
Conference on Disarmament

15 February 2011

English

Final record of the one thousand two hundred and fifth plenary meeting

Held at the Palais des Nations, Geneva, on Tuesday, 15 February 2011, at 10.10 a.m.

President: Mr. Marius Grinius (Canada)

The President: I hereby declare open the 1205th plenary meeting of the Conference on Disarmament.

(spoke in French)

Before embarking on the substantive work of this meeting, I would like to take this opportunity to extend a very warm welcome to a new colleague who has arrived in Geneva as the representative of his Government, His Excellency Ambassador Fodé Seck of Senegal. I certainly assure you of our full cooperation and support in the discharge of your duties.

(spoke in English)

At this point, before giving the floor to the delegations on my list, I should like to take some time to do a very short stocktaking on where we are in the Conference on Disarmament as we are into our second last week of the Canadian presidency. It is a bit of a continuation of our conversation from last Thursday, and you will recall that at the start of the Canadian presidency on 25 January, I set four objectives for our work in the Conference on Disarmament, and I should just like to briefly review each in turn. First of all, in terms of the highest priority, the consultations on a programme of work, including with regional coordinators: you will not be surprised that consultations will continue, because we have not made any substantive breakthrough. You will recall that I consulted all members bilaterally and also in regional group meetings and follow-up meetings, and I reported to you on 21 January that there are still mutually exclusive positions on document CD/1864. It still remains the gold standard in the sense of having the most support, but, on the other hand, it does not have 100 per cent support based on our consensus rule.

I did informally suggest a simplified draft programme of work that did not contain any mandates, just the agenda items, and what we should focus on — the four core issues — as all of you have indicated to me. I was essentially building on our indicative timetable that we have been following assiduously. However, there was certainly not 100 per cent enthusiasm for this kind of approach, which actually did work, as some colleagues reminded us, back in the mid-1990s. During the last two weeks of our substantive discussions and exchanges of view on the four core issues, I heard many assertions, indications of willingness to negotiate on certain items or discuss certain items, or even to negotiate on all four core issues at the same time. Yet again, there has not been, at least so far, a sense of 100 per cent agreement on any particular way forward, and it's Voltaire's "*Le mieux est l'ennemi du bien*" (the best is the enemy of the good) that reigns supreme here in the context of the programme of work.

I believe that we did, however, use the time during the plenary sessions of the last two weeks to have substantive worthwhile exchanges. I really appreciated all the colleagues who were willing to follow suggestions as regards the indicative timetable for a balanced approach focused on the four core issues, on the understanding that any member State could raise any issue they wanted or deemed necessary. Nonetheless, I think there was a good, focused discussion on the four core issues, indeed, three-hour sessions with extra sessions — call it overtime if you are into sports — both on the fissile material cut-off treaty (FMCT) and negative security assurances (NSAs).

On a personal note, I would say that the exchanges were substantive and that further such exchanges will be worthwhile, particularly if we want an interactive dialogue where members can actually ask questions about each other's statements. I believe that would be a worthwhile endeavour.

The third priority that I saw was the engagement of civil society with greater openness and transparency. It was a question that I raised with all members in the context of our bilateral and also regional discussions before the Conference on Disarmament

actually started. There were other opportunities too, including a working lunch with the P-6 and representatives of civil society to take a look at how to move forward. Canada — not the presidency, but after the presidency — Canada is planning to hold a civil-society side event on 3 March, and there will be more information about that later. It will be similar to the event that we held with our colleagues, our friends the interpreters, and will hopefully be an interactive dialogue. It seems to me that the issue at stake is still to what extent and how this body should engage civil society. There are precedents: the rules of procedure talk about a session once there is a programme of work, for instance, but in actual fact, I am reminded that even before the adoption of document CD/1864, there was an opportunity to exchange views with representatives of civil society.

Finally, in the context of paragraph 2 of the rules of procedure, which states that the membership of the Conference will be reviewed at regular intervals, without specifying how regular such intervals will be, I sought all your views on where member States stand specifically on the issue of the expansion of the membership of the Conference on Disarmament, and I also briefed the observer States prior to assuming the presidency. I would underline that not all observer States wish to be members, but certainly some do, and I have met with their representatives in order to look at how to go forward. However, on the other hand, we simply did not have the kind of consensus that would have been needed to move forward with this, although it is within the rules of procedure; that has to be looked at, and we will see how far we can go. So this is my kind of stocktaking that colleagues may wish to think about and comment on, whether in this session, the next session or indeed during the remainder of this year. Of course, you will be subjected to a further commentary on my last day of the presidency. I plan to use the full power and glory of this presidency to say a few words on Thursday.

I will stop there, and I should like to proceed with the list of speakers, which is surprisingly short. I have two countries on the list: the United States of America, followed by Morocco. First I give the floor to the Ambassador of the United States.

Ms. Kennedy (United States of America): Mr. President, first of all, I wanted to thank you for your role in facilitating good discussions over the last few weeks on the core issues before us and also, of course, to commend you on your continuing consultations on a programme of work.

When I spoke last in plenary on the issue of the prevention of an arms race in outer space (PAROS), I took the opportunity to commend the Stockholm International Peace Research Institute (SIPRI) for organizing a side event on space. I, for one, found it a very valuable complement to our formal discussions in plenary. Similarly, today, I should like to commend our Australian and Japanese colleagues for initiating a side event on FMCT to discuss definitions. I should also like to call attention to, and express appreciation for, the valuable contribution of International Atomic Energy Agency (IAEA), which provided an excellent summary of the fuel cycle. Being a diplomat rather than a technical expert, I certainly always find such presentations most welcome. I am, of course, very, very pleased that I have been joined by five colleagues from the Capitol who are certified experts, and I note that, similarly, many other Conference on Disarmament member States have brought colleagues along. I hope that we can all take advantage of the enhanced expertise in our midst and that all Conference on Disarmament members and observer States will take full advantage of this event. It is, of course, not intended to in any way compete with the Conference on Disarmament, but to enrich and complement our work here and our own consideration of this vital endeavour in the Conference, just like the very first day's discussion has revealed that the issue of definitions alone is complex and the opinions of Conference on Disarmament members and observer States are varied.

I should just like to conclude by expressing appreciation for this side event and that I look forward to this and any others that Conference on Disarmament member States would care to organize.

The President: I thank Ambassador Kennedy for her statement and give the floor now to the Ambassador of Morocco.

Mr. Hilale (Morocco) (*spoke in French*): Mr. President, I would like to extend the heartfelt congratulations of the delegation of the Kingdom of Morocco to you on taking the Chair of the Conference on Disarmament and commend the very professional and transparent manner in which you are leading our work. Rest assured of our full support for the success of your presidency. The practice that you have initiated of opening discussions on the subject areas under the Decalogue while continuing consultations on the programme of work deserves to be supported, and we thank you for it. It reflects the long tradition of the commitment of your country, Canada, to disarmament issues. The report and mandate presented by Ambassador Shannon in 1995 on the fissile material treaty (FMCT) continue to serve as a reference for the Conference on Disarmament's deliberations on the treaty.

I would also like to take this opportunity to wish a warm welcome to our colleague Mr. Seck, Ambassador of Senegal, and to assure him of the support and cooperation of the delegation of Morocco.

The years follow one another and resemble one another in the Conference on Disarmament. Once again, we share the feelings of regret and frustration of all those who consider that the Conference on Disarmament is still unable to take advantage of a global context which is highly favourable to disarmament. The international environment has never been as conducive to both regional and multilateral efforts to promote disarmament. The hope raised by the adoption in 2009 of document CD/1864 containing the working document, the success of the NPT Review Conference and the recommendations of the high-level meeting held on 24 September 2010 are already starting to fade, which we regret.

Moreover, the recent ratification of the START Treaty by its signatories, the United States and Russia, the good intentions expressed at the high-level meeting convened by the Secretary-General of the United Nations and the alarm that he sounded in his statement on 26 January 2011 here before our Conference should act as catalysts for relaunching the work of the Conference on Disarmament. We endorse the United Nations Secretary-General's analysis that the continued deadlock in the Conference on Disarmament has ominous implications for our world and raises the risk that nuclear weapons will be acquired by terrorist networks.

The terrorist network no longer hides its intention to acquire nuclear weapons. The emergence of technologies accessible to the general public, which has unfortunately been facilitated by the growth of the black market, has made it easier to produce a dirty bomb combining conventional explosives with radioactive material with the aim of ending as many innocent lives as possible.

This growing feeling of insecurity has brought the issue of disarmament to the top of the United Nations agenda. It should prompt us all to work collectively to restore the role of the Conference on Disarmament as the sole multilateral organ for negotiating multilateral disarmament instruments.

As the deadlock that has lasted for 13 years is not inevitable, it is imperative to overcome our differences without further delay. Unfortunately, the current deadlock encourages nuclear proliferation and jeopardizes the ultimate objective of the international community, namely the conclusion of a convention banning nuclear weapons.

In this regard we commend the decision taken by the United Nations Secretary-General to request the Advisory Board on Disarmament Matters to undertake a thorough review to identify problems that hinder progress in the disarmament machinery. This was proposed by the Minister for Foreign Affairs and Cooperation of Morocco, Mr. Taïb Fassi Fihri, at the high-level meeting on 24 September 2010. Morocco notes with satisfaction that its call was heard, and hopes that the recommendations of the Advisory Board will lead to specific measures that allow the Conference on Disarmament to emerge from its deadlock.

To this end, it is imperative to take an integrated, participatory and comprehensive approach to all aspects of disarmament, making it possible to remedy the shortcomings of the Conference on Disarmament. There is no magic solution to the current paralysis, but there is an urgent need for political will. While these issues are undeniably security-related and geostrategic in nature, their resolution is eminently political, and their negotiation requires effective and appropriate mechanisms.

In this context, the Kingdom of Morocco again joins the States members of the Non-Aligned Movement in calling for the fourth special session of the General Assembly devoted to disarmament to be convened without delay. The aim will be to carry out a general diagnosis of all United Nations institutions responsible for disarmament, to reach agreement on pragmatic solutions to the systemic problems of the Conference on Disarmament and to adapt the agenda of the Conference to the challenges of the twenty-first century.

Pending this session, we call on all members to put aside their differences and divergences and focus on what is essential for achieving the ultimate objective sought by all, namely a world free of nuclear weapons. To this end, we must take a pragmatic and integrated approach that pays due attention to the Decalogue of the Conference on Disarmament, as you have done, Mr. President, since you took over the leadership of our Conference.

A treaty prohibiting the production of fissile material must be non-discriminatory and verifiable and include mechanisms for stockpile management. The current conditions and the clear commitment of the nuclear Powers are propitious for renewing the Shannon mandate. The joint statement of the United States and China in support of negotiations on the FMCT is salutary and encouraging in this respect.

Unilateral statements by nuclear Powers on applying the no-first-use principle are insufficient because they are not legally binding and may be withdrawn. Therefore, it is essential to enter into negotiations to conclude a binding treaty on negative security assurances that would protect non-nuclear States against the nuclear threat. Such a legal instrument is likely to reduce the importance given to nuclear weapons as a deterrent and to constitute a fundamental element in the structure of nuclear disarmament.

The establishment of nuclear-weapon-free zones, including in the Middle East, is a crucial factor in the non-proliferation process. The 2012 Conference on the Middle East offers a unique opportunity to rid the region of weapons of mass destruction. All stakeholders are therefore urged to participate in it with the political will required to create such a zone in the Middle East as a confidence-building measure for the establishment of a just and lasting peace for all peoples and States of the region.

Preventing the weaponization of space is also an important stage in nuclear disarmament that must be given due attention, bearing in mind the fact that space is part of the heritage of mankind and should be used only for civilian purposes.

The Kingdom of Morocco participates actively in international efforts to promote the cause of disarmament and combat nuclear terrorism.

For example, in the context of its commitment to disarmament, the Kingdom of Morocco hosted a seminar organized by UNIDIR and the European Union in Casablanca from 2 to 4 February of this year, entitled “Supporting the arms trade treaty negotiations through regional discussions and expertise-sharing”.

This three-day seminar gathered together 67 participants from 26 countries of North Africa, West Africa and Central Africa in addition to experts from the United Nations and the African Union and independent experts. Comprising two parts, the seminar gave participants an opportunity to discuss the scope and application of the future arms trade treaty and to draw lessons from successful subregional experiences including the ECOWAS Convention and the Central African Convention on small arms and light weapons.

There was wide agreement that most weapons trafficked illicitly come from conflict zones and that the treaty will contribute greatly, although not on its own, to curbing this scourge. Hence the strong support of the participants for the swift conclusion of negotiations on the treaty.

It was also acknowledged at the seminar that a wide spectrum of conventional weapons, including small arms and light weapons and ammunition, should be covered by the future treaty. In order to ensure the necessary flexibility of the treaty, a more detailed list of weapons could be provided in an annex for possible revision during the review conferences.

Actions to be regulated would cover imports, exports, transit and trans-shipment, production, technical assistance and transfer of arms. There was support for excluding peacekeeping operations from the scope of this treaty.

Most participants also noted the need to include in the future treaty a provision on technical cooperation for building States’ monitoring capacity. The same was true of transparency measures, which could be modelled on existing instruments.

The implementation of the future treaty will require the establishment of an international support unit, which could be set up under the United Nations Office for Disarmament Affairs.

The future treaty will be made operational by an annual meeting of States parties preceded by a meeting of a group of governmental experts, and reviewed every five years at review conferences.

I would like to take this opportunity to reiterate the sincere congratulations of the Kingdom of Morocco to the organizers and participants for their professionalism, which gave rise to a high-quality debate owing to the excellent organization and structure of the seminar. In particular I would like to thank the UNIDIR staff, Dr. Christiane Agboton Johnson, Deputy Director, and her colleagues.

As regards my country’s contribution to the international community’s efforts to combat nuclear terrorism, the Kingdom of Morocco will organize, from 22 to 25 March 2011 in Rabat, in collaboration with the United States and Spain, an international exercise to simulate an intervention in the event of a malicious act involving radioactive materials. The five objectives of this exercise, which forms part of the implementation of the plan of action and principles 4 to 7 of the Global Initiative to Combat Nuclear Terrorism, are as follows: to foster the exchange of information at the national and international level; to review the mechanisms for reporting and requesting assistance at the international level; to review and test aspects of coordination and crisis management; to take apart and test technical intervention operations; and to identify good practices.

The United States, Spain, France, Portugal, the Netherlands, Cape Verde and the United Arab Emirates will be participating in this exercise as players or actors, and the other members of the Global Initiative will be invited as observers.

The President: I thank Ambassador Hilale for his statement.

It appears that no other delegation would like to take the floor. This concludes our business for today.

The next plenary meeting will be held on Thursday, 17 February at 10 a.m. As your regional coordinators have probably already mentioned, in terms of an indicative timetable, we would welcome comments on agenda items 5, 6 and 7.

This meeting stands adjourned.

The meeting rose at 10.40 a.m.