Hoop Scheffer replied that NATO "will not have any storage facilities for nuclear weapons built in the new NATO states."

A written question asking for transparency about the tactical nuclear weapons supposed to be present at Volkel air force base resulted in a refusal to provide information, because of "weighty military operational security reasons" (reply by Minister of Foreign Affairs to written questions 19 Nov 2002).

In short debates a year later with members of the parliamentary opposition the government continued to affirm NATO policy on the nuclear weapons assumed to be on Dutch soil i.e. no confirmation or denial. (20 Oct 2003 with Deputy Minister of Defence Van der Knaap). A motion tabled (30 Oct 2003) by MP van Velsen (SP) demanding removal of the US nuclear weapons on Dutch soil did not gain a majority.

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PENN-NI report 15 Nov 2002

Dear friends,

please find the English version of a Dutch report on Missile Defence written at the request of the Netherlands government on this website.

www.aiv-advies.nl

It was written by the Advisory Counsel on International Relations (the AIV), a government financed thinktank.

The government reacted to this study, which was presented to the government in September, in a letter to parliament on 1 Nov. In that letter the ministers of defence and foreign affairs of the caretaker cabinet describe government policy, especially regarding TMD. In view of the upcoming NATO summit the following paragraph is relevant:

(from 27 857 nr 5, 1 Nov 2002):

"This summer the debate within NATO was intensified by the US offer to provide MD capabilities for the allies. Hence missile defence will be discussed at the Prague Summit. A decision will be taken on the further discussion. Entirely in line with the AIV report the Netherlands will argue that this should not just concern 'capabilities', but also the concept as such, in which political and strategic factors should also be considered.

At the same time the Netherlands takes a constructive position regarding the proposal for a follow-up to the technical TMD study mentioned above, so that the technical and operational aspects of a possible territorial defence of the European NATO area against ballistic missiles can be researched and taken along in the considerations. The activities (though initially consisting of just making an inventory) of the ad hoc TMD working Group (TMD AHWG) which was inaugurated on 31 July as a working group of the NATO Russia Council, is being taken along in this assessment. "

There is a great deal more in the letter, especially on the relation between TMD and MD: I hope to summarise this later

See also this week's Jane's Defence Weekly 13112002, p5 French Turnaround on NATO missile defence

Karel Koster

PENN-NI

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25 November 2002

ICOC Launching Conference, The Hague 25-26 November 2002

Opening Statement by the Netherlands Minister of Foreign Affairs

Excellencies, Ladies and gentlemen,

Let me warmly welcome you to the Netherlands. We are proud that so many have come to The Hague for the inauguration of the International Code of Conduct against Ballistic Missile Proliferation. The high level at which you have chosen to be represented here is testimony of the importance of the instrument that we will bring into effect here today. It also reflects the urgency of pushing back the spread of particularly powerful and dangerous delivery systems for weapons of mass destruction. I am particularly pleased that in this Hall of Knights representatives from countries all over the globe have gathered. Ballistic Missile proliferation is not limited to a particular region; its risks affect us all.

I wish to extend a special welcome to the representative of the Secretary-General of the United Nations. International peace and security are matters of global concern and the world's single-most important organisation in dealing with them are the United Nations. The increasing threat posed by the

proliferation of weapons of mass destruction, their means of delivery and the possibility of these weapons falling into the hands of terrorists, forces the UN to try and find global answers where it can, and stimulate regional responses where needed. The Code itself also underlines the role and responsibility of the United Nations in this respect.

Why have ballistic missiles become the focus of so much attention and why is it urgent that we act in trying to better control them? Ballistic Missiles have been around ever since World War II. For most of the Cold War, ballistic missiles, in particular those with strategic ranges, were confined to a limited number of states. Since then, however, both their geographical spread and their average ranges have increased rapidly. Ballistic missiles have a number of characteristics that require special attention. They are rapidly deployable, reach their targets in a very short time-span, they are difficult to defend against and, for all of these reasons, create strategic leverage, all the more so when combined with weapons of mass destruction. These characteristics make the unimpeded spread of ballistic missiles a prime source for destabilising regional power equations. Through the almost inherent link with weapons of mass destruction ballistic missile proliferation has also become a major threat to international peace and security at large.

The present Code is not the only initiative to stem the proliferation of ballistic missiles. An increasing number of countries have policies in place to prevent systems, key components or relevant technologies from falling into the hands of proliferators or even terrorists. Within the UN, last year a panel of experts conducted in-depth discussions on the issue of missiles, including that of missile proliferation, leading to a report to the General Assembly.

This multi-faceted engagement of the international community with the ballistic missile issue is proof of the growing realisation that regional stability and international security stand to gain from norm building, proper non-proliferation conduct, transparency and confidence building measures.

In 1999 a number of countries, including the Netherlands, took the initiative to elaborate a politically binding instrument that would draw up norms regarding ballistic missiles capable of delivering weapons of mass destruction. Because of the urgency of the problem, an approach had to be taken that would provide early results and at the same time create a political instrument that would be able to attract as many countries as possible.

The European Union has been supportive of this initiative from the very beginning. Last year, the European Union decided to prepare the then draft Code of Conduct for universal adherence and committed itself to get the instrument up and running before the end of the year 2002. The ensuing process, conducted in a spirit of transparency and inclusiveness, resulted in a final text that you have all received and which will be brought into effect today.

The Netherlands has always been an active supporter of international efforts in the field of disarmament, arms control and non-proliferation. We believe in the fundamental value of multilateralism. We are proud that this Code will be "launched" here in The Hague, the UN's legal capital and home of the OPCW. We want this Code to grow. We want it to become universally adhered to. We regret that not all countries have been able to join the Code today. Some of them because they feel that ballistic missile proliferation is not a concern to them, others because they feel the Code does not address all of their concerns. Tomorrow, on the second day of our Conference, we, the Subscribing States, have to consider a number of questions pertaining to the implementation of the Code. I believe one of the major questions before us is how to engage those not present here today. We should try and convince them that the ICOC is beneficial to us all.

As I indicated in my invitation to you to come to The Hague, the present Code is a first step and, I should add, a modest one. For all the importance that we attach to it, the Code of Conduct needs to be followed up by other initiatives, in the UN and elsewhere. I express the hope that the Code will be the nucleus of an expanding framework of non-proliferation measures in the field of ballistic missiles. Most of all I hope that the entire international community will be united in working towards that goal.

I thank you for your attention.

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PENN-NI report 7 January 2003

Dear friends, colleagues,

please find attached a single file containing translations from Dutch to English of three official

Dutch documents covering the following:

1. Lower House parliamentary questions and answers on nuclear weapons, BWC, NATO nuclear policy, the US Nuclear Posture Review and the Chemical weapons Treaty; the questions were put in the context of the debate on the foreign affairs budget
2. A question on the Dutch NATO nuclear task, in the context of the Defence budget debate
3. A note on the new US national security strategy sent to the Lower House in November by the minister of foreign affairs.

There are a few errors in the translation: In 1 the word 'testing' is used instead of 'review' in ref to the Biological Weapons Treaty, and 'positioning' instead of 'deployment' as regards nuclear weapons in new NATO member states.

Please also again note that we have a caretaker cabinet here: the government fell in October and there will be new elections on 22 January.

It is difficult to tell to what extent the results of the last elections will be reversed (in May 2002 there was a landslide victory for the party of the assassinated Pim Fortuyn). If the polls are to be believed the old mainstream parties will regain part of their losses, while the left-wing Socialist party is expected to substantially increase its share of the vote. One poll published today (estimate of seats, compared to present, for what it is worth): present/prognosis

Labour Party (PvdA) 23/34

VVD (liberal conservatives) 24/27

D66 (centrist liberals) 7/6

Green Left (GL) 10/10

Christian Democrats (CDA) 43/44

Socialist party (SP) 9/16

Christian Union (ChristenUnie) 4/4

Lijst Pim Fortuyn (LPF) 26/6

SGP (small christian party) 2/2

Leefbaar Nederland 2/1 (populist)

As you can see the vital calculation is whether the VVD and CDA will be able to form a majority government. If not, the Christian Democrat /Labour Party is a progressive possibility, or possibly a rerun of the VVD/CDA/LPF cabinet formed last summer. This last is extremely unpopular in both VVD and CDA party circles (because it did not work last time). The caretaker cabinet (VVD/CDA) has in the meantime chosen to support US government policy on Iraq, including the possibility of waging war without a UN resolution. Possibly a progressive cabinet would reverse this course. However, don't hold your breath, forming a coalition cabinet always takes months in Holland, which means that the war on Iraq could be over by the time it is formed. However, the present caretaker cabinet will still be in place and will have to get parliamentary support for participation in a war. Whatever the results of the elections, neither the Socialist Party or (probably) the GreenLeft will support a war, even with a UN resolution. Labour will probably go along with the caretaker government, even in the case of a unilateral US war (although there would be uproar amongst its voters- they tend to support only UN mandated wars).

Karel Koster

PENN/NI

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28 600 V Establishment of the budget statement of the Ministry of Foreign Affairs (V) for the year 2003

No. 11 ADDITIONAL REPORT INCORPORATING A LIST OF QUESTIONS AND ANSWERS

Compiled 19 November 2002

The Permanent Foreign Affairs Committee¹, responsible for the preparatory research for this draft legislation, has the honour of publishing an additional report in the form of a list of questions. The answers given by the government are printed here.

The Chairman of the Committee,

De Haan

The Clerk of the Committee,

Van Oort

1

Is the explicit recognition by the government, stated last year in response to questions from the House, that the F-16s stationed at the Volkel airbase have a nuclear weapons task, but not that nuclear weapons are present at Volkel, the full contribution of the Dutch government to “transparency” as intended in the paragraph 32 report? Does the government confirm or deny, within the context of the intended “transparency”, the presence of nuclear weapons at Volkel?

As communicated in a letter to the House (TK 26 348, no. 4) on 17 January 2001 following the completion of the paragraph 32 report, for important military operational safety reasons NATO cannot comply with the desire for more openness concerning numbers and locations of tactical nuclear weapons in Europe. In this respect, the present NATO information policy (“neither confirm nor deny”) remains applicable.

33, 34 and 51

Which countries are opposed to a verification procedure for the Convention on Biological Weapons?

Does the government see any progress in negotiations regarding a verification procedure within the context of the Convention on Biological Weapons?

Which countries, having signed the Convention on Biological Weapons, are suspected of possessing such weapons? Which countries are not parties to the Convention and are suspected of possessing biological weapons?

In 2001 it became clear that the United States had fundamental objections to a compromise proposal for a protocol to reinforce compliance with the Biological Weapons Treaty which had been drawn up by the chairman of the Ad Hoc Group of the Parties to this treaty after more than 7 years of negotiations. You have been informed of this in the letter of 14 December 2001 on the subject of “the Fifth Testing Conference of the Biological Weapons Treaty” (Buza 000719). It is Lower House, 2002-2003 session, 28 600 V, no. 11 15.

48

Do the new NATO member states endorse the nuclear policy of NATO? Are these new member states willing to deploy nuclear weapons under certain circumstances? Are restrictions imposed in terms of the positioning of nuclear weapons in the new member states or in terms of the stationing of support systems for nuclear weapons, such as attack aircraft?

By becoming part of the Alliance, the new members are endorsing not only the North Atlantic Treaty, but also everything that has been achieved in over 50 years of co-operation within the alliance, including the nuclear policy.

In the Founding Act of the Permanent Joint Council of 1997, which formalised the relationship between NATO and the Russian Federation, it was explicitly stated that the Member States had no intention, no plans and no reason to station nuclear weapons on the territory of the new member states and that they saw no need to revise any aspect of NATO’s nuclear policy.

49

To what extent is the nuclear doctrine of NATO changing or is change on the way now that the American “Nuclear Posture Review” states that the nuclear doctrine of NATO, following on from American nuclear doctrine, will probably be revised? Is this plan being implemented within NATO?

The American Nuclear Posture Review has no consequences for NATO's nuclear policy. The American Nuclear Posture Review also does not make pronouncements about the NATO doctrine.

51

Which countries, having signed the Convention on Biological Weapons, are suspected of possessing such weapons? Which countries are not parties to the Convention and are suspected of possessing biological weapons?

See answer to question 33.

52

In what way does the government intend to promote the universality of the Chemical Weapons Treaty, as well as effectively putting into practice all its components?

Promoting the universality of the Chemical Weapons Treaty is a subject, which, in the government's opinion, lends itself perfectly to action within the EU context. During the first half of 2001, an initial round of international steps was taken in the countries that are not yet party to this treaty. A new round of EU steps is now being undertaken.

In addition, the Netherlands will provide financial support for a seminar in the Caribbean, organised by the OPCW, with the aim of promoting the effective implementation of the Treaty in the region.

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28 600 X Establishment of the budget statement for the Ministry of Defence (X) for the year 2003

No. 14 LIST OF QUESTIONS AND ANSWERS

Compiled 28 November 2002

The permanent committee for Defence ¹ submitted a number of questions to the Minister and the Secretary of State for Defence concerning the letter dated 8 November 2002 regarding Defence and the Strategic Agreement (28 600 X, no. 10).

The Minister answered these questions in the letter dated 27 November 2002.

3, 5, 6, 77, 78, 79 and 81

(....)

What effect does the disposal of these F-16s have on Dutch responsibility for the NATO nuclear weapons task?

(....)

The government is of the opinion that, even with ninety operationally classified F-16s, the Netherlands can make an adequate, flexible contribution to international operations. The measure has no effect on the Dutch contribution to the Alliance's nuclear weapons task.

.....
Note on the New National Security Strategy of the US

Letter from the Minister of Foreign Affairs to the Lower House

15 November 2002

1 American National Security Strategy

In September, the US government sent the document entitled "The National Security Strategy of the United States" to Congress.¹ The document charts the world-wide interests and aims of the US. It serves as a guideline and justification for political choices. The new American security strategy clearly goes further than simply setting out military doctrine. It contains a broad political agenda and, in addition to military aspects, also examines human rights, co-operation with others in tackling regional crises, economic growth in developing countries, democratisation and adaptation of the national security institutions in the US. The common thread is an activist American international attitude, for which financial resources are also released.

Comparison between this document and that by President Clinton in 1999 shows that, in a number of areas, lines drawn previously are continued or reinforced. It goes without saying that the terrorist attacks of 11 September 2001 have a significant impact on the Bush government's new security strategy. A number of threats receive much attention, particularly regional instability, and weapons of mass destruction and terrorism.

(.....)

3 New threats and “pre-emptive action”

(.....)

In his talks with the Minister for Foreign Affairs on 23 September this year, Secretary of State Powell confirmed that the possibility of “pre-emptive action” is not new. What is new, according to Powell, is the awareness since 11 September that deterrence and containment cannot stop terrorism. The international environment has changed and the US is adapting to this situation. For this reason, the new security strategy states, “We must adapt the concept of imminent threat to the capabilities and objectives of today's adversaries.”

(.....)

Specific action by the US against “imminent threat” in the light of the different capabilities and intentions of opponents – if necessary unilateral – can have far-reaching consequences. In this respect, the way in which the US makes use in practice of the concept of “pre-emptive action” is at least as important as the concept itself. The US approach to the Iraq question, via the Security Council, is an important signal in this respect.

The starting point should be that a country cannot be expected to sit by and wait passively in case clear indications should emerge that a terrorist attack is imminent upon its territory or citizens. By explaining clearly that pre-emptive action is possible, moreover, the threshold is raised for terrorists and rogue states plotting an attack.

The American security strategy states that countries may not use “pre-emption” as a pretext for aggression. This seems obvious, but nonetheless the risk does exist that some countries could still abuse the concept. It is of critical importance that the concept of “pre-emptive action” be in keeping with all the international legal regulations concerning the use of violence (i.e. the basic premise that violence is prohibited except in cases of self-defence or consent from the Security Council).

The American strategy states, “We must adapt the concept of imminent threat to the capabilities and intentions of today's adversaries.” The attacks of 11 September did after all make it clear that non-state actors, supported by certain states, represent a threat to the national security of other states. In the discussion of the concept of “imminent threat”, the central question must be which political and legal conditions would have to be fulfilled by specific military action against that threat. In this case, we could attempt to give a more detailed description of the reasons for such action, the proportionality and the grounds for justification. The question of how to avoid abuse of the concept should be explicitly included in this context. This discussion will have to be held both bilaterally and in the appropriate forums, such as NATO and the UN.

(.....)

7 Summary opinion

(.....)

The American government emphasises that international co-operation remains a central issue. On the other hand, President Bush reserves the right – like his predecessors – to take unilateral military action if it proves impossible to act with others. Since elusive terrorist opponents and unpredictable leaders of “rogue states” cannot be stopped by deterrence and containment, he does not rule out taking pre-emptive action if necessary.

A discussion needs to be held on the concept of imminent threat, where the central question should be which political and legal conditions pre-emptive action must satisfy. This involves specifically the reasons for such action, the proportionality and the grounds for justification, precisely to prevent abuse of the concept. Ultimately, such action will also have to fulfil all the international legal regulations concerning the use of violence.

(.....)

Finally, it is in other respects clear that the various players in Washington place the emphases in different places. For this reason alone, it is best for Europeans – as good friends and close allies of the US – to contribute actively and constructively to the discussion in the US.

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PENN-NI report 22 Jan 2003

Dear friends, colleagues

please find below the almost definite results of the elections for the Lower House of the Dutch parliament:

Labour Party (PvdA) 42

VVD (liberal conservatives) 28

D66 (centrist liberals) 6

Green Left (GL) 8

Christian Democrats (CDA) 44

Socialist party (SP) 9

Christian Union (ChristenUnie) 3

Lijst Pim Fortuyn (LPF) 8

SGP (small Christian party) 2

TOTAL number of seats is 150

The most obvious implications:

A right-wing majority government (75 plus) cabinet VVD and CDA cannot be formed, which means they need a third: either D66 or LPF. However D66 leader Thom de Graaf just declared he did not want the party to join such a government. LPF is seen as a primary cause of the last cabinet's fall, and a repeat of the same combination would be difficult.

A CDA/Labour Party combination is possible, but not the CDA preference, as stated repeatedly during then campaign by the leader Balkenende (who will also remain premier).

The huge Labour recovery was made possible by a partial return of LPF votes and the capture of some of the Green Left vote. The combined radical left of the spectrum therefore has 17 seats, which will exert some influence on Labour. They will nevertheless be doing quite a bit of compromising if they are to form a government with the CDA. It is too early to tell what kind of foreign policy course will be followed by such a cabinet. Furthermore, a right-wing coalition is possible with a bit of flexibility and the usual broken promises.

In the interim, while the excruciating negotiations take place the coming weeks, the present caretaker cabinet, with its traditional atlanticist policies (pro-JSF, pro Bush Iraqi war policy, but also reduced defence budget) will stay in business.

Comments and questions welcome

Karel Koster

PENN Netherlands

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The Nuclear Option in Iraq

The U.S. has lowered the bar for using the ultimate weapon.

By William M. Arkin

Los Angeles Times January 26 2003

WASHINGTON -- One year after President Bush labeled Iraq, Iran and North Korea the "axis of evil," the United States is thinking about the unthinkable: It is preparing for the possible use of nuclear weapons against Iraq.

At the U.S. Strategic Command (STRATCOM) in Omaha and inside planning cells of the Joint Chiefs of Staff, target lists are being scrutinised, options are being pondered and procedures are being tested to give nuclear armaments a role in the new U.S. doctrine of "pre-emption."

According to multiple sources close to the process, the current planning focuses on two possible roles for nuclear weapons:

attacking Iraqi facilities located so deep underground that they might be impervious to conventional explosives;

thwarting Iraq's use of weapons of mass destruction.

(.....)

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PENN-NI report 28 Jan 2003

Dear friends, colleagues,
results of an opinion poll on war against Iraq, measured last week in Netherlands organised by Centerdata, connected to the Universities of Amsterdam and Tilburg:
Participation Netherlands in attack on Iraq with UN mandate: 72% against
without UN mandate: 89% against
Unilateral attack US on Iraq: with UN mandate: 58% against
without UN mandate: 87% against
Motivation US: 86% believe this is oil

The Chicago Council on Foreign relations/Marshall Fund poll published in September found more than 60% to be for a war against Iraq. A Dutch opinion poll taken at that time by M. de Hond indicated that 59% opposed Dutch participation in a war.

My provisional conclusion:

The Dutch government's position supporting the USA does not reflect majority public opinion. It should also be noted that we have a caretaker government at present. A new coalition government on the basis of the last elections will be formed but this may take months. Any decision to take part in a war will be debated in the new parliament. which will sit from tomorrow onwards. An Iraq debate will probably take place shortly anyway, a Majorities of the political leaders in parliament have indicated that they want such a debate. Interestingly, a report published last Saturday (25 January) in the Volkskrant (leading daily) revealed that the Dutch government refused to make a contingent of Marines and a landing ship available at the end of last year for operations in the Gulf. This probably involved the Dutch component of the UK/NL landing force, which has operated together as a NATO force for many years. The British appear to have wanted to bring the Dutch, who refused, "because they did not want to give the impression that the Netherlands was preparing for a war against Iraq together with the British." All this according to anonymous sources in the ministries of defence and foreign affairs. The government denies that this request was made at government level. Officially the Dutch are prepared to cooperate with the US preparations for war in a defensive and supporting capacity. My comment: this refusal would be a more accurate reflection of public opinion in the Netherlands

Karel Koster

PENN/NL

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"Bush approves nuclear response"

by Nicholas Kravev Washington Times January 31, 2003

A classified document signed by President Bush specifically allows for the use of nuclear weapons in response to biological or chemical attacks, apparently changing a decades-old U.S. policy of deliberate ambiguity, it was learned by The Washington Times.

"The United States will continue to make clear that it reserves the right to respond with overwhelming force — including potentially nuclear weapons — to the use of [weapons of mass destruction] against the United States, our forces abroad, and friends and allies," the document, National Security Presidential Directive 17, set out on Sept. 14 last year.

A similar statement is included in the public version of the directive, which was released Dec. 11 as the National Strategy to Combat Weapons of Mass Destruction and closely parallels the classified document. However, instead of the phrase "including potentially nuclear weapons," the public text says, "including through resort to all of our options."

A White House spokesman declined to comment when asked about the document last night and neither confirmed nor denied its existence.

A senior administration official said, however, that using the words "nuclear weapons" in the classified text gives the military and other officials, who are the document's intended audience, "a little more of an instruction to prepare all sorts of options for the president," if need be.

The official, nonetheless, insisted that ambiguity remains "the heart and soul of our nuclear policy."

In the classified version, nuclear forces are designated as the main part of any U.S. deterrent, and conventional capabilities "complement" the nuclear weapons.

"Nuclear forces alone ... cannot ensure deterrence against [weapons of mass destruction] and missiles," the original paragraph says. "Complementing nuclear force with an appropriate mix of conventional response and defence capabilities, coupled with effective intelligence, surveillance, interdiction and domestic law-enforcement capabilities, reinforces our overall deterrent posture against [weapons of mass destruction] threats."

Before it released the text publicly, the White House changed that same paragraph to: "In addition to our conventional and nuclear response and defence capabilities, our overall deterrent posture against [weapons of mass destruction] threats is reinforced by effective intelligence, surveillance, interdiction and domestic law-enforcement capabilities."

The classified document, a copy of which was shown to The Washington Times, is known better by its abbreviation NSPD 17, as well as Homeland Security Presidential Directive 4.

The disclosure of the classified text follows newspaper reports that the planning for a war with Iraq focuses on using nuclear arms not only to defend U.S. forces but also to "pre-empt" deeply buried Iraqi facilities that could withstand conventional explosives.

For decades, the U.S. government has maintained a deliberately vague nuclear policy, expressed in such language as "all options open" and "not ruling anything in or out." As recently as last weekend, Bush administration officials used similar statements in public, consciously avoiding the word "nuclear."

"I'm not going to put anything on the table or off the table," White House Chief of Staff Andrew H. Card Jr. said on NBC's "Meet the Press," adding that the United States will use "whatever means necessary" to protect its citizens and the world from a "holocaust."

But in the paragraphs marked "S" for "secret," the Sept. 14 directive clearly states that nuclear weapons are part of the "overwhelming force" that Washington might use in response to a chemical or biological attack.

Former U.S. officials and arms control experts with knowledge of policies of the previous administrations declined to say whether such specific language had been used before, for fear of divulging classified information. But they conceded that differences exist.

"This shows that there is a somewhat greater willingness in this administration to use a nuclear response to other [non-nuclear weapons of mass destruction] attacks, although that's not a wholesale departure from previous administrations," one former senior official said.

Even a slight change can make a big difference. Because it is now "official policy, it means that the United States will actively consider the nuclear option" in a military conflict, said Daryl Kimball, executive director of the Arms Control Association.

"This document is far more explicit about the use of nuclear weapons to deter and possibly defeat biological and chemical attacks," he said. "If someone dismisses it, that would question the entire logic of the administration's national security strategy against [weapons of mass destruction]."

Mr. Kimball said U.S. nuclear weapons "should only be used to deter nuclear attacks by others."

A senior official who served in the Clinton administration said there would still have to be a new evaluation before any decision was made on the use of nuclear weapons.

"What this document means is that they have thought through the consequences, including in the abstract, but it doesn't necessarily prejudice any specific case."

Baker Spring, a national security fellow at the Heritage Foundation, said the classified language "does not undermine the basic posture of the deterrent and does not commit the United States to a nuclear response in hypothetical circumstances. In a classified document, you are willing to be more specific what the policy is, because people in the administration have to understand it for planning purposes."

Both former officials and arms control analysts say that making the classified text public might raise concerns among Washington's allies but has little military significance. On the other hand, they note, the nuclear deterrent has little value if a potential adversary does not know what it can expect.

They agree that there must have been "good reasons" for the White House to have "cleaned up" the document before releasing it. They speculated on at least three:

Although responding to a non-nuclear attack by nuclear weapons is not banned by international law, existing arms-control treaties call for a "proportionate response" to biological and chemical attacks. The question is, one former official said, whether any nuclear response is proportionate to any non-nuclear attack.

Second, naming nuclear weapons specifically flies in the face of the "negative security assurances" that U.S. administrations have given for 25 years. Those statements, while somewhat modified under different presidents, essentially have said the United States will not use nuclear weapons against a non-nuclear state unless that state attacks it together with a nuclear ally.

Finally, publicly and explicitly articulating a policy of nuclear response can hurt the international non-proliferation regime, which the United States firmly supports. That sets a bad example for countries such as India and Pakistan and gives rogue states an incentive to develop their own nuclear capabilities.

William M. Arkin, a military analyst, wrote in the Los Angeles Times earlier this week that the Bush administration's war planning "moves nuclear weapons out of their long-established special category and lumps them in with all the other military options."

Mr. Arkin quoted "multiple sources" close to the preparations for a war in Iraq as saying that the focus is on "two possible roles for nuclear weapons: attacking Iraqi facilities located so deep underground that they might be impervious to conventional explosives; and thwarting Iraq's use of weapons of mass destruction."

He cited a Dec. 11 memorandum from Defence Secretary Donald H. Rumsfeld to Mr. Bush, asking for authority to place Adm. James O. Ellis Jr., chief of the U.S. Strategic Command, in charge of the full range of "strategic" warfare options.

NSPD 17 appears to have upgraded nuclear weapons beyond the traditional function as a nuclear deterrent.

"This is an interesting distinction," Mr. Spring said. "There is an acknowledgement up front that under the post-Cold War circumstances, deterrence in the sense we applied it during the Cold War is not as reliable. I think it's accurate."

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"US Plan For New Nuclear Arsenal"

By Julian Borger The Guardian UK 19 February 2003

The Bush administration is planning a secret meeting in August to discuss the construction of a new generation of nuclear weapons, including "mini-nukes", "bunker-busters" and neutron bombs designed to destroy chemical or biological agents, according to a leaked Pentagon document.

(.....)

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PENN-NI report 10 April 2003

Dear friends

please find attached questions (VB031519-Eng .doc)

asked in the Dutch parliament on mini-nuke legislation in the US Congress, and the Dutch government's response. Please note: the Dutch government is a transitional one. A new government still has to be formed following the last elections in January.

Negotiations between the Christian Democrats and the Social Democrats have been going on for months now.

The translation was made possible by a Ploughshares grant.

Karel Koster

PENN NI

PS: apologies for duplicate postings

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To the President of the House of Representatives of the States General
Binnenhof 4
The Hague
Department of Security Policy
Nuclear Issues and Non-Proliferation
Date 5 April 2003
Handled by DVB/NN
Reference DVB/NN-120/03

Re: Reply to questions put by member Van Bommel on the development of nuclear weapons

I am pleased to provide this response to the written questions put by member Van Bommel on the development of nuclear weapons. The questions were submitted on 19 March, reference 2020309030.

The Minister for Foreign Affairs
Mr J.G. de Hoop Scheffer

Reply by Mr De Hoop Scheffer, Minister for Foreign Affairs, to questions put by member Van Bommel (SP) on the proposal by the American Department of Defence relating to the development of low-yield nuclear weapons.

Question 1

What is your view on the proposal by the American Department of Defence to repeal a 1993 law that prohibits research for the development of low-yield nuclear weapons? 1)

Question 2

Do you share the view that this decision is a negative development with respect to stemming the proliferation of weapons of mass destruction in general and nuclear weapons in particular? If not, why not?

Reply

The American Department of Defence has put forward a proposal to include in the Defence Authorization Bill 2004 a provision to remove Section 3136 (the so-called 'Spratt/Fruse amendment') from the National Defence Authorisation Act 1994. This section prohibits the Department of Defence from carrying out research into nuclear weapons with a yield of less than 5 kilotons, and their development.

At the moment it is too early to gauge the likelihood of the American Congress agreeing to this Department of Defence proposal. On the other hand, acceptance of the proposal put by the Department of Defence does not automatically imply approval of research into nuclear weapons referred to in Section 3136, and the development of such weapons. This would require further Congressional decisions and permission. Although withdrawal of Section 3136 need not necessarily result in a lowering of the threshold for the use of nuclear weapons or in the resumption of nuclear testing, its withdrawal could represent a step in that direction and might send a signal that the United States' express intention is to keep open for itself the option of developing nuclear weapons of relatively low yield. That would be at odds with Article 6 of the Non-Proliferation Treaty (NPT) and the

decisions taken at the NPT Review Conference in 2000. From this point of view, the Dutch government regards as undesirable any activities that could contribute to a lowering of the threshold for the use of nuclear weapons and activities that could contribute to a resumption of nuclear tests.

Question 3

Are you concerned that weapons such as these might trigger a new nuclear arms race between states that already have nuclear weapons or have a significant nuclear research capability? If not, why not?

Question 4

Do you share the view that this American decision might spur on those states around the world considering acquiring weapons of mass destruction to carry out their own research for the development of low-yield nuclear weapons? If not, why not?

Reply

Generally speaking, it is impossible to say with any certainty what effect the withdrawal of Section 3136 will have on efforts to reduce weapons of mass destruction in general and nuclear weapons in particular, to avoid a nuclear arms race, and to stem the proliferation of weapons of mass destruction. Developments such as these depend on many different factors, but it is clear in any event that the proposal put forward by the American Department of Defence will not help to promote a reduction in nuclear weapons.

Question 5

Will you tell the House how you will inform the American government if you disapprove of the decision?

Reply

In the past, this government has urged the American government to exercise maximum restraint with regard to developments that might, intentionally or unintentionally, contribute to a lowering of the threshold for the use of nuclear weapons. The Netherlands and the EU also have a standing policy of pressing the American authorities for United States' ratification of the Comprehensive Test Ban Treaty. In 2002 the Netherlands was one of the initiators of a ministerial statement that stressed the importance of this treaty being put into effect as soon as possible. Bilaterally in the context of the NPT and NATO, the Netherlands will continue to urge the United States not to pursue any activities that might be at odds with the NPT. I communicated my concerns about this proposal to American Ambassador Sobel on 26 March 2003.

1) From a letter from Kathryn Crandall of BASIC USA to PEN-Nederland: "Sec 221 Rescind the Prohibition on Research and Development of Low-Yield Nuclear Weapons, Section 3136 of the National Defence Authorisation Act for Fiscal Year 1994 (Public Law 103 - 160 Stat. 1946) is repealed."

See also: Oakland Tribune, 6 March 2003, "Bush wants to lift ban on mini-nukes"

Ian Hoffman: www.oaklandtribune.com/Stories/0,1413,82~1224681,00.html

The Washington Post, 5 March 2003 "Senators rip up policy on use of nuclear arms"

Nicolas Kralev.

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"Arms Control Association "E-Update"

April 24, 2003

MEDIA ADVISORY:

It Was The Technology, Not The ABM Treaty:

Missile Defense Remains Unready One Year Before Deployment

Contacts: Daryl Kimball (202) 463-8270 x107 or Wade Boese (202) 463-8270 x104

(Washington, D.C.): One year after the United States withdrew from the 1972 Anti-Ballistic Missile (ABM) Treaty to boost its missile defence efforts, an initial, limited system scheduled for deployment next year remains undeveloped and unproven. Before scrapping the treaty, the Bush administration painted the accord as the primary culprit preventing the development of effective nation-wide missile defences. However, the rudimentary nature of the Pentagon's various missile defence programs highlights that the true challenge was, and will continue to be, making the technology work.

President George W. Bush announced his goal of deploying the initial elements of a missile defence system one year after his December 2001 declaration of the U.S. intention to withdraw from the ABM Treaty, which barred Washington and Moscow from fielding nation-wide defences against strategic ballistic missiles. Although many viewed the treaty as instrumental in slowing the nuclear arms race, Bush condemned it as hindering the U.S. ability to develop ways to protect our people from future terrorist or rogue state missile attacks. The U.S. withdrawal took effect June 13, 2002.

Bush's deployment plan calls for a total of 10 ground-based interceptors to be fielded by the end of September 2004, only months before the presidential election. Six interceptors are to be deployed at Fort Greely, Alaska and four are to be located at Vandenberg Air Force Base, California. Another 10 interceptors are to be added at Fort Greely in 2005.

Yet, the interceptors to be deployed have not been built or thoroughly tested. The interceptor is to be comprised of a booster and an exoatmospheric kill vehicle (EKV), which is the component that homes in on the target and collides with it in space. But the interceptors used in the system's eight intercept tests to date (five of which have been successful) have employed a prototype EKV and a surrogate booster. The Pentagon planned to have a new, more powerful booster ready for intercept testing in early 2001, but that will not happen until at least the end of this year due to significant problems in developing it.

The intercept tests to date have also been limited in several other ways. The interceptor's intercept plan is calculated before launch using data from a C-band transponder attached to the mock warhead; the EKV is pre-programmed with information on what the target will look like; the intercept takes place at a lower altitude and slower speeds than what is expected in a real situation; and decoys that a potential enemy might use do not accompany the target. These testing limitations are indicative of a system in the early stages of development, not one that is ready for deployment.

A report released June 4 by the General Accounting Office (GAO), which conducts studies for Congress, finds that flight tests have also been executed under nonstressing conditions that are not fully representative of the environments that the elements would experience in combat.

GAO warned that the Pentagon's rush to field a system to meet Bush's deadline could result in a system that does not work and ends up costing taxpayers more in the long run.

Given the technical challenges confronting missile defence, it is all the more vital that the United States bolster and renew national and multilateral efforts to halt ballistic missile proliferation. A key step would be for the Bush administration to resume talks with North Korea on a permanent and verifiable freeze of its ballistic missile programs and exports. When it took office, the Bush administration suspended and then abandoned negotiations the Clinton administration had initiated with North Korea on the matter.

The Bush administration should also refrain from actions that could undercut existing restraints on the trade of missile technology globally. The White House has indicated that it is looking for ways to implement the Missile Technology Control Regime (MTCR) so it does not hamper the U.S. pursuit of missile defence co-operation with foreign governments. MTCR guidelines call on the regime's 33 members, including the United States, to restrict the transfer of missiles and related technologies capable of delivering a 500-kilogram payload at least 300 kilometres. A thorough analysis of the state of U.S. missile defence efforts one year after the ABM Treaty withdrawal is available at the Arms Control Association's Web site at

http://www.armscontrol.org/act/2003_06/mdanalysis_june03.asp

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Address to the First Review Conference of the Chemical Weapons Convention by Jaap de Hoop Scheffer, Minister of Foreign Affairs of the Netherlands, April 28th, 2003.

It gives me great pleasure to be here with you, in my own city of The Hague, looking

back on five years of the OPCW, and of course looking forward to what the future might hold for this young organisation and the Convention that forms its foundation.

As this is a review conference, an event we envisage holding only once every five years, we cannot restrict ourselves to looking at the Chemical Weapons Convention in isolation. It is only one of the cornerstones of a three-sided pyramid of arms control and disarmament treaties that cover all weapons of mass destruction - nuclear, biological and chemical. The respective elements of this triad sometimes appear to behave like communicating vessels. Their aim - the complete eradication of weapons of mass destruction from the face of this earth - cannot, of course, be achieved in isolation.

The Non-proliferation Treaty (NPT), the Biological Weapons Convention (BWC) and the Chemical Weapons Convention (CWC), being part of the same building, pretty much face the same weather conditions. With the current developments in the Middle East, North-East Asia and South Asia, those conditions appear to be stormy. The nuclear side of the pyramid is definitively catching the brunt of the gale. Most of the regional issues I just referred to are being played out largely in the nuclear field. Furthermore, this side is still under construction. The Comprehensive Test Ban Treaty, completed in 1996, has yet to enter into force. Negotiations on a Fissile Material Cut-Off Treaty are proving difficult to get off the ground.

The biological side of the pyramid is still recovering from the failure of the exercise to reinforce the Biological Weapons Treaty by introducing verification measures. Perhaps the timing was not right, but the end result is that for the moment we have to live with a Convention that mainly establishes a norm. While this is, of course, very important in itself, without verification it remains incomplete.

In comparison, the Chemical Weapons Convention and OPCW side of the pyramid appears to be made of solid marble, polished to a shine. To begin with, the Convention encompasses the prohibition of a complete class of weapons of mass destruction, without exception. Not only that, the Convention also provides a verification mechanism that treats all States Parties equally in comparable circumstances. And finally, it establishes an organisation, the OPCW, to take care of much of the implementation of the Convention.

That organisation has successfully survived its pioneering stage, as it is often called in management literature. As a matter of fact, it has come out pretty good. One of the last remaining issues to put it on a solid footing - tenure policy - I hope can be decided shortly. The Netherlands is genuinely proud to be hosting this young, but already well-developed organisation.

Now, to return to the theme of my address: in many ways, the CWC may be the most mature of the three sides of the NBC pyramid of arms control and disarmament treaties. However, I also suggested that, to some extent, these Conventions are communicating vessels, and that they share the same destiny. That destiny is a norms-based international community, enshrined in an international legal framework that does justice to all.

Now, how does all of this translate into lessons for the CWC and the OPCW? First of all, progress towards such a world governed by international law is slow, and progress on different tracks will be at different speeds. We should cherish and safeguard our accomplishments on the chemical track. We should also beware of focusing too much on linkages with other treaties, even though we realise they are all part of the same structure. Chemical weapons are horrendous, and we should reaffirm

our political commitment to banning them for good.

This brings me to my second point. Unless the Convention covers all countries, especially those in regions typified by low mutual confidence amongst states, the goal of a total ban will continue to elude us. We need to invest our political capital in convincing states that are not yet party to this convention to sign up, without delay. Again, a linkage with other conventions is not helpful in this respect. To become party to the CWC is in every country's security interests. True, it would be only a first step towards achieving a Middle East free of weapons of mass destruction, for example - a goal that I wholeheartedly support — but it would be a worthwhile step for all countries in that region. As I said before, a world ruled by international law will not come about overnight. But that should be no excuse for not taking a step when it is feasible.

And thirdly, we must not be blinded by the gleam of polished marble. The CWC and the OPCW face challenges from within. Continued success hinges on our ability to make a success of the verification mechanisms. They must provide reasonable assurances to all States Parties that other States Parties are complying with the provisions of the Convention.

After the destruction of chemical weapons, the core task for this organisation will be mainly to provide a credible verification mechanism that ensures that chemical facilities are not diverted from peaceful uses to clandestine ones. The next five years will be crucial and we need to use the entire toolkit of the Convention in these efforts. I believe that a challenge inspection in the coming period could demonstrate the usefulness of that particular tool. I also believe that we have to 'future-proof' the Convention, by making sure that new and as yet unlisted chemicals that can be used as chemical weapons are treated as such.

But before I get into too much detail, let me try to sum up by rephrasing the core challenges ahead:

We need to reaffirm our political commitment to this Convention, and invest our political capital in promoting its universality.

We must stress compliance and further develop its verification mechanisms, so that the Convention can perform its confidence- and security-building function to the full.

We need not shy away from using all the instruments the Convention offers in order to promote full compliance with its provisions.

Also, a strict and universal implementation of the CWC could be its main contribution to our common fight against terrorism.

I wish you every success during this conference in furthering our common goals, and I hope that my remarks will in some way help guide your debate over the coming two weeks.

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PENN-NI report 2 May 2003

Dear friends, colleagues

please find below answers to questions put to the Dutch foreign minister on US nuclear policy. As you can see the minister took about a month to reply, plus another few days before the replies were posted on the parliamentary website. I would be pleased to have your advice on follow-up questions, especially regarding the connection to NATO nuclear policy. Those of you attending the NPT prepcom might also be able to use this. Note that the minister makes careful use of the distinction between pre-emptive action with any means on the one hand, and the use

of nuclear weapons in such a role on the other.
Negotiations for the new Dutch right-wing cabinet are going on
apace: it might be here more quickly than I predicted, within a
few weeks perhaps.

Karel Koster
PENN-N1

PS This translation was made possible by the Ploughshares
foundation

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To the President of the House of Representatives of the States
General

Binnenhof 4 The Hague
Department of Security Policy
Nuclear Issues and Non-Proliferation
Bezuidenhoutseweg 67
2500 EB The Hague

Date 28 April 2003

Handled by Peter Potman

Reference DVB/NN-139/03

Re: Reply to questions put by member Marijnissen on American
policy and nuclear weapons

I am pleased to provide this response, on behalf also of the
Minister of Defence, to the written questions put by member
Marijnissen on American policy and nuclear weapons. The
questions were submitted on 26 March, reference 2020309400.
The Minister for Foreign Affairs
Mr J.G. de Hoop Scheffer

Reply by Mr De Hoop Scheffer, Minister for Foreign Affairs, on
behalf also of Mr Kamp, Minister of Defence, to questions put
by member Marijnissen (SP) on American policy and nuclear
weapons.

Question 1

How in your view does the American policy of 'proactive
counterproliferation efforts' relate to standing policy on
deterrence with nuclear weapons? 1)

Question 2

What in your view is 'new' in the idea of 'new deterrence'? Do
you share the American position that this represents a
fundamental change from the past? 2)

Question 3

Do you share the view that this policy of proactive
counterproliferation in the light of the Nuclear Posture
Review of January 2002 amounts to the preventive use of various
types of nuclear weapons as battlefield weapons? 3)
Can you explain your answer?

Question 4

How does this trend in American policy relate to the idea of
deterrence from the use of nuclear weapons and other weapons of
mass destruction? Do you believe that the hypothesis of
deterrence is further weakened now that the US, in doctrine and
practice, is moving to the preventive use of nuclear weapons?

Question 5

Do you share the view that the deployment of nuclear weapons
against Iraq in the light of the Nuclear Posture Review, which

names five countries in particular, including Iraq, 4) is a possibility? Can you explain your answer?

Reply

The government has already informed the House at great length about the Dutch standpoint on the various aspects of the new American approach to security, including in letters dated 5 July 2001 on Missile Defence (27 857, No. 1), 25 March 2002 on the American strategic review: non-proliferation, nuclear strategy, means of defence, New Strategic Framework (27 857, No. 2), 27 March 2002 on the American 'Nuclear Posture Review' (27 857, No. 3), and 15 November 2002 on the new national American security strategy (28 600V, No. 12). Furthermore, a written reply was given to questions put on 20 December 2002 by member Karimi (Appendix, No. 560).

In addition, I would like once again to underscore the difference between deterrence with nuclear weapons and 'pre-emptive action'. The object of deterrence, with nuclear weapons or otherwise, is to prevent an adversary taking action by presenting the prospect that the harm caused to the adversary himself by the response will outweigh any benefit he might gain from his action. So nothing happens until an adversary takes action, to which a suitable response is then formulated. 'Proactive counterproliferation efforts' take this a step further; they are measures aimed at denying an adversary particular capabilities or the use of those capabilities by initiating action before the adversary has a chance to do so. However, the use of nuclear weapons is not mentioned in this context by the US

1) The National Security Strategy of the United States of America, September 2002. "We must deter and defend against the threat before it is unleashed."

"Counterproliferation must also be integrated into the doctrine, training, and equipping of our forces and those of our allies to ensure that we can prevail in any conflict with WMD-armed adversaries."

2) National Strategy to Combat Weapons of Mass Destruction, December 2002.

From the introduction: "As with the war on terrorism, our strategy for homeland security, and our new concept of deterrence, the U.S. approach to combat WMD represents a fundamental change from the past."

3) Nuclear Posture Review, January 2002. Part 2, from page 12.

"Contributions of the new triad to defence policy goals".
Assure, Dissuade, Deter, Defeat. See under 'Defeat': "Composed of both non-nuclear systems and nuclear weapons, the strike element of the New Triad can provide greater flexibility in the design and conduct of military campaigns to defeat opponents decisively".

4) "North Korea, Iraq, Iran, Syria and Libya are among the countries that could be involved in immediate, potential, or unexpected contingencies. All have longstanding hostility toward the United States and its security partners; North Korea and Iraq in particular have been chronic military concerns".
Page 16. Nuclear Posture Review.

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PENN-NI report 20 May 2003

Dear friends, colleagues

I would like to draw your attention to the speech below, made by the Dutch minister of foreign affairs before the parliamentary Commission on Foreign Affairs in the French parliament last week.

Note carefully the appeal made for strengthening the European CFSP while at the same time insisting it has to be done in close co-operation with the US. This position represents the 'we're all in it together' current of European opinion, which insists that the bottom line of the transatlantic argument is that the strengthened European foreign policy has to be adjusted to fit US interests (my interpretation), even at the cost of abandoning other treaty arrangements. Note carefully the point the minister makes regarding treaty regimes: they are no longer enough to deal with rogue states that are 'outside the system'. Europe should apply its economic power to 'put pressure on countries that do not respect certain values or agreements.' Iran is specifically mentioned as a case where Europe can link market access with security. (I assume the minister wants to withhold market access to apply pressure to Iran).

Furthermore, the multilateral system is defined as one in which the US and Europe pursue shared interests, in which NATO should play a role more pro-active than in the 20th century. The EU and US should return their focus to the bonds that link them. A further deepening of European integration is in the US interest as well.

Now, in view of the fact that Holland is a loyal US ally and therefore a counterweight on the continent to Franco-German aspirations, this speech can be seen as a good illustration of the forces at work in Europe. On the one hand the support for a European CFSP, on the other the unabashed call for using European economic clout, not to counter the US, but to serve as an extension of US foreign policy, going as far as naming the first 'customer', Iran. The basic premise is that there is a common interest that ties together the Atlantic alliance: it must continue into the 21st century as a force that can be deployed anywhere in the world.

I would say it remains to be seen how strong this particular current of opinion is in Europe: on the US side I would say it is represented by the traditional Atlanticists whose star would appear to be rapidly waning in comparison to that of the neo-conservatives.

Karel Koster

PENN-NI

.....
Address by Mr. Jaap de Hoop Scheffer,
Minister of Foreign Affairs of the Kingdom of the Netherlands
"Making Europe stronger: our common task"
Parliamentary Commission on Foreign Affairs
Paris, 14 May 2003
<http://www.minbuza.nl/20030514-110229-A>
(Introduction: bilateral relations NL- France)

Ladies and gentlemen, I very much welcome the opportunity to speak before this audience. I would be grateful for the opportunity in any circumstances, but I am particularly today. For only yesterday, France and the Netherlands inaugurated the Franco-Dutch Co-operation Council, an excellent instrument for strengthening our bilateral ties in the cultural, social, scientific, economic and journalistic areas. It fits very well with the reinforcement of our bilateral relations and our joint efforts on the political level. In that area, minister De Villepin and I yesterday also agreed on a number of joint initiatives. They range from the launching of a discussion on the future of the Great

Lakes region to the setting up of a European non-proliferation strategy and joint human rights missions, to name but a few.

France and the Netherlands are part of Europe, and our bilateral relations will only increase in importance as the European Union continues to widen and deepen. We are committed Europeans and as such we have a lot in common: we took part in the creation of the European Community, we share many values, and we both believe in a stronger global role for Europe. Over the years, we have come to share an 'esprit Européen' which transcends our occasional differences of opinion on certain issues.

(Current antagonisms)

I believe it is that esprit européen that we need most today, because recent months have brought a sense of antagonism and perhaps even crisis within the European Union. The prologue to the war in Iraq and the events that followed laid bare a number of differences between major players on the world scene, including some within the EU itself.

I believe that we should not ignore those differences. Some are important, some less so. But what we must not lose sight of is that irrespective of those differences, we share a common belief in core values: democracy, human rights, the rule of international law, stability and security. Everything else, from what role the international community should play in rebuilding Iraq to how Europe can increase its defence capabilities or what measures should be taken to address weapons proliferation and rogue states, is subordinate to that.

With that in mind, I should like to address a number of issues at the heart of the European debate today: the development of a European foreign and defence policy; our relationship with the US; the debate within the Convention on the future of Europe; and bilateral relations in an enlarged European Union.

(Europe's external relations)

The development of a common European foreign and security policy in keeping with Europe's enormous economic weight is long overdue. The interests of Europe, as well as the international order, require a single European voice in international relations. The EU can contribute ideas and capabilities for promoting security and stability beyond its own continent. We must therefore develop a common vision on two key issues. First, on a joint foreign and security policy, including a defence component. Central to that vision should be the multilateral framework. With the United Nations as the jewel in the crown. Over the years, the UN has contributed unique instruments to national diplomatic toolboxes for promoting international peace and security: dispute settlement, economic sanctions; peacekeeping and reconstruction mandates; codes of conduct and inspection regimes. The UN therefore deserves to remain central to the European and American view of the international order. An international order that also includes key organisations such as NATO and the OSCE.

Second, we should develop a common vision on our relationship with the US. It is essential that we better recognise our many common interests and that we deepen our transatlantic dialogue accordingly. No matter how much we invest in a multilateral framework to regulate both security and trade issues for instance, we cannot succeed without US involvement. The US needs us, just as we need the US. If the US were to walk away from the multilateral system, that system would suffer irreparably. For both the EU and the US, there is too much at stake in political and economic terms to allow the multilateral system to become obsolete.

So, you will ask, what does that European vision on security and defence and on our relationship with the US involve? It will have to be the outcome of further strategic discussions within the EU, but my answer would be that a European vision should at least be based on the following principles.

(Security and defence)

First, if we want to make a useful contribution to the international order, we must develop a coherent foreign and security policy including a military capability. That is a strategic choice thrust upon us by the end of the Cold War and the emergence of numerous regional conflicts outside the EU. It means that, for instance, at some stage circumstances in Africa might require an EU-led peacekeeping operation. We should be prepared for that.

Second, a European defence capability should be linked to NATO and not duplicate existing structures and capabilities. We do not want an Article V for Europe. A European defence capability should allow the EU to play its role in crisis prevention and crisis management in those cases where NATO involvement is not an option. NATO remains essential and European countries need to increase their capacity to act within NATO. I might add that we Europeans should do more collectively, not in small groups of four or five.

Third, our recognition of the importance of a European defence capability should also translate into the political will to contribute resources and capabilities. Investments in both 'hard' and 'soft' security are needed.

Fourth, we must develop a common European security concept that acknowledges and addresses current deficiencies in the multilateral system. We must recognise that the case of Iraq has revealed flaws in the multilateral framework - including the UN and NATO. We have to admit that traditional non-proliferation regimes have their limitations. They do not effectively address the threat of rogue states; that is, those outside the system. Supporting treaty regimes is no longer enough. Instead, if we want to respond adequately to these threats, we must work on two fronts. On the one hand, we must continue to uphold the universality of treaties and norms and to strengthen export control policies and their implementation. On the other hand, we must explore new avenues. The EU should develop a coherent non-proliferation strategy that incorporates all the instruments at its disposal: diplomatic, political, economic, financial and military as well. We need an integrated, cross-pillar approach on this issue. You will ask: what does this mean in practice? My answer is that it could mean using Europe's leverage in economic or development matters to put pressure on countries that do not respect certain values or agreements. Whether in the field of non-proliferation, terrorism, human rights or any other. Europe could use this leverage for instance, in the case of Iran, which continues to perform poorly in these areas and with which it is negotiating a trade and co-operation agreement. By linking market access with security we could create a truly coherent and effective European foreign policy.

(Relationship with the US)

We must recognise the deficiencies in the current multilateral framework if we wish to maintain a strong partnership with the US. The multilateral system will not work without the US. For the US to work with the multilateral system, that system needs to be credible and effective. So if we agree that Europe and the US have a shared interest in a more effective multilateral system, we should ask ourselves: how can we give that system teeth. Eventually, it will be inevitable that we aim at a single European voice within the UN Security Council. I believe that the debate about a multipolar versus a unipolar world indicates that this is a problem that we need to address. We should remain focused on enhancing the multilateral framework, because that is where our interests coincide. That is also where we can negotiate our differences and settle our disputes. A strong multilateral system remains the best means for protecting the prime world interests: international peace and security. Those are the interests that impose on Europe, and not only on the United States, a responsibility for the global security. In fact, Europe is already taking that responsibility in the fight against

terrorism. We will also need a discussion between Europe and the United States on the future role of NATO. I am convinced that we will have to aim for a NATO which is more pro-active than NATO in the twentieth century.

Our second task vis-à-vis the US should be to convince it that while we do not always share its views (that goes for the Netherlands as well), we do believe in the importance of our relationship. Any EU efforts to acquire a role in foreign policy and defence are designed to contribute to international stability and security and not to make Europe a counterweight to the US. Some have called this an “Europe puissance”. I would gladly hear your interpretation of that phrase, but I believe that an “Europe puissance” should also be an “Europe partenaire”. That partnership should be reflected in active and committed diplomacy between the EU and the US. We should both engage in meaningful dialogue with an open mind. That means that we should be able to call on each other’s responsibilities, notably when the Kyoto Treaty and the ICC are concerned. We should also rethink the regular EU-US summits and make sure that they address the fundamental issues. Issues of trade and economic relations, as well as those in the security field, such as proliferation, the Middle East Peace Process and so forth.

The EU and the US should return their focus to the bonds that link them. Much as Americans must recognise that there is no such thing as “old” or “new” Europe, we should acknowledge that we may have underestimated the true trauma that the 2001 terrorist attacks have caused in the American psyche and society.

(A changing EU: bilateralism)

A further deepening of European integration is in the US interest as well. A more capable and stronger Europe can better contribute, together with the US, to effectively addressing the key issues that we all face today.

Fortunately, Europe’s deepening process is picking up pace rapidly. In the Convention on the future of Europe we are debating issues that will determine Europe’s shape and ambitions in years to come. That gathering coincides with the conclusion of an historic round of enlargement that will further change the way the EU and its member states operate. It will increase Europe’s diversity. There will also be more and sometimes overlapping dividing lines between member states. There will be differences between larger and smaller member states; between northern and southern ones; between founding fathers and new member states and so on. All this will make the outcome of EU discussions increasingly difficult to predict. And on a more fundamental level: I believe it will increase the importance of bilateral relations within the EU.

With each new issue we are likely to see changing ad hoc coalitions of member states, as we have done in recent months. And with twenty-five member states, more of the emphasis in the diplomatic process will naturally shift to national capitals where positions on EU matters are being prepared. Brussels will remain the endpoint of the EU decision-making process but with twenty-five states around the table the margin of manoeuvre there will be small. Therefore, the negotiation and formation of coalitions will increasingly take place in national capitals. That is not a setback for European integration. Quite the contrary. It is a way of maintaining the dynamism in EU integration after the almost doubling the EU’s membership. In other words, it will mean the renaissance of bilateralism but in the service of European integration.

(Convention)

It means we will have to invest in our relations with other member states, including those that are not of like mind about some issues. It also means that we need to work hard for a good outcome of the Convention as that will determine the framework within which we will have to defend our interests in future.

In the Convention, the Netherlands - a founding father like France - is taking the view that we

should above all safeguard the dynamism of the EU. That means that the position of the European Commission and the Community method should both be strengthened. France and the Netherlands have recently published a joint paper saying exactly that. The Netherlands will make sure that this position is reflected in the end result of the Convention. Any new Treaty will have to maintain the current balance between the EU institutions. It will also need to preserve the parity of the member states. We should therefore maintain the current system of the rotating Presidency, especially for the European Council, and at the same time strengthen the Council. Both France and the Netherlands support the proposal for an EU minister of Foreign Affairs, an office that would admirably serve the two goals of increasing Europe's external coherence and reinforcing co-operation between the institutions. Even though I am convinced that any such office could not have prevented the recent differences which arose over Iraq.

The latest proposals from the Praesidium of the Convention on the role of the institutions do not reflect these basic principles. Nor do they reflect the discussion in the Convention, since they clash with the views of a vast majority of the members. As they stand, these proposals would rather divide member states than unite them. The Benelux countries have therefore presented an alternative set of institutional articles aiming to avoid a rift between bigger and smaller member states. We are committed to making the Convention a success. But that can only happen if it reflects the fundamental principles that I have just outlined.

As important as Europe's future institutional framework is, we must also allow for realism. Institutional fixes are not an alternative to political will. We must acknowledge that the dynamics of the EU, particularly in foreign and security policy, depend in large part on its three biggest member states: France, Germany and the UK. Any major advance in EU integration in practice is conditional on their support. So if you ask, will Europe develop its own foreign and security policy?, the answer to that question will finally have to be given in Paris, London and Berlin. If France wants to build a Europe puissance, is it prepared to accept its implications, that is putting in place strong Union institutions even if this would lead to a loss of sovereignty?

(Conclusion)

So you see that the Netherlands recognises the key role France plays in the EU's development. It also considers France a key partner in Europe.

Our esprit Européen should guide our future relations within an enlarged EU. We should continue to work together on the basis of joint responsibility and shared interests. The newly created Franco-Dutch Co-operation Council fits in very well. I am convinced that it will allow us to advance our common goals while building a European Union that is both wider and stronger.

Ladies and gentlemen, the crisis in Iraq has undoubtedly revealed differences both between EU member states and on the two sides of the Atlantic. But it has also inspired fresh thinking on Europe's external role and on the way in which we should shape our relations with the US.

The precise outcome of our discussions is not yet known. But it is clear already that more than ever, we are committed to giving Europe a higher profile and a stronger voice in the world.

Making that happen is a task

that France and the Netherlands, as founding fathers, cannot and must not fail to pursue.

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PENN-NI report 3 June 2003

Dear friends, colleagues

please find attached a dossier with Dutch-US-UK quotes regarding WMD Iraq as a casus belli, covering the autumn-winter period leading up to the Iraq war. Although the Dutch government quotes (Prime minister Balkenende and some politicians making the case for war on the basis

of the US-UK WMD claims - remember, this was a caretaker cabinet) are in Dutch, I thought the rest of the dossier might be useful to some of you. There are also a number of UK-US newspaper articles, which you should be familiar with. However, you may find the combination useful. This is an exception in my distribution policy: F&R is a tool for the Netherlands, usually. See also www.Eurobomb.nl F&R 24B

Karel Koster
PENN-NI

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GAO Cites Risks in Missile Defense

By Bradley Graham
The Washington Post
Thursday 05 June 2003

A congressional report warned yesterday that President Bush's drive to erect a nationwide antimissile system next year is hampered by immature technology and limited testing, raising the risk of failure.

The report, by the General Accounting Office, also criticized the administration for refraining from making long-term cost estimates for many elements of the planned system, clouding decisions about what technologies to pursue.

The report echoed concerns that missile defense opponents in Congress and elsewhere have raised about the Bush plan. As the president has pressed toward his goal of putting missile interceptors in Alaska and California by September 2004, the political debate over missile defense has shifted from ideological arguments about arms control to practical considerations about performance and cost.

Critics accuse Bush of shortcutting normal Pentagon testing and budgeting procedures to have an antimissile weapon in place before the next presidential election. Administration officials contend that U.S. vulnerability to a ballistic missile attack warrants quick fielding of a less-than-perfect defense. They also say that tests so far have confirmed the viability of the basic concept behind the system: namely, launching missile interceptors into space to collide with enemy warheads.

But the GAO report said Bush's directive to build the system by 2004 has placed the Pentagon's Missile Defense Agency "in danger of getting off track early and introducing more risk into the missile defense effort over the long term."

Because of time pressures, the report said, the planned system contains components "that have not been demonstrated as mature and ready" for incorporation with other elements. One example cited was the three-stage booster rocket intended to lift the "kill vehicle" interceptor into space.

Development problems have prompted the Pentagon to change prime contractors and order two booster designs, neither of which has been fully flight-tested yet.

In fact, the report noted, flight-testing of the whole system has remained crimped. Although interceptors have scored hits in five out of eight attempts since 1999, the tests have relied heavily on surrogate or prototype components and have been run under "non-stressing conditions" far different from those likely to be encountered in a missile attack, the report said.

"As a result, testing to date has provided only limited data for determining whether the system will work as intended in 2004," the report said.

The Missile Defense Agency issued a statement expressing confidence that the planned system would provide "an effective, reliable defense" of all 50 states. "This confidence comes from the outstanding technical success we have achieved in our development and test program," the statement said. But two Democratic senators who have led congressional opposition to the administration's plan and who requested the GAO report -- Carl M. Levin of Michigan and Jack Reed of Rhode Island -- seized on the findings. "The GAO report provides a troubling picture of a system without direction," Reed said. "The president's decision to deploy an untested national missile defense system still seems to be motivated more by politics than effective military strategy."

Recognising they do not have the votes in Congress to block Bush's initiative, Levin, Reed and other critics have concentrated instead on writing language into defence authorisation measures that would force the administration to spell out performance criteria and operational test plans for the proposed system, and provide periodic assessments. The administration has so far resisted getting too specific about system requirements. While acknowledging that the system as initially deployed will be far from perfect, Pentagon officials say plans call for it to be improved over time in "blocks" as the technology matures and the threat evolves. The GAO report said such flexible, phased development makes sense for a new, complex weapons system such as missile defense. But it faulted the Missile Defense Agency for not estimating the total "life cycle" cost of elements or budgeting for them. Agency officials agreed with this criticism and plan to start drawing up long-term cost estimates, the report said.

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PARLIAMENT:

To the President of the House of Representatives of the States General
FROM:

Department of Security Policy
The Hague

Date: 6 June 2003

Handled by: Harmen van Dijk

Reference: DVB/NN-193/03

Re: Reply to questions put by member Koenders about the Dutch Government, the United States, the United Kingdom and support for the action in Iraq.

I am pleased to provide this response, on behalf also of the Prime Minister, to the written questions put by member Koenders about the Dutch Government, the United States, the United Kingdom and support for the action in Iraq. The questions were submitted on 5 June 2003, reference 2020312490. This letter also constitutes a reply to the request submitted by member Koenders, reference 203-062, dated 3 June 2003.

The Minister for Foreign Affairs
Mr J.G. de Hoop Scheffer

Reply by Mr De Hoop Scheffer, Minister for Foreign Affairs, on behalf also of Mr Balkenende, the Prime Minister, to questions put by member Koenders (PvdA) about the Dutch Government, the United States, the United Kingdom and support for the action in Iraq.

Question 1

What specific information did the Dutch government receive from the United States and the United Kingdom before expressing its support for the action in Iraq?

Question 2

Did this information also refer to the level of threat posed by weapons of mass destruction and, if so, what value did the government place on this information? Did the government have full confidence in the information from the United States and the United Kingdom? How was this evaluated in relation to the information from UNSCOM?

Reply

The government had access to information provided by the US, the UK and other NATO allies, the presentation made by Secretary of State Colin Powell to the UN Security Council on 5 February 2003, and the British government report on weapons of mass destruction in Iraq published at the end of last year. This information was continually assessed in the light of the widely publicised reports from UNSCOM, UNMOVIC and the IAEA, as well as information in the possession of our own intelligence services. The House was informed of the government's position on this information in a number of letters.

The government has consistently made its own assessment of the information available to it. In its letter of 18 March 2003, the government finally concluded that everything pointed to "Iraq's intention to maintain its weapons of mass destruction capability and moreover to expand that capability given a suitable opportunity". This conclusion was taken into consideration when assessing the extent to which the Saddam Hussein regime was in material breach of the relevant Security Council resolutions.

Question 3

Did the Dutch government express political support for regime change when this was one of the allies' primary objectives? How does this relate to earlier statements by the Minister for Foreign Affairs in the House of Representatives that regime change was not the allies' primary objective?

Reply

Right from the start, regime change has not been on the Dutch agenda. That position has remained unchanged. In my letter of 4 September 2002 to the House (Parliamentary Document TK 23432 No. 56) I pointed out that regime change might result from military action and also said that "very few people in Iraq and in the rest of the world would regret a change of regime in Baghdad in view of the regime's exceptional cruelty". There are no grounds at present for reviewing this opinion.

Question 4

What is your opinion of the interview with the American Deputy Secretary for Defense Paul Wolfowitz, in which he states that weapons of mass destruction "was only one of the motives"?¹ Can you comment in detail on this interview and indicate the extent to which you agree with Wolfowitz's statements?

Reply

It is not up to this government to express an opinion on statements made by members of the American government about the internal reasons that led to US military intervention. In view of the real threat posed by Iraq's possession of weapons of mass destruction, the government itself, right from the start, did not wish to exclude military intervention, after the UN process as 'ultimate remedy', as a way of putting an end to Iraq's material breaches of the obligations the Security Council

had imposed on the country. Once the government had come to the conclusion that Iraq was also in material breach of its obligations in terms of Security Council Resolution 1441 by not actively co-operating with the UN inspectors and thereby failing to grasp the last opportunity to convince the world community that it had dismantled its arsenal of weapons of mass destruction, the government decided to give political support to military intervention.

Question 5

What is your view of the comments made by the Commander of the American Marines that, in all probability, no weapons of mass destruction would be found?² How does this relate to the threat scenario presented by the United States and United Kingdom governments?

Question 7

What is your assessment of the remarks by Senator Jane Herman, member of the American Senate Intelligence Committee, that it will be “the biggest intelligence deception ever” if there is no clarity about the claims relating to Iraqi weapons of mass destruction?³ Are you in contact with the US government about the request made by this committee among others, and can you inform the House of Representatives immediately about possible conclusions?

Reply

The government bases its opinion in this matter on statements made by the American government. The American government does not hold the view that no weapons of mass destruction will be found. Research is currently still being conducted into the Iraqi mass destruction potential.

As far as the government knows, no decisions have been taken about possible hearings.

Question 6

Did the Dutch government attach any importance to the British government’s belief that Iraqi chemical and biological weapons could be launched at 45 minutes’ notice? Who evaluated this type of information for the Dutch government? Which agencies were involved? How was the Prime Minister informed?

Reply

The government noted the report from the British government that included this assertion. I indicated my response to this in my letter of 30 September 2002 (House Question with reply No. 93): “The analysis in this report of the attempts by the Iraqi regime, contrary to Security Council resolutions, to obtain weapons of mass destruction capability and the threat that this poses in the light of the regime in Baghdad, is in keeping with the Dutch government’s view of the situation”.

The information available to the government, referred to earlier in the reply to Questions 1 and 2, was assessed by both the Military and General Intelligence and Security Services (MIVD and AIVD). The assessment of this information was then, in collaboration with the Ministry for Foreign Affairs, assembled into a weekly report sent to, among others, the Prime Minister, the Minister for Foreign Affairs and the Minister of Defence.

Question 8

What information do you regard as a precondition for providing political or military support to allies in the fight against weapons of mass destruction?

Reply

The provision of political or military support in a case such as this depends on a

number of factors, of which information on the existence and the threat posed by weapons of mass destruction is but one.

Question 9

How do you ensure that this information is adequate and what bilateral and institutional mechanisms are available to you in this context?

Reply

Information to which the government has access is evaluated at an interdepartmental level, with the AIVD and MIVD playing a key role. Regular and, where necessary, ad hoc intelligence meetings are held within NATO and the EU as well as on a bilateral basis. Whether and when there is sufficient information to justify the government taking a particular course of action depends on the specific situation to which the information relates.

Question 10

Will you, at the earliest opportunity, take the initiative bilaterally and in the EU to bring about a situation in which the UN inspectors make an independent analysis of the presence of and possible threat posed by weapons of mass destruction in Iraq?

Reply

In Resolution 1483, operational paragraph 11, the Security Council indicates its intention to revisit the existing mandate that the UN inspectors have from UNMOVIC and the IAEA. The Netherlands will be doing its best to encourage the Security Council to do so as soon as possible.

The government is of the opinion that independent verification of any weapons of mass destruction found by the Coalition or the Iraqi Interim Authority and supervision of any destruction of such weapons, is essential. The government's view is that this task should preferably be given to an organisation mandated by the Security Council.

It is not the UN's task to analyse the threat posed by weapons of mass destruction.

Question 11

Do you agree with the proposition that public opinion in the Netherlands has the right to know as soon as possible whether and to what extent weapons of mass destruction were the reason for military intervention in Iraq and, linked to this, the Dutch government's support?

Reply

See the reply to Question 4.

¹ Interview with Deputy Secretary of Defense Paul Wolfowitz in: "Vanity Fair", June 2003

² ANP, 30 May 2003.

³ idem

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PENN-NI report 29 July 2003

Dear Friends, Colleagues

Please find attached a series of documents related to proliferation issues, as follows:

- a collection of cuttings and documents covering the Proliferation Security Initiative initiated a few months ago by the US and ten of its allies, including the Netherlands, France, Japan, Germany, Australia and others (see www.eurobomb.nl , publicaties, papers, F&R 27)
- 18 March 2003 translation of a resolution (RESOLIRAK) introduced into the Dutch

parliament by the Socialist Party and GreenLeft, calling on the Dutch government to undertake steps in the EU opposing US nuclear weapon use in Iraq: no other party supported it, it was therefore defeated

- 7 July 2003 (KST69378) Translation of a letter from the Dutch minister of foreign affairs to parliament, explaining the softening of arms exports criteria to India and Pakistan (no mention of the nuclear arms race rationale which did play a part some years ago)

- 14 April 2003 (WildersvrIran) translations of answers Dutch government to questions by VVD (right wing liberals) member of parliament Wilders regarding the development of Iranian nuclear weapons

- 24 June 2003 (KVR18133) translation of answers to questions by left-wing member of parliament van Bommel regarding a possible sea-blockade of North Korea in relation to PSI Regarding the Proliferation Security Initiative I would like further information other than in the attached file concerning the precise status of this initiative. It seems to be a mechanism for providing political legitimacy to certain unilateral steps that may be undertaken by the US government. Does anyone else, especially in the countries concerned, have further information on the decisions taken in Brisbane and the follow up conference in September? Do you have any parliamentary or government documentation on this issue?

Karel Koster

PENN-Netherlands

.....
Parliament 18 March 2003

Proceedings No. 50 (fragment)

The discussion is a continuation of
the **debate on a statement by
the Prime Minister and
consideration of letters from the
Prime Minister and the Minister
for Foreign Affairs about
Iraq (23432, Nos. 93 and 94).**

(.....)

Motion

The House,

having heard the deliberations,

in consideration of the fact that the American government does not rule out the deployment of nuclear weapons in response to an Iraqi attack with chemical or biological weapons, is of the opinion that the deployment of nuclear weapons runs counter to the proportionality requirement and contravenes international law and

requests the government to take the initiative at the forthcoming Euro Summit to urge the European Union as a body to call on the United States not to deploy nuclear weapons under any circumstances,

and proceeds to the order of the day.

The **president**: This motion has been proposed by members Halsema and Marijnissen. I believe it has sufficient support.

It will become Motion No. 98 (23432).

.....

**Parliament :House of Representatives of the States General 2 Parliamentary Session
2002–2003** 22 054 Weapons export policy

No. 72 LETTER FROM THE MINISTER FOR FOREIGN AFFAIRS

To the President of the House of Representatives of the States General
The Hague, 7 July 2003

In this letter I would like, on behalf also of the State Secretary for Economic Affairs, to inform you about current policy on the export of strategic goods to India and Pakistan.

At the last general meeting on weapons export policy on 31 October 2002 (Parliamentary Document 22 054, No. 66) there was a detailed focus on the Dutch government's policy on the export of military equipment to India and Pakistan. At that consultative meeting I said that, in view of the current tensions between the two countries, I would be taking a very restrictive attitude towards granting export permits not only for new deliveries, but also for return-after-repair and demonstration consignments. In keeping with this policy line, until recently virtually no permits at all were granted for exports of military goods ultimately destined for India or Pakistan.

A number of new and relevant developments in relations between the two countries have now taken place. The first important development is a recent easing of tensions between India and Pakistan. The two countries now appear to be serious about improving their mutual relationship. I regard this as a positive move, while realising that there is, of course, still a long way to go. The second relevant development I would like to mention is that the regular discussions between EU member states on weapons export policy also include consultation on the policy of the member states towards India and Pakistan. From these discussions it is clear that, especially in the case of return-after-repair and demonstration consignments, and to a lesser extent new deliveries, virtually all the EU member states are pursuing a less restrictive policy than the Netherlands, particularly with respect to deliveries to those sections of the armed forces (the navy and air force) not directly involved in the conflict over Kashmir.

In the light of these developments, it has been decided to adapt the policy somewhat. An export permit will normally be granted for return-after-repair consignments. It is important to note here that the goods in question already belong to the countries concerned. A permit will also normally be granted for after-sales deliveries to the extent that they are destined for the navy and air force. After-sales deliveries to the army will be carefully monitored for any risk of deployment in the conflict in Kashmir. I believe that a less restrictive policy is also justified with respect to demonstration consignments. After all, the goods in this case do not belong to the country in question and are brought back to the Netherlands by the Dutch producer following the demonstration. Moreover, in every case it will be made clear when granting a permit that no rights whatsoever can be derived with regard to a permit being granted for subsequent orders. For the time being, a policy of restraint will be exercised in relation to new deliveries. Should the positive developments in relations between India and Pakistan referred to earlier continue to bear fruit, a less restrictive policy on new deliveries is a distinct possibility.

One of the factors that affects my thinking on this issue is the Dutch government's desire to promote a level playing field in Europe for the export of strategic goods.

The Minister for Foreign Affairs,
J. G. de Hoop Scheffer

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House of Representatives, Parliamentary Session 2002–2003, 22 054, No. 72

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Parliament

To the President of the House of Representatives of the States General
Binnenhof 4
The Hague

Department of Security Policy
Nuclear Issues and Non-Proliferation
Bezuidenhoutseweg 67
2500 EB Den Haag
Date 14 April 2003
Handled by Daniel Voorhoeve
Reference DVB/NN-128/03
E-Mail daniel.voorhoeve@minbuza.nl

Re: Reply to questions put by member Wilders about the Iranian nuclear programme

I am pleased to provide this response to the written questions submitted by member Wilders about the Iranian nuclear programme. The questions were submitted on 27 March, reference 2020309490.

The Minister for Foreign Affairs
Mr J.G. de Hoop Scheffer

Reply by Mr De Hoop Scheffer, Minister for Foreign Affairs, to questions put by member Wilders (VVD) on the Iranian nuclear programme.

Question 1

Are you aware of the fact that the United States has sounded the alarm on Iran's unexpectedly advanced nuclear potential?1

Reply
Yes.

Question 2

Can you confirm the reports that Iran has hundreds of centrifuges for uranium enrichment and is much closer to the production of a nuclear bomb than was assumed until recently? What are your views on this issue?

Question 4

How do these reports relate to your replies to earlier written questions submitted by this member?2

Question 5

Are you prepared to bring up these disturbing reports on the Iranian nuclear programme for discussion bilaterally and in the EU? If you are, then in what way? If not, why not?

Reply

Among the places ElBaradei inspected when he visited Iran in February this year was the construction site for the Natanz enrichment plant. As stated, El Baradei said he was surprised at the advanced state of the plant's centrifuge technology. A test installation is currently being built at the enrichment site and this will have a thousand centrifuges. Some of these have already been installed, but have not yet been loaded. At Natanz they have also started work on a much larger enrichment plant that will eventually house many thousands of centrifuges. Iran itself says that the whole enrichment plant will be operational in two years' time. Its enrichment technology is suitable for the enrichment of uranium for use in nuclear power

stations. The same technology, however, can also be used to produce highly enriched uranium for use in nuclear weapons.

One of the disturbing aspects for the Netherlands is Iran's lack of transparency on its nuclear programme. Its openness about the facilities it has under construction only came at a late stage. As far as we know, these facilities in Iran have not broken any IAEA rules, but there are still some outstanding questions. In any event, Iran does not appear to have acted in the spirit of the safeguard regime. The Netherlands brought this up in the EU and at the IAEA Board of Governors meeting on 17-18 March this year.

At the March Board of Governors meeting the Netherlands also urged Iran to conclude an Additional Protocol with the IAEA. This point has been made to Teheran on many occasions. An Additional Protocol would give the IAEA greater authorisation to carry out inspections. If, as Iran claims, it only has a peaceful nuclear programme, there can be no objections to such a protocol.

The IAEA is currently holding talks with Iran on a number of guarantee issues that need clarifying. El Baradei will probably report on this matter at the next IAEA Board of Governors meeting in June.

Question 3

What is your assessment of American Secretary of State Powell's comment that 'Iran has a more aggressive nuclear programme than the International Agency for Atomic Energy thought'?

Reply

Following his visit to Iran, the Director-General of the International Atomic Energy Agency (IAEA), El Baradei, himself said he was surprised at the advances made by Iran in the construction of nuclear installations and at the advanced state of its centrifuge technology.

Question 6

Will you inform the House of Representatives as soon as possible on how the EU intends to deal with any future breaches of the non-proliferation treaty by Iran?

Reply

This is not an opportune time to comment on the serious situation that would arise if Iran were to breach its obligations under the non-proliferation treaty.

1 De Telegraaf, 11 March 2003

2 Annexe to the Proceedings No. 648, Parliamentary Session 2002-2003.

.....
Parliament House of Representatives of the States General 2

Parliamentary Session 2002-2003

Annexe to the Proceedings

Questions put by members of the House, with the government reply to them.

1595

Questions put by member Van Bommel (SP) to the Minister for Foreign Affairs about a possible plan to instigate a sea blockade of North Korea. (Submitted 24 June 2003)

1

What does the plan to tackle North Korea's illegal trade in nuclear materials and drugs involve? Is drugs a separate issue, as reported in the press, and what was the decision based on?^{1,2}

2

Does the Dutch government approve of a sea blockade of North Korea?

3

What is the legal basis for a sea blockade?

4

What parliamentary control procedure does the government believe is applicable?

5

Was consideration given to organising a plan of this kind through the United Nations or the EU? If not, why not?

6

In what way is the Netherlands involved in implementing this plan? Does its involvement include the use of military resources?

7

How was the group of eleven countries concerned with implementing the plan formed?

8

Which diplomatic representatives approved this agreement?

¹ Sp!ts, 18 June 2003, 'Eleven countries take on North Korea'

² Parool, 19 June 2003, 'Call for blockade of North Korea'

Reply

Reply by Minister **De Hoop Scheffer** (Foreign Affairs).

(Received 8 July 2003)

1 to 8

The reports in the newspapers that are referred to relate to a recent non-proliferation initiative. The Proliferation Security Initiative (PSI) was announced on 31 May 2003 by President Bush. The PSI is designed to counter the trade in weapons of mass destruction (nuclear, chemical, biological and radiological weapons) and their delivery systems (ballistic missiles) as well as materials and technologies intended for their production. The aim of the PSI is to make better use of existing non-proliferation instruments (international treaties, national legislation, export controls) and to enhance international co-operation in the detection and prevention of proliferation-sensitive cargoes of this kind. The background to the initiative is concern about the proliferation of weapons of mass destruction and their delivery systems as a threat to national and international security. At the invitation of the United States, the government became involved in discussions on the initiative. In addition to the Netherlands, the United States also initially brought Australia, Germany, France, Italy, Japan, Poland, Portugal, Spain and the United Kingdom into these discussions. An initial exploratory meeting was held in Madrid on 12 June 2003; a follow-up meeting in Brisbane, Australia, was scheduled for 9 and 10 July. Discussions are still at the orientation stage, with the government naturally being guided by the framework of national and international law. Drugs have not been discussed as a separate issue. Nor has a sea blockade of North Korea been proposed.

House of Representatives, Parliamentary Session 2002–2003, Annexe

3335

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PENN-NI report 28 August 2003

Dear friends, colleagues

you may be interested to know that the Dutch government this morning blocked a determined effort by the opposition parties (Labour Party, Socialist Party, Green Left) in the Lower House to force it to reveal the nature of the sources on which it based its decision to give political support to the US/UK attack on Iraq in March. Interestingly one of the governing coalition parties, D66, also backed this call, with the restriction that such information should be shown to parliamentarian members of the Intelligence oversight committee of the Lower House. Ministers Kamp (defence) and de Hoop Scheffer (Foreign Affairs) refused the demand point-

blank and were backed by the other two parliamentary parties of the governing coalition (VVD - right wing liberals, CDA Christian Democrats), as well as the smaller Christian parties in parliament.

Interestingly a report in the Financial Times on Monday reported the contents of an e-mail dated 16 Sept 2002 (revealed as part of the Hutton Inquiry) sent by Jonathan Powell (Downing Street chief of staff) to British premier Blair revealing that he (Blair) had in Sept 2002 passed on to Dutch premier Balkenende an advance copy of the famous WMD Iraq report which has given rise to so much controversy in the UK. Neither the Dutch foreign minister nor the defence minister had been shown this report, as it was at that time 'eyes only'. The fact that the ministers did not get the report had to be wrung out of them: minister Kamp finally admitted premier Balkenende had received it at the time while he had not. This immediately gave rise to an opposition demand that the Prime Minister come to parliament and explain why he had kept it to himself. This was put to the vote, and also turned down. The government has therefore been given parliamentary cover in a rather shameful fashion. Basically the right wing parliamentarians decided that they were willing to trust the government's word on these WMD related matters, despite the fact that so far no WMD have been found in Iraq. In fact, they denied that this was relevant for the decision to support the war. Instead they pointed at resolution 1441 as being sufficient grounds for war.

The other issue on the table was the question of asking for a new UN mandate for Iraq. All of the parliamentary parties backed the government on this. The foreign minister promised to ask the US government to agree to this when he visits President Bush next week on 2 September, together with premier Balkenende. Rumour has it that this is also an American oral examination of the foreign minister, to see if he is suitable (translation: sufficiently pro-American) for taking on the job of NATO secretary general. This would also explain the harsh resistance of the Dutch government to the request for WMD related information.

The precise nature of the UN mandate was not discussed. Interestingly, the International Herald Tribune and some Dutch papers today carried the proposal to have a UN mandated multi-national force commanded by a US general in Iraq.

It is difficult to judge how the government has come out of this. A rough radio poll taken today showed about two-thirds of the listeners believed that false information had been given to the Dutch government. The refusal to publish the information on which the government based its decision does not look good. It makes the government look as if it has something to hide.

Karel Koster

PENN-NI

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PENN-NI report 4 Sept 2003

Dear friends, colleagues

recent developments in Dutch foreign policy and public opinion have some bearing on the transatlantic relation in general, which should interest you. Yesterday the Dutch premier Balkenende and his foreign minister de Hoop Scheffer visited Bush for a working breakfast. Interestingly both Powell and Rice attended, which is a peculiar honour for representatives of such a small country (possibly de Hoop Scheffer was being examined for the post of NATO secretary general). However, I believe the US sees the Netherlands (along with the UK and Spain of course) as a useful tool for derailing further developments towards a common European foreign and security policy, at least, one which can in any way compete with or counter the US. For that reason I am taking the liberty of informing you more extensively on some relevant events related to this issue.

Last week parliament came back from recess: surprisingly the governing parties agreed to have a debate on Thursday 28 August on the information on which the government based its decision in March this year to support the US-led attack on Iraq. The future of Dutch involvement in Iraq was also touched on. The outcome of the debate was described in my last report which you received on the 29 Aug. (the government refused point-blank to give any information)

Further light has now been thrown on the pressure applied by the US government on the Dutch political process last winter. As you may remember we had elections here in January, which meant that in the immediate prelude to the Iraq war in March negotiations were going on between the two biggest parties, the Labour Party (PvdA) led by Wouter Bos and Balkenende's Christian Democrats (CDA). As a result of the qualified opposition of the PvdA to the war, the Dutch right-wing caretaker government, also led by Balkenende, had to manoeuvre carefully because the Christian Democrats could not at that point in time be seen to wreck the chances of a coalition government with Labour.(they did later, anyway, for other reasons)

There were in the lead-up to the war frequent contacts between US ambassador Sobel and a number of political parties, among them the Labour Party because it was getting near government power. In a TV political affairs programme (Netwerk) broadcast last Tuesday 2 Sept Bert Koenders, foreign affairs spokesman of Labour (now in opposition, because the coalition talks with the CDA ultimately failed) described the tactics used on the issue of deploying Dutch Patriot missiles to Turkey (this was the source of a lot of controversy in Holland, because it was clear step to war). Bos and Koenders had given Sobel their position in a confidential talk. Sobel had passed on the Labour position to the Christian Democrat 'formateur' Mr. Donner (a formateur is an eminent politician chosen to chair coalition negotiations, in this case those between the CDA and PvdA). CDA were therefore precisely aware of the Labour position when negotiations on this issue took place later, as the US ambassador had informed them. This without any doubt constituted interference in the internal affairs of the Netherlands. This is how Koenders described it in the programme:

"The contents of a confidential conversation were passed on to the formateur, furthermore not correctly. I believe an ambassador should not be involved so closely with the process of formation" (of the new cabinet - KK)

In the same programme the results of an opinion poll by Intomart were published:

Q: Do you trust George W. Bush as president of the United States

yes: 13%

no: 75%

don't know/no opinion: 12 %

Q. Do you, in hindsight, think it correct or incorrect that the US and Great Britain invaded Iraq?

yes: 42%

no: 49%

don't know/no opinion: 12 %

Q: Do you think the Netherlands government informed the population honestly enough or not?

yes: 31%

no: 53%

don't know/no opinion: 16 %

Q: Which country is in your opinion the biggest threat to world peace? North Korea, Iran the

US or another country?
North Korea: 23%
Iran: 12%
US: 39%
another country: 11%
don't know/no opinion: 15 %

Q: At this moment there are 1100 Dutch military in Iraq. Should the Dutch government in your opinion send more troops to Iraq if the US asks for them?

yes: 17%
no: 76%
don't know/no opinion: 7 %

Q: According to you, should Dutch foreign policy concentrate more on other European countries or more on the US?

More on European countries: 59%
More on US: 2%
Both: 34%
don't know/no opinion: 5%

Q. Some say that the Balkenende government is rather docile in relation to the US government and does not dare take an independent position. Do you agree or disagree?

Yes: 73%
No: 17%
don't know/no opinion: 10%
(end of questions)

These responses indicate that the Dutch government is in fact working against majority opinion in this country in transatlantic relations.

Former Labour Party Prime minister Kok stated on 2 September:

"During the last half year our country has sided rather uncritically with the US and that could have been done more conditionally". He expected the UN to get a more important role in Iraq and said: "The US did not itself come on this idea. Because they cannot make it by themselves, they are being forced to approach the UN" He also said he hoped that premier Balkenende had broached this subject with the US president and not behaved like a "American lapdog".

A cartoon in today's Volkskrant (leading progressive daily, comparable to the British Guardian, portrays the present prime minister and foreign minister (who yesterday visited the White House) as little dogs being fed out of a box of dog food with the name 'Oval office'.

You should understand that this kind of portrayal and the opinion poll above reflect deep-seated distrust of the present US administration, which I am sure can be found across Europe.

Karel Koster
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k.koster@inter.nl.net

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Ministry of Foreign Affairs

Adoption of the budget statement of the Ministry of Foreign Affairs (V) for the year 2004

No. 2 – Explanatory memorandum – 16 September 2003

[...]

Policy agenda

[...]

The government will dedicate itself – in treaty-administering organisations, export control regimes and security policy consultative bodies – to working towards effective non-proliferation of weapons of mass destruction (for example, with respect to Iran). Effective non-proliferation calls firstly for complete implementation of the international agreements and the supervision of compliance. It is also essential for the current system to be supplemented and reinforced. The countries that take little or no part in the global system of agreements and treaties are increasingly a subject of concern and discussion. The Netherlands is also prepared to provide countries with technical support to help improve their export control systems.

[...]

Main objective 1. International order

[...]

Policy article 1. The promotion of international order

[...]

Operationalised objective 12

Enhancement of nuclear security.

The government is dedicated to promoting nuclear security, both within the European Union and in neighbouring countries, especially Russia.

Goals to aim for in 2004

- + Approval by the Dutch parliament of the agreement on the Multilateral Nuclear Environmental Programme in Russia (MNEPR).
- + Start of stage 2 of the Lepse Fuel Retrieval project designed to remove fuel rods, some of them damaged, from the ship 'Lepse' in the port of Murmansk.
- + Start by the Northern Dimension Environmental Partnership Fund on the rehabilitation of the former nuclear storage site in Andreev Bay on the Kola peninsula. For the period 2002–2006, the Netherlands has agreed to contribute 10 million euros to this fund for clearing up the nuclear legacy in the former Soviet Union.

Activities/instruments

- + Preparations for parliamentary approval of the MNEPR agreement.
- + Chairmanship of the Lepse Fuel Retrieval project.
- + Participation in the meetings of the NDEP Fund.

Resources

- + The budget for this in 2004 is 1 million euros. These resources are derived from Article 13.02 Foreign Policy Support Programme (POBB) other.

[...]

Main objective II. Peace, security and stability

[...]

Policy article 2. Peace, security and conflict control

[...]

Non-proliferation and arms control

The crises over Iraq and North Korea demonstrate the serious consequences the proliferation of weapons of mass destruction may have for world security and stability. The attacks on 11 September 2001 have also shown that terrorist groups would not hesitate to create large numbers of casualties, and that the fear that they would use nuclear, biological, chemical or radiological agents if they managed to acquire them is justified.

The uncontrolled spread of large quantities of cheap conventional weapons is causing great human suffering in many countries around the world. The problems presented by these kinds of weapons (including landmines, leftover war ordinance, and small arms) lead not only to large numbers of casualties but also impede the reconstruction of the economy following a conflict. Needless to say, ultimate control of these weapons and their reduction is not exclusively in Dutch hands. The government bases its policy partly on existing consultative structures and on treaties designed to counter the spread of weapons, but also wishes to play a pioneering role wherever possible.

Operationalised objective 7

Non-proliferation and destruction of weapons of mass destruction

Effective combating of proliferation of weapons of mass destruction and promotion of arms control and disarmament can only occur within a strong multilateral system that imposes clear rules and supervises compliance with those rules. The current system is under pressure from countries that refuse to abide by the international rules, and from the doubts that their withdrawal creates in others about the multilateral approach as such. In the coming year the government will devote itself even more vigorously than before to the reinforcement of the multilateral system in the areas of non-proliferation, arms control and disarmament. Government action will focus first and foremost on promoting the universality of treaties and standards and on effective compliance with them. The guideline for this is the non-proliferation strategy the European Union adopted in the spring of 2003. The policy will be given substance in various forums such as the UN, the IAEA, the OPCW, NATO, the Geneva Disarmament Conference and the CTBTO. Policy will also be expressed in the tightening of national and international export controls and participation in the Proliferation Security Initiative, as well as in contributions to the active destruction of proliferation-sensitive weapons and goods. This is not enough, however. The government, through international and bilateral channels, will also have to help prevent situations that threaten to increase proliferation and, where these situations already exist, to help de-escalate them. To achieve this, the role of, for example, the UN (and especially that of the Security Council) must be reinforced and European diplomacy must also be pursued more energetically. Proliferation considerations should form an integral part of foreign policy – in the European context as well.

Goals to aim for in 2004

- + Strengthened non-proliferation and disarmament instruments and political reconfirmation of the importance of the treaties.
- + Vigorous international and national enforcement of the current export control regime guidelines.
- + Improved protection of the population against possible use of nuclear, biological, chemical or radiological agents.
- + Reduced stocks of, or safe storage of, old weapons of mass destruction in the Russian Federation, as determined by treaty.

Activities/instruments

- + Promotion of greater compliance with agreements in the disarmament bodies and, where possible, the development of new initiatives that make a practical contribution to non-proliferation. In the EU, NATO and in bilateral relations with certain countries, the Netherlands will put the subject of non-proliferation in all its aspects high on the agenda.
- + Integral implementation of the Non-Proliferation Treaty (NPT), both in terms of prevention and reduction in the proliferation of nuclear weapons.
- + Promotion of the universality of, and compliance with, the Chemical Weapons Treaty. In this context, also a commitment to working towards a financially healthy and effective Organisation for the Prohibition of Chemical Weapons (OPCW).
- + Promotion of the universality of the Hague Code of Conduct against the Proliferation of Ballistic Missiles (HCOC) and the detailed development of its provisions.
- + Promotion of export controls on NBC goods and technology in countries that are not a member of current export control regimes such as the Australia Group and the Nuclear Supplier Group.
- + Interdepartmental consultation aimed at strengthening Dutch implementation of export controls on NBC goods and technology.
- + Strategic and systematic deployment of EU instruments to combat proliferation in high-risk countries and crisis areas. Through international and bilateral channels, addressing countries of concern about compliance with non-proliferation obligations.
- + Contribution to the design and development of civil protection mechanisms in the EU and NATO.
- + Participation in the ‘Proliferation Security Initiative’.
- + Financial contributions to the destruction of chemical and nuclear weapons and/or safe storage of leftover material in the Russian Federation.

Resources

- + Contributions to International Organisations (OPCW, CTBTO, IAEA) and targeted contributions from the Foreign Policy Support Programme (POBB) for specific activities (Article 2.7).
- + Financial contribution from the Foreign Policy Support Programme (POBB) for destruction of chemical weapons and nuclear projects in the Russian Federation (Article 2.7).

[...]

Main objective III. European co-operation

[...]

Reinforce the European Union's external policy.

Operationalised objective 8

Reinforce the European Union's external policy.

[...]

Activities/instruments

[...]

+ Dialogue with nuclear partners outside the EU, especially the US, on terrorism and weapons of mass destruction.

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Ministry of Foreign Affairs

Letter to the House on guidelines for the government delegation to the 58th Session of the General Assembly of the United Nations

DVF/PJ-256/03 – 18 September 2003

[...]

"UNGA Guidelines"

[...]

3. First Committee [6-31 October 2003]

The First Committee, which has responsibility for disarmament and international security, deals with subjects related to both weapons of mass destruction and conventional weapons. The Netherlands will actively work towards consensus on priority topics such as non-proliferation, nuclear disarmament, small arms and anti-personnel mines. The Dutch delegation will urge that the non-proliferation action plan initiatives agreed in Thessalonika should lead as far as possible to strong, unanimous EU action. It will also try once more to gain as much support as possible for the traditional draft resolution on openness in armament programmes to be submitted by the Netherlands on behalf of the European Union.

3.1 Weapons of mass destruction

3.1.1 Nuclear non-proliferation and nuclear disarmament

Over the past year, with the crises over Iraq and North Korea, non-proliferation has clearly become a significant item on the world political agenda. The main focus of the second PrepCom for the 2005 Non-Proliferation Treaty (NPT) Review Conference, held in April 2003, was therefore on universality and compliance. The task of the delegation to the First Committee should be to stress the importance of universality and compliance with treaty obligations. International agreements, including those in the field of disarmament, should not be without commitment (multilateralism with 'teeth'). The need for the implementation of the steps contained in the NPT action programme can also be underscored.

Last year the New Agenda Group (NAG) submitted two resolutions on nuclear disarmament ("Towards a Nuclear Free World: the Need for a New Agenda" and "Reductions of Non-strategic Nuclear Weapons"). On many points, the NAG's traditional resolution on a nuclear-weapons-free world was more sharply formulated than two years before. The Netherlands and a number of partners tried to change the text in several areas to facilitate a vote in favour, as in 2000. However, the NAG was not prepared to put through the required changes. This time, the Netherlands will once again talk to the NAG to try to bring about the desired changes to the text.

The resolution on Tactical Nuclear Weapons (TNWs) last year called on the United States and Russia to open negotiations on reduction of TNWs, but the resolution was not supported by the US and the RF, which seriously affected its practicability. In addition, the resolution made no distinction between the status of Russia's TNWs and those of the US with respect to security and the weapons' operational combat readiness. The Netherlands will have to see whether these problems are addressed by the First Committee in any new version.

As in previous years, the Netherlands will argue for a resolution on speedy introduction of the Comprehensive Test Ban Treaty (CTBT). However, the United States is expected to maintain its hard line on ratification of the CTBT.

On the subject of the Fissile Material Cut-off Treaty (FMCT), this year, in the light of our initiatives in Geneva, the Netherlands will again argue for immediate and unconditional commencement and quick completion of negotiations on a treaty governing the production of fissile materials. Last year this resolution was adopted without a vote. This result should be consolidated.

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Parliament

To the President of the House of Representatives of the States
General Binnenhof 4 The Hague

From:

Department of Security Policy

Nuclear Issues and Non-Proliferation

24 September 2003 Reference: DVB/NN-310/03

Re: Reply to questions put by member Karimi on a possible new type of nuclear weapon, the 'mini-nuke'

I am pleased to provide this response to the written questions submitted by member Karimi on a possible new type of nuclear weapon, the 'mini-nuke'. The questions were submitted on 2 September 2003, reference 2020316510.

The Minister for Foreign Affairs,

Mr J.G. de Hoop Scheffer

Reply by Mr De Hoop Scheffer, Minister for Foreign Affairs, to questions put by member Karimi on a possible new type of nuclear weapon, the 'mini-nuke'.

Question 1

What is the current situation with respect to consideration of a new bill in the American Congress that provides for the construction of a new type of nuclear weapon, the so-called 'mini-nuke', and its accelerated testing?

Reply

In 1993 the American Congress adopted a statutory provision (the Spratt/Furse amendment) that banned research into, and the development and production of, nuclear weapons with an explosive yield of less than 5 kilotons. This year, as part of the Defence Budget approval procedure, the Senate and the House of Representatives have both passed amendments that lift the ban on research into such weapons. However, the budget will probably not be finalised until this autumn. Any plans the Administration might have for development and production of nuclear weapons with an explosive yield of less than 5 kilotons would still require separate approval from the Congress, even if the budget thus amended is adopted.

Question 2

Do you share the view that the developments relating to the 'mini-nukes' hinder the introduction of the Test Ban Treaty? If not, why not?

Reply

In itself, research into nuclear weapons with an explosive yield of less than 5 kilotons does not hinder the introduction of the Comprehensive Test Ban Treaty. There is a link, however, between the two: as long as a number of countries, including the United States, do not ratify the Comprehensive Test Ban Treaty, the treaty cannot be put into effect. One of the American government's objections to the Comprehensive Test Ban Treaty is that under the treaty it would no longer, for example, have the opportunity to test new nuclear weapons with an explosive yield of less than 5 kilotons if a decision to this effect was deemed necessary for state security. Debate in the United States on the possible need for nuclear weapons with an explosive yield of less than 5 kilotons therefore does not make introduction of the Comprehensive Test Ban Treaty any easier.

Question 3

At your forthcoming meeting with the American president do you intend to express your concerns about the developments relating to the 'mini-nukes' and to present a strong argument in favour of the need for American ratification of the test ban treaty? If not, why not?

Reply

When the Prime Minister and I visited Washington, we drew the attention to the importance of strengthening the multilateral non-proliferation regime. Among other things, the non-ratification of the Comprehensive Test Ban Treaty by the United States gives countries like India and Pakistan an excuse not to sign the treaty. On the other hand, approval of the treaty during the last Administration fell through as a result of the Senate's refusal to accept it.

The Dutch government is doing everything in its power to further the introduction of the Comprehensive Test Ban Treaty. Last year I was co-initiator of a ministerial statement made in New York at the meeting of the Comprehensive Test Ban Treaty partners. The statement expressed in no uncertain terms the importance of the treaty and its speedy introduction. This year, at the latest meeting of treaty partners, the Netherlands offered to continue making the expertise of its personnel available to the Comprehensive Test Ban Treaty organisation. Worthy of note is the offer to make available to the treaty partners, through the appointment of a Special Representative, the experience gained during the Dutch chairmanship of the final negotiations on the treaty. In addition, the European Union as a whole is strongly committed to promoting the speedy introduction of the treaty.

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PENN-NI report 27 Sept 2003

Dear friends/colleagues

please take note of the UN speech by the Dutch minister of foreign affairs below. Because of the close relations of the Dutch and US government it gives a fair idea of the way counter-proliferation is being pushed as an alternative to multilateral arrangements. Note that he has just been designated as the next NATO secretary general. Please especially pay attention to the following:

1. " I therefore welcome President Bush's proposal for a binding Security Council resolution,

tightening up the non-proliferation rules. I suggest that we build on existing export control regimes and make them universal and legally binding. This approach would be in line with the successful example of UN Security Council Resolution 1373, containing binding obligations for states to take action against terrorism. Other elements in a more forceful multilateral system are: greater attention to conflict"

Question: what do Bush and De Hoop Scheffer mean when they refer to making "existing export control regimes.... universal and legally binding"? Which regimes? How are they to be made binding? What measures will be taken against states that refuse to comply (India, Pakistan, Israel)? Or is the minister simply referring to measures against the states targeted by President Bush?

2. Parallel to this: Russian participation in measures against proliferation (I would assume PSI) is being discussed at the Bush-Putin Summit

3. Australian Defence Minister Hill has discussed the same with his Chinese counterpart, Defence Minister, Cao Gangchuan (see article below, with thanks to NAUTILUS)

4. Relevant meetings

- 6 oktober Start meetings First Committee UN
- NATO def ministers informal meeting 8-9 Oct in Colorado Springs
- PSI will meet in London on 9 October
- 31 October end meetings First Committee UN
- NATO Parliamentary Assembly in Orlando Florida 7-11 Nov
- interparliamentary conference of the Global Partnership against the spread of WMD, in Strasbourg 20-21 Nov 2003
- NATO North Atlantic Council in Dec 2003 in Brussels

5. Next conf North Korea unknown.

6. Deadline given Iran by IAEA to disprove suspicions about nuclear programme: 31 Oct

Karel Koster
PENN-NI

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United Nations

Address by the Minister of Foreign Affairs of the Kingdom of the Netherlands, h.e. Mr. Jaap de Hoop Scheffer
58th session of the UN General Assembly
New York, 26 September 2003

Mr. President, Excellencies, ladies and gentlemen,

The deaths of Sergio Vieira de Mello and his colleagues leave a terrible void. The loss of so many dedicated servants of the United Nations at its headquarters in Baghdad fills us with shock, grief and concern. This atrocity and the other murderous attacks we have seen in the past two years are chilling evidence that terrorists are ruthlessly targeting the civilised world. Terrorism is a direct threat to us all, to humanity as a whole.

Weapons of mass destruction are the other direct threat: an even worse threat if such weapons were to fall into the hands of terrorists.

In addition to these direct threats to peace and security, we are faced with, in the words of Secretary-General Kofi Annan, "soft threats": poverty and hunger, environmental degradation and "diseases of mass destruction" like HIV/AIDS, malaria and tuberculosis.

What all these threats have in common is that they do not stop at national borders. Their often lethal consequences affect groups of countries, whole continents or even the entire planet. The only way to tackle them is by collective action. Enforcement and implementation are key! But do we have the capacity to take such action? Is the existing multilateral system, its institutions and rules, capable of responding to the “hard threats” and “soft threats” we are facing? I doubt it. Take the growing danger of the proliferation of nuclear weapons. Can we allow a few countries to reject the rules agreed to by 187 other countries? Can we run the risk of countries turning into suppliers of nuclear arms to terrorist organisations? No, we cannot. And if today’s rules cannot avert states putting humanity at risk, we must tighten those rules. And we must be ready to collectively enforce them.

I therefore welcome President Bush’s proposal for a binding Security Council resolution, tightening up the non-proliferation rules. I suggest that we build on existing export control regimes and make them universal and legally binding. This approach would be in line with the successful example of UN Security Council Resolution 1373, containing binding obligations for states to take action against terrorism. Other elements in a more forceful multilateral system are: greater attention to conflict prevention, better use of sanctions (“smart sanctions”), an upgrading of the International Atomic Energy Agency’s inspections regime and, as suggested by President Chirac, a permanent instrument for inspections at the disposal of the Security Council. More robust multilateral action is also needed in our dealings with “failed states”. I am encouraged by the increased willingness of the international community to take more determined action. Liberia is a test case. The Brahimi-report has shown us the right direction. Peacekeeping operations can only be effective if they are based on a strong mandate, fully implemented on the ground and fully backed by the key-players in the Security Council. The P-5 bear a special responsibility for global peace and security: “noblesse oblige”. The UN is now also at the centre of the debate about Iraq. Let us put our past differences on Iraq behind us. It is crucial now that the international community support the Iraqi people in their reconstruction efforts. I trust that the Security Council will reach agreement, as soon as possible, on what we all want. In other words: stabilisation, security and transfer of sovereignty to a legitimate Iraqi government. This will also allow the UN and the other multilateral institutions to make their indispensable contribution to a better future for the Iraqi people.

A stronger UN is also needed for the effective promotion and protection of human rights. I regret that we do not live up to the expectations of the oppressed. The high dependence of the High Commissioner for Human Rights on voluntary contributions is a major concern. Instead his office should receive a larger allocation from the regular UN budget. The promotion and protection of human rights is UN core business!

And speaking of human rights: there is no doubt that terrorism itself ranks as one of the most serious threats to democracy and the enjoyment of human rights. Terrorists seek to destroy democracy, freedom and tolerance. If we sacrifice those universal values in the struggle against terrorists, we play into their hands. If I may speak for a moment as Chairman-in-Office of the Organisation for Security and Co-operation in Europe, I can assure you that our experience shows that policies aimed at promoting human rights, the rule of law and good governance can reinforce each other as parts of a more comprehensive security strategy. The International Criminal Court is another example of how to ensure that international norms are upheld in cases where national governments fail to do so.

On the trafficking of human beings, women and children in particular, I share the concerns expressed by President Bush. He was right to draw a comparison with slavery. For the OSCE, the threat posed by the international trafficking of drugs, of small arms and of women and

children is a top priority. We have already taken concrete action, adopting the OSCE Action Plan against trafficking as an instrument for protecting our people. This Action Plan could serve as a model for world-wide action.

Yet another reason why we need a robust multilateral system is that we must break the cycles of poverty and violence we witness in many parts of Africa. This implies restoring stability and order as a pre-condition for reconstruction and development. And it requires an integrated approach. To this end my government will set up a “stability fund” to tackle the twin challenge of development and security. Because development and security are closely linked, the Millennium Development Goals should remain at the centre of our policies. The Netherlands remains committed to allocating 0.8% of our GDP to development co-operation and I call on all countries to implement their Monterrey commitments. But development is not just a matter of aid, it will also depend on liberalising trade. I am disappointed that the world trade summit in Cancun failed to produce results.

The legitimacy of the decisions of the Security Council is questioned, because the composition of the Council no longer reflects today’s geopolitical realities. However, expansion is not a solution in itself. Effectiveness can easily fall victim to the quest for legitimacy. Crucial for restored legitimacy is better interaction between the members of the Council and the UN membership at large. Members of the Council should represent relevant and broad sections of world opinion.

I agree with the Secretary-General: we need to take a hard look at the existing architecture of international institutions. Many other organisations I know well, such as the OSCE, the EU and NATO (and I hope to get to know the last organisation even better in the near future), are in the process of redefining their roles in drastically changed circumstances. The UN cannot be left behind. Interaction between the UN on the one hand and regional organisations on the other hand, such as the OSCE, the EU and NATO, is growing. I feel that there is considerable scope for intensifying that interaction, as is indeed foreseen in the Charter.

As the Italian Presidency of the European Union illustrated in its intervention here some days ago, the UN can count on the European Union in the quest for robust multilateralism. As a Member State of the Union, the Netherlands fully endorses the Presidency’s statement. The European Union’s new emphasis on countering the proliferation of weapons of mass destruction in its common foreign and security policy is an example of how we want to be in the vanguard of our common efforts.

Let me now focus on the General Assembly. Take the example of how the Assembly deals with the Israeli-Palestinian conflict. Let us connect the GA to reality. Instead of dealing with 23 resolutions, shouldn’t we try to find our strength in a more focused central message, supported by all? A message that calls upon both Israel and the Palestinians to put an end to the bloodshed and violence and to immediately implement the Road Map as the only viable way to long-lasting peace. The European Union will continue to do all it can, together with its partners in the Quartet, to help Palestinians and Israelis reach that destination. And I hope that this Assembly can contribute.

The Assembly should be made more effective. I need not repeat what you all know about overlapping or hardly relevant agenda items, about repetitive debates and resolutions and about the prevalence of the lowest common denominator. As a contribution to improvement, my country tabled the Greentree report, the result of a seminar involving representatives from a wide circle of countries. The Greentree report aims at restoring the General Assembly to its rightful place as the centre stage for world wide deliberations on our common problems. We are certain that in that endeavour, we will be able to count on your leadership and wisdom, Mr. President.

My government wholeheartedly supports the decision of the Secretary-General to establish a panel of eminent persons. We look forward to his recommendations for next year's session of the Assembly. Meanwhile we should not sit back and wait. It is upon us, Member States, to engage now in the debate on the pertinent reform questions the Secretary-General has put to us.

Mr. President,

In order to defuse the threats we face and to leave a better world for future generations, we need to do more than talk. We must act and we must act together. We need clear rules and strong institutions. Institutions that ensure that the rules of the multilateral game are respected, strengthened and enforced. We need a multilateral system with teeth, we need a multilateral system that works.

Thank you, Mr. President.

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Parliament

To the President of the House of Representatives of the States General

From:

Department of Security Policy Nuclear Issues and Non-Proliferation

- 1 October 2003 Reference DVB/NN-316/03

Re: Reply to questions put by member Karimi on Pakistan's nuclear programme.

I am pleased, on behalf also of the State Secretary for Economic Affairs, to provide this response to the questions submitted by member Karimi on Pakistan's nuclear programme. The questions were submitted on 10 September 2003, reference 2020316970.

The Minister for Foreign Affairs,

Mr J.G. de Hoop Scheffer

Reply by Mr De Hoop Scheffer, Minister for Foreign Affairs, on behalf also of the State Secretary for Economic Affairs, to questions put by member Karimi (GL) on Pakistan's nuclear programme.

Question 1

Do you recall the statement you made in which you said that 'multilateralism with teeth' was required to stand up to the threat posed by weapons of mass destruction? 1)

Reply

Yes.

Question 2

How is Pakistan being put under pressure bilaterally and multilaterally with respect to its controversial nuclear programme?

Question 3

Do you share the view that it is essential for Pakistan to ratify the Non-Proliferation Treaty (NPT)? If you do, in what way is Pakistan being urged, bilaterally or multilaterally, to become a party to the NPT?

Reply

Pakistan, like India, has never been a party to the NPT. The government finds this regrettable. In various multilateral forums and also within the framework of the NPT itself, Pakistan and India are regularly called on to halt their nuclear programmes and to join the NPT as non-nuclear powers. Furthermore, as part of the development of the Action Plan against Proliferation, the EU is currently working on a Common Viewpoint, one of whose aims is to

persuade countries like India and Pakistan to participate in the NPT.

However, the chances of persuading Pakistan to participate in the NPT are limited, not least of all because Pakistan's nuclear ambitions must be seen in the light of its relationship with its neighbour India.

Question 4

What is your assessment of the fact that Pakistan as a nuclear power still provides military support to active ousted Taliban factions and other opponents of President Karzai?

Reply

The state of Pakistan is not providing official military support to the Taliban or the opponents of President Karzai. Shortly after the attacks of 11 September 2001, Pakistan joined the anti-terrorism coalition and promised the US unqualified support. Pakistan also declared its support for the Karzai government and visits conducted in a friendly atmosphere have taken place in both directions. Arrests of Taliban and Al Qaeda members have also been made on Pakistan's initiative, and Pakistani troops guard the country's border to prevent Taliban infiltration into Afghanistan. There are indications, however, that the Taliban are regrouping and are using Pakistani territory as an operating base for targeted terrorist action. The rugged terrain and the ethnic homogeneity of the population in the regions concerned sometimes make it impossible for the Pakistan government to take effective action against these factions. This government has had no indication that the Pakistan government tolerates or supports these factions. The fact is that the complicated situation on the Afghanistan/Pakistan border has led to several incidents. Such incidents and their prevention are the subject of tripartite talks between Afghanistan, Pakistan and the US.

Question 5

Are you aware that Professor S.H. Keshmiri from Iran is a member of the 'international scientific committee' of the '8th International Symposium on Advanced Materials'? 2) What is your opinion of the participation of an Iranian scientist in the ISAM 2003 symposium in the light of Iran's current controversial nuclear developments?

Reply

The Dutch government is aware of the fact that Professor S.H. Keshmiri is on the list of participants for ISAM 2003.

For the Dutch government's assessment of the Iranian nuclear programme, I refer you to my replies to the questions on Iran put by member Wilders (8 September 2003, reference 2020316870, and 4 September 2003) (Parliamentary Session 2002-2003, No. 1875).

Question 6

What opportunities does the Dutch government or the EU have to stop companies and individuals participating in ISAM 2003?

Reply

For the answer to this question, I refer you to my reply to the questions put by member Koenders (4 September 2003, reference 2020316780).

1) 'De Volkskrant', 23 August 2003

2) 'ISAM 2003: 8th International Symposium on Advanced Materials', Pakistan

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Parliament

Written questions by Bert Koenders

Foreign affairs spokesperson Labour Party Netherlands parliament, Lower Chamber 24

1. The coming week two resolutions of the New Agenda Coalition are being voted on in the First Committee of the United Nations. What position is the Dutch government taking on both?

4 Will the government support the resolution? If not, why not?

The Netherlands will abstain on the two resolutions of the so-called New Agenda Coalition

2. If there are doubts regarding parts of the resolutions, what do these doubts consist of?
In general both resolutions argue for a path to nuclear disarmament or arms control which is not supported by the concerned nuclear weapons states in the final documents of the Review Conference of the Non-Proliferation Treaty of 1995 and 2000, among others. This gives both resolutions a low level of realism.

Furthermore, as far as the resolution in which a new agenda for nuclear disarmament is concerned, a formulation is used in the second pre-ambular paragraph which is difficult to reconcile with the Strategic Concept of NATO and the role given there to nuclear deterrence.

The text of the resolution does not differ substantially from last year's, when the Netherlands also abstained.

3. Does the government agree that a vote against or an abstention would constitute a negative signal for potential nuclear weapons states?

No. What is needed at this time in the area of nuclear arms control and disarmament in the government's opinion is a renewed consensus that the Non-Proliferation Treaty is in the security interest of all nations, and that universal implementation of this treaty is a necessary first step in the direction of further nuclear arms control. Resolutions such as these do not in the opinion of the government. support this.

5. Have there been any contacts with the US on these specific resolutions? What is the US position?

There have been no contacts with the U.S. government specifically concerning these resolutions. In view of the fact that the text of the resolution is virtually the same as last year's the US can be expected to vote against this year as well.

6. Have there been contacts with other NATO member states on this resolution? What are the positions of the NATO member states on both resolutions?

There have especially been contacts on both resolutions with the EU countries in the regular consultations alongside the First Committee in New York. These indicate that the same voting pattern as last year can be expected (United Kingdom and France: against, Ireland and Sweden: for, the rest: abstention). Consultations with Norway have also indicated that this country too will probably abstain.

7. Will the government answer these questions before the vote in the First Committee?

As always the government strives to answer all questions as quickly as possible.

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Parliament

To the President of the House of Representatives of the States General
The Hague

Date 31 October 2003

Handled by Peter Potman

Reference DVB/NN-366/03

Re: Reply to questions put by member of Parliament Harry van Bommel on possible Israeli plans for an attack on Iran, and the Israeli nuclear weapons policy.

I am pleased to provide this response to the written questions submitted by member Van Bommel on possible Israeli plans for an attack on Iran, and the

Israeli nuclear weapons policy. The questions were submitted on 14 October 2003, reference 2030401430.

The Minister for Foreign Affairs,
Mr Jaap G. de Hoop Scheffer

Reply by Mr De Hoop Scheffer, Minister for Foreign Affairs, to questions put by member Van Bommel (SP) on possible Israeli plans for an attack on Iran, and the Israeli nuclear weapons policy.

Question 1

Are you aware of the article, "Israel plant Angriff auf iranische Atomanlagen" ('*Israel plans attack on Iranian nuclear installations*'), which reports that Israel has plans to attack a number of Iranian nuclear energy industry targets? 1)

Reply
Yes.

Question 2

Do you share the view that if such plans were carried out it would be a very serious breach of international law and in conflict with efforts to achieve peaceful disarmament? If not, why not?

Question 3

Are you prepared to urge Israel to abandon its intention to take this preventive military action against Iran? If you are, then how? If not, why not?

Question 4

What is your assessment of the statement by Gideon Meir, spokesman for the Israeli Minister for Foreign Affairs, that Israel has the right to regard any state that shelters terrorist groups as a legitimate target? 2) Do you share the view that this heightens tensions in the Middle East and increases the likelihood of a regional war? If you do, what steps are you taking to prevent an escalation of the situation in the Middle East? If not, why not?

Reply

The government does not speculate on hypothetical situations based on press reports.

The Dutch government believes that Israel has the right and the duty to protect its citizens against terrorist attacks. In doing so, the Israeli government should act within the framework of international law and refrain from action that might lead to further escalation.

In this context I would like to point to the accord on the Iranian nuclear programme that was recently reached between Iran and three European countries. I will be discussing the accord in more detail in the letter requested by the Standing Committee on Foreign Affairs (03-BuZa-66, dated 27 October 2003). The government hopes that this accord may also help to reduce tensions in the region. I refer also to my response to questions put by member Van Bommel on Israel's bombing of Syria (TK 2030401050).

Question 5

Have you seen reports in the international press that the US is helping Israel to arm Israeli Dolphin class submarines with cruise missiles with nuclear warheads? 3) Do you share the view that this seriously hinders attempts by the UN and the IAEA 4) to persuade Iran to decide against a nuclear weapons programme. If not, why not?

Question 6

Do you also share the view that this American help is inconsistent with preventing the production and spread of weapons of mass destruction? How do you see this as compatible with President Bush's plans to prevent the proliferation of weapons of mass destruction? Are you prepared to express your disapproval to President Bush? If not, why not?

Question 7

Are you also prepared to urge the Israeli government to abandon plans to deploy nuclear missiles at sea? If not, why not?

Reply

I am aware of the relevant press reports. I have no information that confirms that the United States would in any way assist Israel with a nuclear weapons programme, the existence of which the Israeli authorities have, in any case, never confirmed. Neither can I confirm reports that

Israel is equipping its submarines with missiles with a nuclear payload. The link made in the questions with an Iranian nuclear weapons programme seems to me mistaken. Through its participation in the Non-Proliferation Treaty, Iran has undertaken not to acquire nuclear weapons. It will be held to that - by the Netherlands too.

The Dutch government believes Israel should accede to the Non-Proliferation Treaty as a non-nuclear power and should bring all its nuclear facilities under the IAEA safeguards system. Furthermore, the government advocates the creation of a nuclear weapons-free zone in the Middle East. The government supports resolutions to this effect adopted by the IAEA and the United Nations and as part of the Non-Proliferation Treaty verification process. In this connection, the government believes that the successful negotiation of a comprehensive peace settlement in the Middle East, including recognition of Israel by countries in the region, among which also Iran, will considerably enhance the prospects of a Middle East free of nuclear and other weapons of mass destruction.

1) Der Spiegel, 12 October 2003 <http://www.spiegel.de/politik/ausland>

2) Der Spiegel, 12 October 2003 "Israel und Syrien verschärfen Krieg der Worte" ('*Israel and Syria intensify war of words*')? see -

<http://www.spiegel.de/politik/ausland>

3) The Observer. October 2003 "Israel deploys nuclear arms in submarines" - <http://www.observer.co.uk/international/story>

4) IAEA = International Atomic Energy Agency

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PENN-NI report 10 Nov 2003

Dear friends/colleagues

please find attached the bigger part of a translated speech by Dutch minister of foreign affairs De Hoop Scheffer, given on 24 October, on the occasion of the 20th anniversary of the Clingendael think-tank in The Hague. It gives some insights into the nature of present Dutch foreign policy. Noteworthy are the excerpts below.

Karel Koster

PENN-NI

(this translation was made possible by a grant from the Ploughshares Foundation) (USA)

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Selected quotes

- ".....it's a matter of turning, where necessary, from non-proliferation, which is to say *prevention*, to counter-proliferation *intervention* once the genie is out of the bottle."

(...)

(B and C weapons)

"For the same reason, the Netherlands has expressed its support for President Chirac's suggestion that the UN Security Council be given permanent powers of inspection. "

(...)

"Conditionality in the area of non-proliferation, sanctions and, where absolutely necessary, coercive measures should not be excluded from Europe's array of policy instruments."

(...)

"After all, Europe, like the United States, has concrete interests to defend; that is to say multilateral, Atlantic and European interests."

(....)

"And Europe is not just a target, but also a home base for terrorists."

(...)

(IRAN)

"In *this* respect, the trilateral diplomacy of France, Germany and the UK in Iran does *not* deserve any medal."

(...)

"Because if smaller member states accept that they may be outvoted in the new Europe, they should be able to ask the bigger countries to keep to agreed positions. Ultimately the same also applies to the position of the member states of the European Union in the United Nations Security Council. Here too there must be a common European voice."

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