

# **CONFERENCE ON DISARMAMENT**

CD/PV.973  
15 February 2005

ENGLISH

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## **FINAL RECORD OF THE NINE HUNDRED AND SEVENTY-THIRD PLENARY MEETING**

Held at the Palais des Nations, Geneva,  
on Tuesday, 15 February 2005, at 10.15 a.m.

President:                   Mr. Chris SANDERS                   (Netherlands)

The PRESIDENT: I declare open the 973rd plenary meeting of the Conference on Disarmament.

I have the following speakers for today's plenary meeting: Ambassador Wegger Strømmen of Norway, Ambassador Hu Xiaodi of China and Ambassador Carlo Trezza of Italy.

I now give the floor to the distinguished representative of Norway, Ambassador Wegger Strømmen.

Mr. STRØMMEN (Norway): I congratulate you, Sir, on the dedication and skill with which you perform your duties as President. Norway highly appreciates your vigorous approach to the important task that is before this Conference: to overcome the stalemate that for many years has prevented it from carrying out its mandate.

We were interested by South Africa's statement on 1 February, where it was pointed out that it may become necessary to consider an alternative course of action if we fail again this year to start negotiations.

This question is not new, nor is our interest in it. It was discussed at a workshop on revitalizing the disarmament machinery organized in Oslo in December of 2003. Our conclusions from the workshop were conveyed to the CD in January last year. They referred to the possibility of organizing plenary meetings only when there is a real need. The conclusions also include a reference to the lack of political will to use the CD as intended as the cause of the present situation.

If there is indeed no activity in sight for this body, the conclusions should be drawn. The possibility I have just set out merits serious consideration. No decisions are required, and there would be no practical obstacle to convening meetings as soon as there is a reason to do so.

Mr. President, your efforts to consult on a programme of work are welcome. Norway has transmitted its positions to you, and has set them out in informal discussions in this body. We do, however, fully share the views expressed by my distinguished colleague from New Zealand recently on the importance of carrying out deliberations in open and public sessions of this Conference. For the sake of transparency, I will take a minute to briefly review our positions.

We think it should be possible for the CD to establish three or four subsidiary bodies and mandates. Norway's first priority remains the start of negotiations with a view to achieving a verifiable treaty to stop the production of fissile material for nuclear-weapons purposes. A change in the Shannon mandate is at the outset not desirable, nor does there seem to be support for it. We are, however, hopeful that several options can be considered by all interested delegations.

On issues relating to landmines, we do not consider the CD to be the right forum, as many of the mine-affected countries are not represented. Furthermore, we would not wish to distinguish between different types of anti-personnel mines, as that could weaken the norm set out by the Mine Ban Convention.

(Mr. Stømmen, Norway)

Discussion mandates on, respectively, prevention of an arms race in outer space (PAROS) and nuclear disarmament would be a logical step. We would find it unfortunate if the questions about negative security assurances blocked the possibility for agreement on the CD's programme of work.

It should be possible to begin preparatory work on substance at the technical level. That would be a natural follow-up to the informal discussions on substantive issues that were conducted last year.

Mr. President, although we support and encourage your consultations on a programme of work, we realize that there is a limit to what can be achieved by efforts in this room. Let me reiterate a point that has been made several times, by my own as well as other delegations: the solution to the current situation will only come from capitals.

The demand for action by the Conference on Disarmament is increasing. The Review Conference of the Non-Proliferation Treaty is around the corner, and may benefit if the CD commences work on substantive issues important to the non-proliferation regime, such as a fissile material cut-off treaty.

In addition to a range of resolutions from the United Nations General Assembly and clear messages from governments and civil society, the United Nations Secretary-General's High-level Panel on Threats, Challenges and Change recently delivered a report that places great emphasis on disarmament matters. Norway was happy to see a number of clear recommendations from the Panel to restart nuclear disarmament and to prevent further proliferation of weapons of mass destruction. One of the recommendations from the Panel was for this Conference to move without further delay to negotiating a verifiable fissile material cut-off treaty.

At the beginning of this year's session, the United Nations Secretary-General called upon the members of the Conference to seriously consider the Panel's recommendations. Let me round off my first statement to the CD by reiterating his message.

I look forward to working together with you, Mr. President, and all other colleagues to meet the challenges posed by today's global security situation. I wish you the best of luck for the rest of your tenure, and pledge my delegation's full cooperation.

The PRESIDENT: I thank the distinguished representative of Norway 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 China, Ambassador Hu Xiaodi.

Mr. HU (China) (translated from Chinese): Mr. President, the traditional Chinese new year, the Year of the Rooster, has just arrived. As we bid farewell to the old and usher in the new year, I should like to wish you success in your tireless efforts to advance the work of the CD, and also to wish everyone here good health and all the best in all your endeavours.

(Mr. Hu, China)

In fact I am not going to make a general statement today, but would like to make an announcement regarding an event, a particular conference or seminar. As science and technology have progressed, an increasing number of countries have been able to draw on the peaceful uses and development of outer space to benefit their people. At the same time, however, research and development in the area of outer space weapons have also intensified, theories of a war in outer space have emerged and the threat of the weaponization of outer space has increased. Given the obvious inadequacies of the existing international legal regime governing outer space, it is extremely necessary and urgent for the international community to prevent the weaponization of outer space and an arms race there.

In order to enhance the international community's common understanding on the issues of preventing an arms race in outer space and ensuring the security of outer space, China, the Russian Federation, UNIDIR and Canada's Simons Centre will jointly hold an international seminar on "Safeguarding space security: prevention of an arms race in outer space" on 21 and 22 March at the Palais des Nations. Internationally known scholars, government officials and representatives of the world of industry are invited to exchange views on such wide-ranging topics as the peaceful uses of outer space, the necessity and urgency of preventing an arms race in outer space, the protection of space assets, the main elements of a future legal instrument on outer space, and monitoring of and compliance with international instruments.

On behalf of the sponsors, I should like to invite all CD members and observers to attend the seminar and actively participate in the discussions. Letters of invitation will follow. It is our hope that, with the expert assistance of UNIDIR, everyone will benefit from this seminar.

**The PRESIDENT:** I thank the distinguished representative of China for his statement. I also wish him a very happy new year, and I also thank the representative of China for organizing that event and for inviting us to participate. I turn to my third speaker on my list, the distinguished representative of Italy, Ambassador Carlo Trezza.

**Mr. TREZZA (Italy):** Mr. President, this is the first time I take the floor in a formal session of the CD under your country's chairmanship. Let me congratulate you on the efforts you have made during the intersessional period and in the course of your presidency, which is coming to an end, in trying to untangle the knot of the CD.

The number of consultations you have held with delegations is impressive, the questionnaire you circulated was helpful and imaginative. The non-paper you circulated was a very useful synthesis of the responses you received from delegations. Paragraph 5 (d) of document CD/1036 is, in our view, a useful tool to untangle the knots of the Conference.

In your efforts to give new impetus to the work of the Conference, and together with the Secretary-General of the CD, you sent a letter to the Foreign Ministers of all member countries, inviting them to make a statement to the CD, possibly during a high-level segment of our Conference. We welcome this initiative since we believe that it would be useful to upgrade the level of our deliberations. Let me recall that in last year's report, the Conference welcomed addresses by Ministers "as expressions of support for the endeavours of the Conference on

(Mr. Trezza, Italy)

Disarmament and ... its role as the single multilateral negotiating forum in the field of disarmament". The strong political support given to the Conference by Foreign Ministers last year was considered encouraging by the Secretary-General of the United Nations in his latest message to the CD.

Italy is pleased that an agreement has been reached on the agenda and that, on that basis, we shall now seek to proceed to our institutional tasks. We are also satisfied that an understanding has been reached on the fact that any issue can be dealt within the agenda, if there is a consensus. We believe that extending our discussions on items which are "out of the box" is a healthy and innovative exercise. The Conference should be in tune with issues which are relevant in the current international security environment. In this connection, I wish to refer to the recent announcement made by the DPRK on its possession of nuclear weapons. Let me recall the statement made in this respect by the presidency of the European Union which, *inter alia*, expressed its strong preoccupation at the DPRK declaration and its regret at the announcement of the suspension of its participation in the multilateral negotiations on its nuclear programme.

In the meantime we have several issues "inside the box" on which we should focus our attention. We wish to avoid a dogmatic approach and believe that the issues to be negotiated or discussed should be considered on their own individual merits. We have heard through the years what the main priorities and the main security concerns of member States are, and the time has come to seek a compromise on them. This does not necessarily mean that we must work on all of them at the same time.

The priority for us has been in past years and remains today the negotiation of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. We underline at this stage the urgency of this negotiation, which should be a logical priority for every country genuinely committed to nuclear disarmament and arms control. An FMCT would stop the production of the most dangerous nuclear fissile materials: those destined to produce nuclear explosions. Non-nuclear-weapons States should be the most evident supporters of this agreement, which does not entail additional burdens for them. The main limitations and restraints would concern countries possessing nuclear weapons or those which might pursue, in the future, nuclear military capabilities. But they too would benefit from an agreement which would prevent a dangerous and costly spiral in fissile-material production and would introduce a useful nuclear confidence-building measure and transparency. An FMCT would be an instrument of nuclear arms limitation and would strengthen non-proliferation. This is important especially in view of the NPT Review Conference. It fully pertains to the scope of article VI of the NPT, since it clearly relates to the cessation of the nuclear arms race.

We respect the other priorities which have been put forward. Our positions on PAROS, nuclear disarmament and negative security assurances are on record.

Let me add that Italy would have no objection in principle to discussing conventional disarmament at the CD, including wider limitations on landmines, provided that these are consistent with the Ottawa Convention. Two substantive statements have been made lately on this issue at the CD. Kenya illustrated the results of the Nairobi Summit. Russia announced that

(Mr. Trezza, Italy)

it had adhered to Protocol II of the CCW and also informed us of encouraging initiatives and positions regarding landmines which, in our view, are consistent with the Ottawa Convention. We welcome those statements.

**The PRESIDENT:** I thank the distinguished representative of Italy for his statement and for the kind words addressed to the Chair. In the meantime, I have a fourth speaker on my list, the distinguished representative of Pakistan, Ambassador Shaukat Umer.

**Mr. UMER (Pakistan):** Mr. President, since I am also speaking in a formal meeting for the first time this year, let me also pay a special tribute to the excellent leadership which you have provided to this Conference. One must admire the fresh perspective which you have tried to bring to the Conference. We belong to the old school. We are risk-averse. But one must acknowledge that you were prepared to take initiatives, take risks, while staying within the ambit of wise judgement and trying to preserve the unique strength of this body, which is that we operate on the basis of consensus. So you brought to bear two unique qualities, Mr. President, the ability to take initiatives, while respecting the practices and the traditions of this Conference.

I have taken the floor basically to bid farewell to you and my colleagues as I shall be leaving Geneva soon, on retirement, having reached the age of 60, which is the date of superannuation in our system.

Geneva has been a very enriching experience for me. It was not very long, but very rewarding. But I must state quite honestly that the Conference on Disarmament has been a disappointment. One of the principal reasons, in our system, this position is considered very important is because of the CD. In other bodies, in the Commission on Human Rights, other places, we pass resolutions. Here we create law. We create disciplines, which administer inter-State relations. But unfortunately, for the past several years, this has not happened. And I think it is a source of frustration and disappointment to all of us. But the important thing is that in reacting to the situation, we should not exhibit our frustration.

There have been calls or proposals to suspend this Conference. I respect those who entertain this route. But I would beg to differ with them. In order to revive a body you do not have to put it to sleep. The objective should be to remain engaged, to continue to explore like you did. You came up with some ideas which had not been mentioned before. Unfortunately, they could not muster consensus. But the process of exploration and effort and endeavour must continue.

I recall - I was in New York for four and a half years in the 1980s - that at that time the Security Council was totally paralysed. In the 1960s and the 1970s, it did not function. We used to have maybe one meeting in three months. Then it came into its own, because the architecture changed. The security and the strategic environment changed. And it passed landmark resolutions, settled major conflicts. At one time there were 120,000 soldiers from all over the world serving under the United Nations flag, saving so many lives. So I think we have to look at our current state in a broader perspective.

(Mr. Umer, Pakistan)

The second thing that worries me is that if we go down that road, there will be a total vacuum here, and multilateralism, like nature, abhors a vacuum. The apprehension is that the important questions with which we should be seized and we are trying to grapple would be taken over by other organs, by other forums, and I think that would be a collective misfortune for this Conference.

One has heard over the years numerous observations about the decline of multilateralism or the threats to multilateralism or the challenges to multilateralism. They are of course true. There are challenges to multilateralism. But having observed this system over a long period of time, I think there is also a challenge *for* multilateralism. A system or a philosophy or a concept, a very noble concept created after a major tragedy in Europe and the world. Has it evolved sufficiently to be able to respond to the particularities of this era where the dynamics are slightly different? Nobody can, I think, disagree with the essence of multilateralism. That we all know. But what maybe the time has come to reflect upon, is how to evolve it to match the realities of our time.

So I think these are two streams. One is, of course, the challenge to multilateralism. The second is the challenge *for* multilateralism. Then see how these two streams can be harmonized.

So I just wanted to share some thoughts with you, Mr. President, and thank you very much, all my colleagues, for your cooperation and friendship. It was a pleasure working in the CD. It is called a “gentlemen’s club”. Well, in the sense that we have all security interests, vital national security interests, sometimes it can be quite brutal. But the difference between this forum and the others is that here we manage to resolve our differences - or not even to resolve, perhaps, manage our differences - with some self-respect and mutual respect, some poise, some dignity. And I think that is the unique strength of the Conference on Disarmament.

The PRESIDENT: I thank the distinguished representative of Pakistan for his statement. I had not realized, Shaukat, that you would leave us so soon, too soon, in my opinion. I certainly would, on behalf of the CD, wish you a most happy retirement and thank you profoundly for the important input you have had for so many years in this body. I thank you very much for that.

Is there any other member of the CD that wishes to take the floor? I recognize the representative of the Democratic People’s Republic of Korea.

Mr. AN (Democratic People’s Republic of Korea): Mr. President, in fact my delegation had no intention of making a statement, but after having heard the statement made by Italy, I think my delegation needs a brief statement on the issue that has been raised by the delegation of Italy.

First I think we need to remind ourselves of where we are, where we stand now in the work of the CD. We have not had any substantial discussions for eight years, and some delegations have even expressed very serious concern about the fate of the CD itself. This is the status of where we are, and suddenly an irrelevant issue has been taken up by the delegation of Italy, which is the nuclear issue, essentially between the DPRK and the United States of America.

(Mr. An, Democratic People's Republic of Korea)

My delegation understands the concern of Italy, but that concern should be based on a correct and proper stance to help facilitate the resolution of this issue. The concern expressed by the delegation of Italy is not on track. It is off the track. I believe that the delegation fully understands the essence of this issue and probably also understands why we were compelled to refrain from participating in the six-party talks, which we really hoped for. We have a very big obstacle in the way of holding six-way talks, and we found that that obstacle has a similar source that we have or had in the CD. We found that obstacles come from the same source. I mean the obstacles we have with the six-way talks and the obstacles that we have in front of us here in the CD. And I hope that the delegation of Italy will have a proper understanding of the sources of our decision and that we were compelled to take that kind of measure.

The PRESIDENT: I thank the distinguished representative of the DPRK for his statement. Is there any other delegation at this stage that wishes to take the floor? I detect no one. I would like to make a short statement myself. It will not be my last statement. That will be on Thursday - at least my statement in the capacity of President. But right now I would like to say the following.

Last week I circulated a text on a possible announcement by the President on the identification of Special Coordinators for four subsidiary bodies and their mandates, pursuant to paragraph 5 (d) of document CD/1036. After informal consultations and careful consideration of the various views of CD members, I have decided not to make this announcement. I wish to place on record, however, that this decision has no implications for the legal interpretation of paragraph 5 (d) of document CD/1036, in particular, on the question whether the President has the authority to identify a Special Coordinator as stipulated in paragraph 5 (d). It remains my own view that the President has indeed this authority. For the benefit of future CD Presidents, I have requested the advice of the Office of the Legal Adviser of the United Nations on this question.

Finally, I would like to express my deep appreciation for those who were available to become Special Coordinators, and to my five successors for this year. Their support and advice has been of the utmost importance to me. Thank you.

Is there any delegation before I adjourn the meeting that still wishes to take the floor? That does not seem to be the case.

The next meeting of the CD will be on Thursday, 17 February, at 10 a.m. At that meeting the Conference will hear the address by the Minister for Foreign Affairs of Kazakhstan, His Excellency Mr. Kassymzhomart Tokaev.

The meeting rose at 10.45 a.m.