

# CONFERENCE ON DISARMAMENT

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## FINAL RECORD OF THE NINE HUNDRED AND SEVENTIETH PLENARY MEETING

Held at the Palais des Nations, Geneva,  
on Tuesday, 1 February 2005, at 10.15 a.m.

President: Mr. Chris SANDERS (Netherlands)

The PRESIDENT: I declare open the 970th plenary meeting of the Conference on Disarmament.

I have the following speakers for today's plenary meeting: Ambassador Leonid Skotnikov of the Russian Federation, Ambassador Tim Caughley of New Zealand, Ambassador Glaudine Mtshali of South Africa and Ambassador Juan Antonio March of Spain.

I now give the floor to the first speaker on my list, Ambassador Leonid Skotnikov.

Mr. SKOTNIKOV (Russian Federation) (translated from Russian): It is well known that among the items on the agenda of the Conference on Disarmament, the Russian Federation attaches priority to the issue of preventing an arms race in outer space. Our common central task in this context is to prevent the deployment of weapons in outer space. We believe that addressing this task is in the interests of all countries without exception. Should we fail, the world will face a qualitatively new unstable military and strategic situation, the emergence of an additional motivation for an arms race in space and on the ground, reduced scope for restraining the proliferation of weapons of mass destruction and their means of delivery, and the emergence of a threat to the security of spacecraft, whose uninterrupted functioning has become increasingly indispensable for mankind. If we manage to prevent the deployment of weapons in outer space, we shall be able to direct scientific and technological progress in space onto a constructive course for the benefit of all.

Russia has considerable space potential and experience in outer space exploration. The non-weaponization of outer space is not an abstract issue for us. We have a very clear picture of all of the inevitable negative consequences of deploying weapons there. These consequences would be even more serious than the possible destabilizing effect of the introduction of strategic missile defence systems. We do not want to be drawn into a new arms race - we would like to prevent such a scenario.

The Conference on Disarmament can contribute to solving this major issue in international security. Russia is interested in a resumption of substantive work in the CD as soon as possible, so that substantive discussion in an ad hoc committee on PAROS could begin on this problem and approaches to solving it, one of which could be the drafting of a treaty on the prevention of the deployment of weapons in outer space and the threat or use of force against outer space objects, as proposed by Russia and China. The flexibility demonstrated by Russia and China has made it possible to consider that the mandate for such an ad hoc committee has in practice been agreed upon in the form in which it appears in the latest version of the A-5 proposal. However, the Conference on Disarmament has so far not been able to agree on its programme of work, while the threat of outer space weaponization has not diminished, to put it mildly - this is no secret to anyone. In such circumstances we cannot sit idly by.

In recent years the Russian Federation has launched a number of initiatives to curb and neutralize this threat. At the fifty-sixth session of the General Assembly, the Russian Federation submitted a proposal on the introduction of a moratorium on deploying weapons in outer space, pending the conclusion of the relevant international agreement. In so doing we expressed our readiness to undertake that commitment immediately if other space Powers would associate

(Mr. Skotnikov, Russian Federation)

themselves with such a moratorium. Russia has taken the initiative and has implemented serious measures of openness and confidence-building in outer space activity such as providing information in advance on scheduled launches of space objects, their intended use and the basic parameters of their orbits. Last year we stated that at that time and for the near future the Russian Federation had no plans to create and deploy any kind of space weapon system in outer space. At the same time Russia has consistently continued to comply with its moratorium on anti-satellite system tests.

Last October in the First Committee of the General Assembly's fifty-ninth session, we launched a new initiative aimed at preventing the weaponization of outer space. For the first time Russia unilaterally and unconditionally declared that it would not be the first to deploy weapons of any kind in outer space. We call on all States that have space potential to follow our example. This declaration was an important and responsible step.

First of all, I would like to say something on the substance of the declaration and its key terms. Although it is a political and not a legally binding declaration, the issue of definitions nonetheless arises. What do we mean by "space weapon" and what do we mean by "deployment"? Let me remind you that we have already proposed that the term "space weapon" could mean systems or devices based on any physical principles which are launched into earth orbit or placed in outer space by any other means, and which are designed or converted to destroy, damage or disrupt the normal functioning of objects in outer space, as well as targets on the earth's surface or in its atmosphere. Space weapons are designed to have a direct impact on an adversary's assets, and by their nature they can be either weapons of mass destruction or conventional weapons, including those based on new physical principles. It is exactly these kinds of weapons that Russia has committed itself not to be the first to place in outer space. As far as the term "deployment" is concerned, a weapon could be considered as having been deployed in outer space if it orbits the earth at least once or follows a section of such a trajectory before being accelerated out of that orbit, or is placed in a stable position anywhere beyond earth orbit.

Now I would like to turn to the political meaning of our declaration. It confirms that Russia itself does not intend to constitute a threat to anyone in or from outer space. This follows on logically from previous Russian declarations and initiatives we have already mentioned. It is not our choice to build space weapons. Therefore, Russia and its intentions cannot be used as justification by others for placing weapons in outer space. When we invite other space Powers to subscribe to our initiative, we proceed inter alia from the understanding that this would help us to start emerging from deadlock and moving in the right direction, while duly bearing in mind the realities of the situation, including the reluctance of some capitals to engage in negotiations on a legally binding instrument on preventing the deployment of weapons in outer space. We believe that unilateral political statements similar to the Russian one by the principal States which possess a space potential would create a sort of safety net composed of a set of intersecting voluntary guarantees of security in space. Subsequently, those States which had declared that they would not be the first to place weapons in outer space could form a kind of a club where members could discuss ways in which each could verify the implementation of these statements by the others, and related issues.

(Mr. Skotnikov, Russian Federation)

Our statement does not imply a ban on activities in outer space carried out in accordance with the United Nations Charter and in the interests of maintaining international peace and security. It does not encompass outer space systems which are designed to perform information support functions and are not intended to cause harm to any other objects. The statement does not cover ballistic missiles passing through outer space, land-based and air-based missile defence systems or space sensors, or anti-satellite systems other than space-based systems. In other words, our initiative is aimed at limiting something that does not yet exist. It should help other leading space Powers to take decisions on making declarations similar to ours. The Russian declaration in no way limits possibilities and prospects for international cooperation in outer space exploration or the use of outer space for peaceful purposes. On the contrary, it facilitates such cooperation in every way and is conducive to strengthening the security of spacecraft in outer space.

Similar political declarations by space Powers, of course, will not and cannot replace a legally binding instrument on preventing the deployment of weapons in outer space. Nevertheless, such declarations could create favourable political and psychological conditions for starting work on such a treaty, by promoting an atmosphere of mutual trust. They will not lose their importance even if a CD ad hoc committee on PAROS is re-established and resumes its work.

I would like to take this opportunity once again to pay tribute to the proposals and ideas on PAROS that have been put forward by other States, in particular Canada and France. In our opinion many of these ideas continue to be topical. We would again call on all States possessing outer space potential to make unilateral voluntary declarations that they will not be the first to place weapons of any kind in outer space. We hope that the Russian initiative will be given careful consideration and will meet with a positive reaction.

The PRESIDENT: I thank the distinguished representative of the Russian Federation for his statement, and I turn to the next speaker on my list, the distinguished representative of New Zealand, Ambassador Tim Caughley.

Mr. CAUGHLEY (New Zealand): Mr. President, my delegation's intervention this morning will cover three main points. First, we wish to commend you for the thoughtful and most diligent manner in which you are carrying out your duties as President. As usual, you are going to be a very hard act to follow. Thank you, also, for your efforts to find a solution to the question of the agenda of the Conference on Disarmament.

This brings me to our second point, the matter of the CD's agenda. We know that there will be an opportunity to discuss this issue in an informal manner shortly. My delegation, however, has no difficulty expressing its views on the formal record of this Conference. Given the standing of this forum and the gravity of its purpose, we would like to see as many of its deliberations as possible carried out under the critical eye of the public.

(Mr. Caughley, New Zealand)

Let me make it clear at the outset that we fully acknowledge the right of any delegation to make observations and proposals on the agenda. My own delegation's concern is not about the utility of keeping our agenda under review and updated, but about the value of doing so in the dire circumstances that face this body.

The difficulties that confront the Conference on Disarmament are not the result of inadequacies in the scope or currency of our agenda. If there were a willingness to agree on the elements of a programme of work, the agenda would almost certainly be treated as flexible enough to accommodate it. During the past eight years the agenda has not been seen as a complication in the CD's efforts to find consensus on the various proposals for our work programme. Nor is it now. If there is a structural problem with this body, it stems not from the agenda but from the rules of procedure.

We very much hope that the current debate over the agenda will be kept in perspective. Mr. President, you have informally suggested an approach that my delegation can fully subscribe to. We do so in the interests of getting down to work immediately on the real challenge that faces this body, that is, to reassert its role as a forum that addresses and negotiates on the real issues confronting our troubled world.

When we ascribe to the CD its negotiating function we think of it primarily in terms of negotiating on substance rather than procedure. For my delegation our objective in securing membership of this body was to participate in negotiations on the same principal issues that have dominated efforts in recent years to forge a programme of work.

We are thinking especially of nuclear disarmament, banning the production of fissile materials for nuclear weapons, the prevention of an arms race in outer space and, to the extent that these weighty topics would allow, other elements covered by proposals that have come closest to finding consensus, such as that of the five Ambassadors, a proposal which readily drew New Zealand's support and remains open to further refinement. For my delegation, the CD's focus must be on agreeing as a matter of urgency a programme of work, or even a timetable, that will be accepted by the principal proponents of these issues as the most balanced, effective and resource-sensitive schedule for addressing them - rotationally if necessary - as is reasonably possible to achieve.

Against this eight-year-long challenge, questions of the shape of the agenda clearly pale in comparison. My delegation would have been disinclined to enter into the debate at all, except for one striking coincidence in relation to the NPT Review Conference, the preparation for which has also been beset by difficulties over the agenda. I very much hope that concern shown by several delegations over both the agenda for the CD and the NPT represents a seriousness of purpose that will manifest itself in terms of productive engagement on the substance in both conferences.

Mention of the NPT Review Conference leads me to our third point, the nexus between the NPT Review Conference and the Conference on Disarmament. In this regard we wish to refer to the letter of the United Nations Secretary-General contained in document CD/1746 of 24 January this year. That annual document helpfully lists those resolutions adopted during

(Mr. Caughley, New Zealand)

the fifty-ninth session of the General Assembly that make specific reference to the Conference on Disarmament. It is sobering to be reminded in this way of the considerable extent of the United Nations General Assembly's expectations of the CD.

As several delegations observed during the CD's opening session last week, in a year in which the NPT falls for full review, this body (notwithstanding that its membership is not coterminous with the NPT) needs to be particularly conscious of and responsive to the expectations of it flowing not just from the United Nations but also from the NPT Review Conference. Two of the "13 steps" adopted by consensus at the last such conference are, of course, amongst the items which have featured in various proposals for the CD's programme of work, a salutary fact the corollary of which is the absence of any written proposals in this body that would seek the pursuit of a different course of action.

In any event, my delegation hopes that the focus of the CD's work will turn straightaway to issues of moment of the kind that I have mentioned, demonstrating that governments are indeed intent on rising above the mere shaping of agendas of meetings and concentrating instead on real and immediate threats to international security. This ought, at the same time, to breathe life into the CD and invigorate preparations for the NPT Review Conference amongst those members of this body that are party to the NPT.

It goes without saying, Mr. President, that your efforts to guide us in this direction have my delegation's fullest support.

The PRESIDENT: I thank the distinguished representative of New Zealand for his statement and for the kind words addressed to the Chair. I turn to the next speaker on my list, the distinguished representative of South Africa, Ambassador Glaudine Mtshali.

Ms. MTSHALI (South Africa): Mr. President, at the outset, please allow me to congratulate you on your assumption of the presidency of the Conference on Disarmament and to assure you of my delegation's wholehearted support for the ongoing and tireless efforts to forge a consensus on a programme of work for the CD. I would furthermore also like to take this opportunity to welcome our new colleagues to the Conference.

As you are no doubt aware, Mr. President, you have the important task of leading us in our work and resolving the problems that confront us at the beginning of this 2005 session of the CD. This, I might add, is particularly relevant in view of the deadlock that the Conference has experienced during the last number of years.

Our first task is the adoption of our agenda for this year, and we believe that it should be possible for the Conference to adopt the same agenda, based on the Decalogue, which we adopted at the beginning of 2004. The more problematic aspect, however, will be to reach agreement on the work that we will undertake this year. In this regard, my delegation believes that the international community's endeavours to address issues of non-proliferation, disarmament and arms control will continue to be frustrated if this body does not get back to work immediately.

(Ms. Mtshali, South Africa)

The CD clearly cannot afford to waste yet another year without seriously jeopardizing its credibility. Already for many years now the Conference has not been able to agree on a programme of work, largely due to differences relating to negotiating mandates. It would also appear as though our endeavours to adopt a programme of work - whether it relates to prevention of an arms race in outer space, nuclear disarmament, a ban on fissile material and/or other issues - have already been thwarted by a lack of political will and narrow self-interest.

As we are all aware, past efforts to narrow down the differences on a programme of work have led us to the proposal of the five Ambassadors - as amended - on which we have deliberated on many occasions. In this regard, it would be fair to say that many delegations, including this one, would ideally wish to see that proposal strengthened in certain areas. As you are probably aware, South Africa, for instance, has on a number of occasions stated in this forum that it is uncomfortable with the mandate of the proposed ad hoc committee on negative security assurances.

This having been said, my delegation nevertheless believes that the A-5 proposal represents a delicate compromise that deserves the support of all members of this body. In our view, it remains the most realistic proposal for the adoption of a programme of work, and South Africa therefore remains willing to join a consensus on its adoption. In this regard, my delegation would once again appeal to all members to show a spirit of flexibility, as well as the necessary commitment to ensure that this body, as the single multilateral negotiating forum in the field of disarmament, lives up to the expectations of the international community.

We would do well to remind ourselves that whilst the Conference on Disarmament may be recognized as the multilateral institution responsible for the negotiation of international disarmament agreements, it is not the Conference's limited membership that bears the cost of the United Nations resources that are being expended while the deadlock in the CD continues. On the contrary, it is the entire United Nations membership - namely CD members, as well as those countries that have not been included in the CD's membership - which through their assessed contributions to the United Nations budget has to foot the bill for what has now become the Conference's continued inactivity for the past eight years. All United Nations Member States therefore have a right to hold the Conference accountable for its failure to move forward on negotiations that have been identified by the international community as a whole, and to hold the Conference responsible for the resources that are being expended.

The South African delegation to the 2004 United Nations First Committee meeting in New York already made the point that, if the Conference on Disarmament should continue its inability to commence required disarmament negotiations, it may very well become necessary to consider an alternative course of action. Should we this year yet again fail to reach consensus on a programme of work, my delegation would suggest that the time is rapidly approaching for us to consider whether it would not be more useful and cost-effective to suspend the CD's activities until a consensus resolution or resolutions are adopted in the General Assembly mandating the

(Ms. Mtshali, South Africa)

commencement of negotiations. Whilst this would obviously not be an ideal situation for this body to find itself in, it would - in our view - in the interim allow the redeployment of needed resources to areas of great need. It would therefore and furthermore also create a situation where we can avoid the apparently endless disputes and deadlock in the Conference on its programme of work.

What I have said should not be interpreted in a negative fashion, neither should it be construed as downplaying the important role that the CD can, and should, play. On the contrary, this body has the primary role in substantive negotiations on priority questions of disarmament. The Conference therefore has a particular and special responsibility to resolve the present impasse and to lead the international community in resolving the challenges facing non-proliferation, disarmament and arms control issues in the world today.

In conclusion, South Africa remains ready to work with you, Mr. President, and all other delegations to break the deadlock which the CD has found itself in for the past number of years. It is incumbent upon us all to rise to the challenges that face us and to allow the Conference to be what it ought to be, namely the single multilateral negotiating forum in the field of disarmament. We cannot - and certainly should not - allow the inactivity of this important body to continue any longer. It is time to act decisively, not only in the interest of the international community, but also to salvage the integrity of the Conference on Disarmament. And the time to act is now.

The PRESIDENT: I thank the distinguished representative of South Africa for her statement and for the kind words addressed to the Chair. I turn to the fourth and for the time being the last speaker on my list, the distinguished Ambassador of Spain, Ambassador Juan Antonio March.

Mr. MARCH (Spain) (translated from Spanish): I would like first of all, at this first meeting of the Conference on Disarmament in 2005, to extend my best wishes to Ambassador Sanders and assure him of the full cooperation of the Government of Spain to ensure that the work entrusted to us proceeds satisfactorily and achieves its important objectives. This time of dramatic echoes at the start of our session, the echoes of the horrors of Auschwitz and other concentration camps set up in the Second World War, even though we are now able to celebrate the sixtieth anniversary of their liberation, should mark our work deeply and impel us to achieve our essential goal, that of reducing the potential for destruction that weighs on mankind and move decisively towards controlled and well-negotiated disarmament, so that the United Nations can emerge as a new guarantor of security for all and all-encompassing disarmament. The Government of Spain is deeply committed to effective multilateralism and will spare no effort to ensure, through the Conference on Disarmament, that peace is ever better safeguarded.

On the question of the agenda, my wish is to share with my distinguished colleagues this delegation's concern at the excessive growth in the number of issues before this Conference, as though we are open to including any specific issue that would strengthen our security and the fight against terrorist threats. This delegation is also of the view that we should focus our efforts on finding imaginative solutions that would enable us to move forward on the substance and tackle the items on the agenda effectively. Thus, Spain is prepared to adopt a flexible position



(Mr. March, Spain)

on the question of the agenda if the following four conditions are met: first, that they fall within the activities of the Conference; secondly, that they are not within the competence of other forums such as the Security Council or other bodies; thirdly, that they do not involve a duplication of activities; and fourthly, that their objective, even indirectly, is to break the stalemate on the main or substantive issues that are the subject of the work of this Conference.

Lastly, we are determined to strengthen the operational nature of the Conference on Disarmament to the maximum extent using the present structures and without creating other subsidiary committees or technical bodies. What would be important would be to be far bolder in our work because, as has already been said, boldness breeds success and the desired success for this new session of the Conference on Disarmament can be achieved only if we tackle our work boldly.

The PRESIDENT: I thank the distinguished representative of Spain for his statement and for the kind words addressed to the Chair.

Are there any other delegates at this moment who wish to take the floor in the formal plenary part of our session? That does not seem to be the case. In that case, I am going to adjourn this meeting, and I invite you for an informal plenary meeting, which will be convened in five minutes from now.

As you recall, the informal meeting has been scheduled to give you all an opportunity to discuss issues contained in my non-paper, and in particular the agenda of the Conference for the current session. As you are aware, the informal plenary will be open only to the delegations of member States, as well as observer States.

This plenary meeting is adjourned.

The meeting rose at 10.50 a.m.