

CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE ONE THOUSAND AND SEVENTY-THIRD PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 21 June 2007, at 10.10 a.m.

President: Ms. Elisabet BORSIIN BONNIER (Sweden)

The PRESIDENT: I declare open the 1073rd plenary meeting of the Conference on Disarmament.

It is my intention to organize today's business in the following order: first, we will address the three documents that you have had before you since some time back; secondly, I would wish following that to make some remarks of my own; and thirdly, I would open the floor to any delegation's comments that they might wish to make at that stage. On the list of speakers at the moment I have the United Kingdom inscribed.

Distinguished colleagues, you have had for some time now three documents before you: CD/2007/L.1, which was submitted three months ago in conclusion of the work done during the first part of this session; also, CD/2007/CRP.5, worked out in open-ended Presidential consultations during the second part of this session; and thirdly, a draft decision by the Conference, establishing the interrelationship between L.1 and CRP.5.

It is my assessment that these three documents, taken together, constitute a realistic basis for a programme of work. Delegations have worked in a positive spirit - I have to underline that - and important compromises have been made on all sides. Furthermore, the three documents leave the door open for all delegations to pursue their respective interests and priorities in the course of the substantive work that would follow. It is also my assessment that we are now closer than we have been for many years to breaking the decade-long deadlock of this Conference.

My own presidency of this Conference is now coming to a close. Before I hand over to my successor in office, I wish to establish whether we have now reached the point in time when all delegations are prepared to join a consensus to base a programme of work on the three documents before us.

I therefore now ask the question: is there any delegation which is not, at this point in time, in a position to go along with a consensus to begin substantive work on the basis of the three documents taken together? I see China asking for the floor.

Mr. CHENG (China) (spoke in Chinese): Madam President, I believe that we might need a little more time to study the issues which you have just raised. With your permission I would like to make the following statement.

Madam President, over the past few weeks as the President of the Conference on Disarmament, you have made tremendous efforts to bring forward the Conference's work. We would like to express our admiration and gratitude to you for your wisdom, creativity and leadership. I believe that the memory of your contribution will remain with us all for a long time to come.

The documents that you have just cited have been put forward by you only after a process of careful consultation. We believe that this approach follows the right direction and has laid a good foundation for our efforts to reach consensus on this L.1 document. At the same time we still have some queries and concerns concerning the status and the content of the complementary

(Mr. Cheng, China)

statement. We believe that it would make more sense and be clearer if the complementary statement was an integral part of L.1. We also believe that the wording of paragraph 3 of the draft complementary statement could be improved. In addition, my delegation endorses the views put forward by the Ambassador of India on Tuesday on the issue of a fissile material cut-off treaty.

I would like to take this opportunity to reaffirm the position of the Chinese delegation in favour of breaking the deadlock in the Conference on Disarmament at the earliest juncture and favouring consideration by the Conference of the issue of a fissile material cut-off treaty. At the same time, we support the conduct of substantive work on the other agenda items as well. We believe that this will be conducive to promoting the process of international disarmament and non-proliferation and safeguarding international peace and security. The Chinese delegation has already stated this position on a number of occasions. My delegation wishes to work together with all other parties in continuing our joint efforts and in displaying the spirit of compromise and accommodation called for by Secretary-General Ban Ki-moon, in order that, at the end of the day, we can find a solution which might not be entirely satisfactory but which is acceptable to all parties.

The PRESIDENT: I thank the distinguished Ambassador of China for his statement. Does anybody want to make any statement apropos the question put? I recognize Pakistan.

Ms. JANJUA (Pakistan): Madam President, my delegation would like to place on record our appreciation of the fact that you have made efforts over the past four weeks to look for consensus on a possible programme of work for the Conference on Disarmament. As part of these efforts you have presented a draft decision of the Conference for adoption of the Presidential draft decision and the complementary Presidential statement. In your view, in your statement on 14 June, you said that it could square the circle and clarify the relationship between the two documents.

We consider that it could further complicate the process of consultations. While we value your efforts, it is the collective responsibility of the Conference to work towards addressing the fundamental problems and anomalies in the Presidential draft decision. Instead of addressing the real substantive issues and rectifying procedural anomalies, the draft decision does not help us move forward. Our capital is, however, still looking at and evaluating these documents.

As we have repeatedly said, Pakistan is committed to multilateralism and revitalization of the Conference on Disarmament. We have also made it clear, as have some other delegations, that the PDD has direct security implications, and in this case, direct security implications for us.

It has been the norm for the Conference on Disarmament to collectively seek solutions to address the fundamental concerns of its constituents. Why, we ask, are we unwilling to do so at this critical moment?

(Ms. Janjua, Pakistan)

It is clear for us that without revisiting the text of L.1, solutions have to be found, and these solutions can be found in L.1. Hence at this point, on the question that you have raised - if there is any delegation that continues to have concerns at this point - our capital is looking at the three documents together and the implications for us in this regard.

The PRESIDENT: I thank the distinguished representative of Pakistan for her statement. I see that the Netherlands have also asked for the floor, and after that, Iran. Before I proceed to give anybody the floor, I just want to remind delegations that we are now at the stage where I would wish to give the floor to those delegations who are not in a position to proceed at this point in time. I see the Netherlands withdrawing its request. You will have the floor later. I now give the floor to Iran.

Mr. MOAIYERI (Islamic Republic of Iran): Madam President, Iran appreciates the efforts you are undertaking to reach agreement on a programme of work for the CD.

Iran clearly expressed in this body on 5 June 2007 their problems dealing with document L.1. The problems are both of a procedural and of a substantive nature. My delegation has expressed its readiness to engage in negotiations for the preparation of a balanced programme of work. Your efforts to engage the CD in a series of consultations raise a glimmer of hope that in these consultations the concerns expressed by member States might be addressed and resolved.

While appreciating your efforts - and I repeat, while appreciating your efforts in this regard - I would like to bring to your kind attention that there still remain substantive questions unanswered.

Although the normal practice of the CD, it seems that with regard to L.1, we are in a situation of a take-it-or-leave-it dilemma. This is despite the fact that delegations have repeatedly expressed their concerns and requested them to be taken into account.

Explanation and clarification about the method of work and the process of deliberations as well as the outcomes and future decisions of the Conference are indeed valuable. At the same time, we should bear in mind the fact that document L.1 itself needs serious improvement. Substantive problems dealing with document L.1 by its nature need to be taken care of by such a convoluted and inclusive process which would not be addressed or resolved simply through a Presidential statement, however rich it may be.

Document L.1 is falling short of addressing our priorities, such as nuclear disarmament and NSAs, thoroughly and comprehensively. We had expected a clear commitment in the P-6 proposal to start negotiations on these issues in the CD.

My delegation has always supported an internationally and effectively verifiable comprehensive and non-discriminatory FMCT. In our position, past and present, stockpiles are to be covered under the scope of the treaty. We stress that the negotiation process on a possible FMCT should be in the framework of the Shannon mandate. The P-6 proposal needs to be

(Mr. Moaiyeri, Islamic Republic of Iran)

improved to correct these concerns. We are uncertain about the usefulness of an FMCT with no verification system and excluding existing stockpiles of fissile materials which can be used for nuclear weapons.

We are of the belief that with a balanced programme of work, the CD will start its substantive work and play a major role in strengthening the peace and security of our existing international system.

The PRESIDENT: I thank you very much.

This situation is clear. Some capitals need more time, and it should be given. In the meantime, the three documents remain on the table.

It now remains for me to express some comments of my own, and I want to express my heartfelt thanks.

I wish to turn first to the delegations. You have worked seriously and patiently in what has been - I admit - a strenuous process. I thank you for your trust and your cooperative spirit. Please keep it up until we have reached our common goal, to put this body back to work.

And I want to thank you, Mr. Secretary-General, for your personal firm support throughout, and your wisdom when I have sought your advice. Through you I also wish to convey my appreciation to the Secretary-General of the United Nations for sharing with us his concerns and for urging us forward. My thanks also go to all members of the secretariat for standing ready at all times to support our work. I specifically wish to mention our interpreters.

I also want to direct my thanks to my fellow P-6 colleagues. Whatever we have achieved so far is our collective endeavour. I will continue working with you in the same spirit of collegial solidarity and support that you have extended to me. In particular I wish to assure the incoming President, my Swiss colleague, of my full support when he now takes over.

Likewise, I wish to thank the seven coordinators. We would not have reached the point of near-consensus were it not for your work during the first part of the session. Unfortunately you have been kept in waiting during the second part of the session. But I wish it to be known that throughout this process you have been standing ready to begin work immediately upon any decision to do so. You remain a part of our team, and I know you remain prepared and ready.

And last but not least, at every plenary meeting the outside world has eagerly followed our attempts from the balcony. To you, representatives from civil society who so conscientiously work to uphold the link between the Conference itself and the societies we are meant to serve, I wish to extend my sincere appreciation. Your sense of optimism and pessimism has fluctuated with that of the delegations in the room. I have felt your support and I thank you for that. As we, the delegations, need to continue our quest for consensus in a positive spirit, so do you need to continue your work in a positive spirit to support us in this quest.

(The President)

In conclusion, last week the Secretary-General of the United Nations reminded all decision makers of the importance of the opportunity before us. We have come a long way. We have an almost-consensus. But “almost” is not enough. We need to cross the last hurdles. I believe we can do it. And that is what we now need to do. All of us. Together.

And with those remarks from my side, I will now open the floor to delegations who have requested the floor. I have first the United Kingdom.

Mr. DUNCAN (United Kingdom of Great Britain and Northern Ireland):

Madam President, I have been asked by my authorities to make a brief statement at today's plenary as we come to the end of the Swedish CD presidency.

Firstly, we would like to express our sincere appreciation and to commend you for your perseverance in trying to find a solution to the issue before us. We remain ready to take that decision, and will continue to wait for responses from those nations who do not yet feel able to join the consensus.

The United Kingdom's position on the fissile material cut-off treaty is well known. We consider that a new international agreement on this issue would be a significant step forward in our collective effort in the field of arms control and disarmament. Moreover, it is an issue which goes to the heart of the United Kingdom's responsibilities and commitments under article VI of the NPT as a nuclear-weapon State.

However, it is not my intention today to indulge in grandstanding or to seek the moral high ground. That would be to do an injustice to the remarkable process which we have witnessed in the CD over the past two years, a process which we believe represents a further example of the new diplomacy of the twenty-first century, one where nation States step beyond the traditional camps and groups which so dominated international relations in the past. We live in an increasingly interconnected, independent and globalized world where such divisions are increasingly less relevant.

The institution of the P-6 platform is one such example and is one which has served us well. We would like again to commend the collective presidencies for having led this visionary exercise which has allowed substantive discussion on a wide range of issues and has been a key part of the renaissance of the Conference on Disarmament.

I very much doubt that there is anyone in this room who does not understand the importance of securing agreement on L.1. This decision covers important policy issues, as I have said. However, it also represents the outcome of a long series of compromises which began with the agreement to create the P-6 platform itself, and led on over the months to further agreements on the agenda and allowed us to build the architecture which has made possible that in-depth discussion which we have had over the past 18 months.

(Mr. Duncan, United Kingdom)

A decision on L.1 is not solely important therefore because of the issues it covers, but it has a wider significance as a political statement that the collective membership of the CD want to retain this organization and value it as an important part of the international arms control and disarmament architecture.

Unfortunately, there are signs that the significance of L.1 is not fully understood in all capitals, and I am not singling out those who have yet to agree to L.1. The problem is much wider than that. Both because of this wider significance and the importance of the policy issues themselves, we are prepared to wait. Without such a decision, we risk losing not only the chance to get the CD back to work, but also the benefits (on which there is consensus) of the work over the past 18 months. A decision on L.1 would allow the CD to retain the P-6 platform, the agenda and the work programme for the next year. The price of indecision, by consequence, will be a high one.

We have come a long way in 18 months, achieved things no one thought possible. Many delegations have shown compromise on subjects that were difficult for them to accept, and all of us have shown the willingness to go the extra mile. Successive presidencies have worked long and hard to find a solution.

While we have heard many, many statements by senior representatives of all the nations represented in this room on the importance we attach to getting the CD back to work, and from the United Nations Secretary-General, we have not yet, despite all the compromises we have individually been called to make, been able to translate that into a practical sustainable reality.

L.1 is a solution whose principal political aim is to capture our success over the past two years and allow the CD to prosper again. This is not a blame game, but there are inevitable consequences. Let us - and more importantly those in capitals - be under no illusions that this is the political decision we now face.

The PRESIDENT: I thank the distinguished Ambassador of the United Kingdom. I now have on my list of speakers the Netherlands, New Zealand, Australia and Ukraine. I give the floor first to the Netherlands.

Mr. van DONKERSGOED (Netherlands): Thank you, Madam President, for the really excellent way in which you and your team have guided the work of the Conference on Disarmament over the past weeks. What is clear from our work over those last weeks is that one of the profound problems we face actually is the open-ended character of the Conference on Disarmament. It lacks a sense of urgency that we can find in conferences that do have an end-date, and those can be important ones like the NPT, BW, but certainly also other conferences. The Conference on Disarmament does not have that, and it leads to a situation as we see so often that there is not urgency enough for us to proceed. I have heard again today that your efforts are appreciated very much, and those are sincere remarks, but what I have not heard today enough is that text proposals might be put forward today or tomorrow to the documents

(Mr. van Donkersgoed, Netherlands)

that are on the table, so that quickly we can come to conclusions. There is a procedure that is, as I said, in very important conferences, when the end is in sight, so to speak, very normal to follow. It would be our expectation actually that text proposals, concrete ones, to every single issue that still poses a problem are put forward and that solutions can be reached.

The PRESIDENT: I thank the distinguished representative of the Netherlands, and I now move to the Ambassador of New Zealand.

Mr. MACKAY (New Zealand): Madam President, could I echo the words of appreciation that have been expressed by other colleagues to you for the excellent work that you have done, and also for the excellent work that other members of the P-6 have done? You have clearly brought us very close, and the fact is that no one, I think, has absolutely rejected the proposal, but all those who have spoken in terms that they could not accept the consensus at this time have indicated that they need more time. We certainly look very much forward to hearing from them once they have and the capitals have scrutinized the proposal further. It has obviously been around for a long time. The proposals that you have made to try to increase its acceptability to some delegations are rather more recent. But my assumption is - and indeed I am confident - that colleagues and capitals will be treating this with the same state of urgency that those of us here in the CD treat it. Clearly, there is an overwhelming desire on the part of the members of the CD to be able to move on, and indeed if we are not able to move on, we will face some quite fundamental questions as to what we do, because most of the delegations obviously that are members of the CD are not large delegations, and the amount of resources that one can continue to apply to a process that is not producing something - unless you are a large country with large resources - is obviously finite. Certainly we are committed to the CD, and we are willing to commit the resources to the CD, but we have some difficulty in justifying that, as other colleagues will, if in fact the CD is going through some sort of charade.

But hopefully we are not going to be in that situation, and we will hear back quite soon from those colleagues who expressed difficulties that in fact they have managed to overcome those difficulties, or alternately will get rather more specific indications as to what solutions might be found to those difficulties, provided of course they are solutions that one could realistically consider as likely to solve the problem.

Just a couple of other brief comments: I agree totally with our distinguished colleague from Pakistan that there are security implications with regards to L.1 and in terms of proceeding with an FMCT. Certainly we regard this as a matter of considerable national security. We regard the existing situation where we have a number of States that have nuclear weapons, that have stocks of nuclear material, some of whom may well be increasing their stocks of fissile material - we regard this as a complete anathema in terms of national security, and in terms of global national security.

Obviously when one is operating in a multilateral context one needs to move beyond one's specific and precise national concerns to look at the greater global good, and certainly from our perspective, moving forward on an FMCT, which we see as an issue of nuclear disarmament, is a matter for the greater global good.

(Mr. Mackay, New Zealand)

I was interested to note that our distinguished colleague from Iran expressed concerns that the package falls short in the field of nuclear disarmament, but we certainly regard proceeding with an FMCT as a matter that would promote nuclear disarmament. I think no country in this body has done more to promote nuclear disarmament than New Zealand, and so that is why we attach as much importance as we do to moving forward on an FMCT. We do not see it as something in a vacuum. We see it as something that would allow us to seriously engage on an issue of nuclear disarmament, and certainly from our perspective it would involve verification, it would involve existing stocks, it would involve a number of elements that I know will be extremely controversial. But until we actually get down to negotiating those issues we will not be able to move forward on this, and the existing asymmetry - and we often hear comments from some delegations in the CD about regional asymmetries, about other asymmetries - there is one fundamental asymmetry, and that is the asymmetry between those States that have chosen to hold nuclear weapons in their defence and the rest of us who have given up that right. That is the fundamental asymmetry that we need to move forward on, and that is the fundamental asymmetry that negotiating an FMCT would allow us to move forward on.

So we very much hope that certainly the three States that have raised issues or raised concerns - I would not say "raised issues" because I think it was more in the nature of concerns - will enable us to move forward with our programme of work - and we would request the future presidency to also pursue this matter. We think it would be very unfortunate if once you leave the chair, Madam President, having given it your very best - and I know that our Swiss colleague will also give it his very best - but I think we need to keep this issue very much alive. It would be very helpful at this stage to have an indication from those delegations who have indicated that they could not accept the consensus - to get an indication from them as to when they think they might be able to respond on this, so that will give us a sense of when we might be able to move forward.

What I think would be very, very damaging to the CD would be to allow the existing vacuum, where we have no consensus but we do not precisely know what the issues are, we do not precisely know what would solve the consensus, we do not precisely know how long it will take capitals to come forward with an answer - that, I think, would be extremely damaging to the CD, because it will commit us to some continuing sort of vacuum or no man's land where we simply drift along, and we have been drifting along for too long.

Certainly from the comments which have been made I hope that the concerns that those delegations have are of a procedural nature, and if they are, then it should be possible to resolve them. If, on the other hand, what we are hearing when colleagues refer to national security is an indication that they believe that negotiating an FMCT and moving forward on nuclear disarmament would be damaging to their national security in terms of their wish to hold or develop or increase holdings of fissile materials, then I think we have a very different situation. But it would certainly be very useful to have clarification from them, and I hope that colleagues may be in a position to give that.

The PRESIDENT: I thank you very much and I now have Australia, Ukraine and Pakistan. Australia, you have the floor.

Ms. MILLAR (Australia): Madam President, my delegation wishes to extend its sincere thanks to you for your considerable efforts to broker an agreement that would return this Conference to work. That we have come this close to resolving a decade-long impasse reflects the commitment you and your Presidential colleagues have brought to bear on your task. We commend you all for it.

The L.1 proposal and subsequent Presidential statement and accompanying explanatory document are the result of extensive and painstaking consultations. They represent a fair and just compromise by all. They may not be what each of us would wish for - that is clear. But it should be what we can all accept to ensure this Conference contributes to furthering our collective interests in strengthening international security.

This Conference made good progress towards restoring its credibility over the past 18 months. The focused discussions, first established and envisaged under the Polish presidency of 2006, have sharpened our focus on the key issues before the Conference. The participation of experts has enabled us to delve deeper into the detail of issues. Most significantly, we have ripened our understanding of the fissile material cut-off to the point where it is ready for negotiation without preconditions. Negotiation of an FMCT is the most practical step this Conference can take to address both nuclear non-proliferation and nuclear disarmament.

My delegation has heard many States, including some not yet able to agree to L.1, promote the virtues of multilateral arms control. We share their support for effective multilateralism. But the persistent inability of forums such as the CD to attain meaningful outcomes threatens the very foundation of effective multilateralism.

The credibility of this Conference hangs by a thread that would surely be severed by a return to the status quo ante. This Conference has been regarded by some as a club, but it is surely one that risks losing its appeal to States who are serious about effective multilateral responses to fundamental challenges to international security. We cannot expect States to remain engaged in a body that fails persistently year after year to achieve even the most basic elements of its mandate.

If we cannot proceed this year, we can envisage that those remaining disarmament-only Ambassadors could be withdrawn, meetings will become necessarily infrequent and poorly attended, and we would indeed get into the state of drift mentioned a few minutes ago by the Ambassador of New Zealand.

Let us be quite clear about what is at stake. We are in a situation which, if not averted, could result in this body existing in name only. We cannot and should not allow this to happen.

The PRESIDENT: I thank the distinguished Ambassador of Australia, and my next speaker is Ukraine.

Mr. MOSKVITIN (Ukraine): Madam President, please allow me to join previous speakers in extending our sincere gratitude to you for your efforts to take into account the concerns of delegations by submitting the complementary Presidential statement and an additional draft decision linking it to document L.1.

The Ukrainian delegation has already carefully reflected its position concerning the draft decision presented on behalf of the six Presidents contained in document CD/2007/L.1. It might not be perfect but it represents the best chance to get the CD back to work.

We proceed from the understanding that the complementary Presidential statement, as well as the statement delivered on 14 June, were done in a balanced manner. These documents contain clarifications and alleviate the concerns raised by delegations on the Presidential draft decision.

We consider your appeal to the member States of the Conference to decide by 21 June on the adoption of Presidential draft decision CD/2007/L.1 to be an important step in exploring whatever possibilities there might be of finding a way out of the delicate situation in which the Conference finds itself and to establish a programme of work for the remaining part of the session.

The Ukrainian delegation fully shares your point of view, which was indicated during one of the plenary meetings, that if there was a genuine readiness to begin serious work along the lines proposed in L.1, then a clarifying complementary Presidential statement might be very helpful.

We strongly believe that the approach which you have suggested would improve the situation. The establishment of a programme of work on the basis of the three documents will provide all the necessary conditions for starting the substantive work of the Conference.

The PRESIDENT: I thank you very much for your statement, and I now have Pakistan, followed by Japan. Pakistan has the floor.

Ms. JANJUA (Pakistan): Madam President, a couple of points have been made and I just need to clarify some of these points.

Number one, we have stated quite clearly in the CD, in the informal consultations and in bilateral discussions that our concerns are not only of a procedural nature, but are of a substantive nature, and these concerns need to be addressed in the context of L.1 itself. Therefore, to say that we only have “procedural concerns” is perhaps not a fair comment.

(Ms. Janjua, Pakistan)

Also, the second comment that has been made here - whether those who have said that they are perhaps not in a position at this point to agree to the text as it exists right now in the Presidential draft decision because we do not agree with the work to be done in nuclear disarmament, NSA and PAROS - is totally misplaced.

If you want to look at what we want to present to the Conference as a balanced programme of work of the Conference, then we would want work to commence simultaneously in all four core areas. We would want not substantive discussions, but negotiations.

On nuclear disarmament, we would want amendments on the text in L.1 that clearly state that the mandate should be in accordance with the Shannon mandate, and where a clear reference was made to an internationally and effectively verifiable treaty and also takes into account stocks.

On PAROS, we would also want negotiations to start, and similarly, on NSA, we would want negotiations to start with a view to reaching agreement on legally binding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Hence, this is to clarify the point that we have made clearly in the CD and elsewhere that our concerns are not purely procedural, but are substantive as well. But we are willing to work with the Conference to find solutions to our concerns, and these can be addressed if we can revisit L.1.

There was another point to which reference was made, that we should not be looking at narrow national security interests but global national security. I agree that we should each of us first look at national security interests and then place it in the global security interests of everyone. It is difficult to understand that we will be talking about focusing just on the narrow national security interests of a few countries here while the national security issues of other countries are being well taken care of in the security arrangements and nuclear umbrellas that are provided.

The PRESIDENT: I thank you very much, and I now give the floor to the last speaker on my list, the distinguished Ambassador of Japan.

Mr. TARUI (Japan): Madam President, I shall be very brief. I would like to express my delegation's deep appreciation for your tireless and sincere efforts, together with the other P-6 Presidents, to reach a consensus on this matter.

My delegation fully supports your proposal presented on 14 June, and we sincerely hope that countries having some inner concerns and doubts on the Presidential proposal come to agree to this proposal as soon as possible, so that we can go back to our work as soon as possible.

(Mr. Tarui, Japan)

I am confident that we could reach this goal if we have some strong political will, as the British Ambassador mentioned. I am not very pessimistic about the future of the P-6 proposal. We should be very optimistic.

Again, my delegation expresses our deep appreciation, Madam President, for your very valuable and tireless contributions to the CD.

The PRESIDENT: I thank you very much. That concludes my list of speakers for today. And on that optimistic note, I would also like to conclude the business for today.

The next plenary meeting will be held on Tuesday, 26 June, at 10 a.m. in this conference room. It will be under the presidency of Ambassador Jürg Streuli of Switzerland.

This plenary meeting stands adjourned.

The meeting rose at 11 a.m.