

CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE NINE HUNDRED AND SEVENTY-NINTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 15 March 2005, at 10.35 a.m.

President: Mr. Tim CAUGHLEY (New Zealand)

The PRESIDENT: I declare open the 979th plenary meeting of the Conference on Disarmament.

Today we continue a series of plenary meetings during which the Conference will be addressed by Ministers for Foreign Affairs as well as by other high officials representing member States. I now have great pleasure in extending a warm welcome on behalf of the Conference on Disarmament and on my own behalf to His Excellency Mr. Manuel Rodríguez, Minister for Foreign Affairs of Peru, who is the first speaker in this second series of plenary meetings.

We highly appreciate this demonstration of the great importance which the Government of Peru attaches to arms control and disarmament, and in particular to the work of our forum. It is my honour and pleasure to invite His Excellency Mr. Manuel Rodríguez, Minister for Foreign Affairs of Peru, to address the Conference.

Mr. RODRIGUEZ (Peru) (translated from Spanish): On 11 March, a few days ago, the Summit on Terrorism was held in Madrid. It was a tribute paid to the victims of the terrorist act in Atocha and at the same time the symbolic venue for the approval of the Madrid Agenda, which sets out a strategy made up of principles, policies and actions to combat national and international terrorism, including the clear possibility of nuclear terrorism. On this occasion the Government of Peru reiterates its solidarity with and support for the people and Government of Spain and endorses the Madrid Agenda in its entirety.

Mr. President, allow me to express to you my warmest congratulations on taking the Chair of the Conference on Disarmament. You have the full support of the Government of Peru in the flexible and intelligent approach you are adopting in order to do away with the obstacles that continue to prevent the Conference from approving its programme of work and starting the negotiations which are now vital in order to restore its negotiating capability. I would also like to convey to you that Peru's foreign policy is identical to the positions of the New Agenda Coalition.

We are aware that it has not yet been possible to replace the stability generated by the cold war, based on the balance of terror, by a stability which would draw its strength from renewed multilateralism based on the effective implementation of international law. We find ourselves in a situation of some uncertainty in which instability is gaining ground over peace and new threats are posing challenges, testing the creativity and political determination of our governments to avoid the collapse of the Conference on Disarmament.

Over the course of the last few years we have become aware of illicit programmes for the production and acquisition of weapons of mass destruction that involve not only States but also networks of non-State actors. The post-cold-war world is not only facing trends towards nuclear proliferation: it has to deal with unusual behaviour such as that of a State which has denounced the Treaty on the Non-Proliferation of Nuclear Weapons; it also has to face the threat that international terrorists may gain access to weapons of mass destruction. All of this should prompt a rational response by the international community in order to strengthen the international treaties in the field of disarmament and ensure their effective implementation.

(Mr. Rodríguez, Peru)

In this regard, it is clear that given the growing unpredictability as regards the proliferation of weapons of mass destruction, the responsible and institutional response should be the creation and consolidation of a solid multilateral security framework founded on international law and regulated by effective compliance and verification mechanisms. But the situation is very different: we are paradoxically witnessing a progressive weakening of the legal regime underpinning non-proliferation, and this is not only the result of the situation that I have just described but also of the attitude of States that strive to escape their treaty obligations and the behaviour of other States which are beginning to modify their nuclear policies, accepting the possibility of using or threatening to use tactical nuclear weapons in specific circumstances. The Government of Peru considers that the Treaty on the Non-Proliferation of Nuclear Weapons is the basic instrument to prevent proliferation and achieve the final goal which is nuclear disarmament. It is urgently necessary to strengthen the legitimacy of the Treaty, by ensuring that the obligations that have been taken on by the States parties are effectively fulfilled in good faith.

When the NPT was signed in 1968, two basic obligations were laid down. The first was that no non-nuclear-weapon State was to come into possession of nuclear weapons and the second was that five nuclear-weapon States were given the temporary right - I stress that word temporary - to possess such weapons, the condition being that they would progressively dismantle their nuclear arsenals. These commitments must be honoured fully. It is the responsibility of the nuclear Powers before history, in the context of the legal obligations they have entered into, in the context of peace and the conscience of peoples whose demand and aspiration is that globalization will free humanity from the nuclear threat. In this context it is essential to put into effect the 13 essential steps adopted at the Sixth Review Conference in the year 2000, and specifically the signing and ratification of the Comprehensive Nuclear-Test-Ban Treaty, principally by the 44 States which have a basic nuclear capability, and the establishment of moratoriums on nuclear tests, the negotiation of the treaty on the elimination and prohibition of the production of fissile material, including an effective verification mechanism, as well as the application of the principle of irreversibility to disarmament.

The Government of Peru regards as essential the negotiation of a treaty that will put an end to the production of fissile material. Consequently, the negotiations that will make it possible for the Conference on Disarmament to follow-up on this mandate, which has already been agreed, once and for all are of key importance. The dangerous trends towards uncertainty on the nuclear issue these days, especially the modification of certain strategies and their underlying doctrines, obviously increase the legitimacy of the demand by non-nuclear States for legal assurances from nuclear Powers that they will not be the victims of the use or the threat of use of nuclear weapons. Peru considers that the negotiation of a binding legal instrument that gives non-nuclear States these essential assurances is a key item on the agenda of the Conference. In the case of Latin America and the Caribbean, I would like to remind you that Additional Protocol I to the Treaty of Tlatelolco, which has been accepted by the nuclear-weapon States, has already established a regional system for the implementation of negative security assurances.

The evolution of technology, and particular innovations in the area of telecommunications, has meant that outer space has become a part of the global commons which is increasingly highly valued and linked to the economy, prevention of natural disasters

(Mr. Rodríguez, Peru)

and land use strategies. Peru considers that, in accordance with the provisions of the 1966 Treaty, outer space must be a zone of peace, completely devoid of military activities. For these reasons, my Government is convinced that the militarization of outer space would only add anxiety and instability, affecting peace and security in the world. The prevention of these threats, and in particular the prevention of an arms race in space, is something we can achieve only by means of a universal, legally binding treaty that prevents any emplacement of weapons in space. The Government of Peru firmly supports the start of negotiations on this topic in the Conference on Disarmament.

In a mere seven weeks we will be holding the 2005 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons. It offers an opportunity for an unequivocal expression of political will in favour of fully implementing the norms and commitments of the NPT. Not to do so would be to place the NPT in an unacceptably delicate situation. At the same time, my Government considers that the entry into force of the Comprehensive Nuclear-Test-Ban Treaty is an imperative. Peru ratified it in 1997, and I would like to urge the 11 other States which have not yet ratified it to do so as soon as possible. The entry into force of the Comprehensive Nuclear-Test-Ban Treaty will also be a decisive step in preventing the continued development of nuclear technology for military purposes. Peru, which is determined to promote a safer world and a multilateral regime which will make it possible to supervise the transfer of high technology for offensive military purposes, has signed the Hague Code of Conduct against the proliferation of missiles and is constantly ready for further work to ensure that this Code is even further developed.

Mr. President, Peru is a middle-income country which understands clearly that in today's global world, security is ultimately the result of the interplay of internal and external factors. Together with the countries of Latin America and the Caribbean, we made an early contribution to denuclearization by signing and developing the provisions of the Treaty of Tlatelolco. We did so not only because we were thinking in terms of the security of the States in the area, but substantially for the sake of the human security of our peoples. In this context, we are deeply concerned by issues associated with conventional weapons. In practice these are the ones that cause the death and destruction which various parts of the world are suffering today. Transparency is absolutely essential: the United Nations Register of Conventional Arms must be given the resources it needs to be effective and have practical effects, as was stressed by the High-level Panel on Threats, Challenges and Change appointed by the Secretary-General. Only complete records of transfers of conventional weapons will give this important instrument the value of an effective confidence-building measure.

Verification of transfers of small arms and light weapons is another crucial issue. More than 500,000 people die annually as a result of the use of these weapons, and their indiscriminate use is increasingly affecting public security. Peru advocates the most effective implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons, and in particular the adoption of a binding international instrument on marking and tracing such weapons.

My country is also specially concerned about conventional weapons which have indiscriminate effects. Peru welcomes the adoption of the Nairobi Plan of Action at the first

(Mr. Rodríguez, Peru)

Review Conference of the Convention and the fact that 144 States have become parties to the Convention. However, universalization is still an ongoing task that should not be delayed. Peru has fulfilled its obligation to destroy its stocks of anti-personnel mines, and did so before the deadline provided for in article 4 of the Convention. A continuous process of mine clearance is also being carried out within the country's borders, with the aim of concluding this work as soon as possible. We have embarked on an unprecedented joint programme with the Government of Ecuador for mine clearance along our common border. This is at a very advanced stage.

Peru upholds a cooperative and human approach to security and is convinced that the contributions of the non-nuclear States, above and beyond that of committing themselves actively and effectively to the global objectives of denuclearization and general and complete disarmament, are linked to the creation of situations of permanent peace based on regional scenarios. In this context, as a complement to the Treaty of Tlatelolco, the Government of Peru has successively promoted the declaration of the Andean area and South America as zones of peace that are free of nuclear weapons, biological weapons, chemical weapons and weapons of mass destruction in general. The United Nations General Assembly has noted these initiatives and adopted resolutions 57/13 and 59/54, confirming the status of the Andean area and South America as zones of peace. In the same way, my country took the initiative of drafting, negotiating and approving the Andean Charter for Peace, Security and the Limitation and Control of External Defence Expenditure, which reaffirms the commitment of the Andean countries to consolidate the zone of peace, limit external defence expenditure, control conventional weapons and ensure transparency, eradicate the illicit trade in firearms, munitions, explosives and associated materials and eradicate anti-personnel mines. In the sphere of relations with our neighbours, we are working for the development and adoption of new-generation confidence-building measures such as the projects for the standardization of the methodologies used to measure military expenditure which we are undertaking with Chile, Colombia and Ecuador.

The Conference on Disarmament cannot spend a ninth year with its activities at a standstill. We diplomats know what the reasons are, we know the keys and encrypted political codes for the reasons for this deadlock in the work of the Conference, but the peoples of the world do not understand this, do not accept it, cannot justify it. Out of respect for the mandate entrusted to it by the peoples of the world, the Conference must find a solution so as to adopt its programme of work and thus begin negotiations aimed at the adoption of a treaty banning the production of fissile material, the granting of negative security assurances and the prevention of an arms race in outer space. I am confident that on the basis of the five Ambassadors' proposal and Ambassador Sanders' document, on which you, Sir, have begun consultations, we will be able to give this Conference back its *raison d'être*, in keeping with the demands of a responsible vision of peace and security in today's changing world.

The PRESIDENT: I thank the Minister for Foreign Affairs of Peru for his important statement and for the kind words of support he has addressed to the Chair and to this Conference as a whole. I shall now suspend the plenary meeting for just a few minutes in order to escort the Minister from the Council Chamber. We shall resume in several minutes' time.

The meeting was suspended at 11 a.m. and resumed at 11.05 a.m.

The PRESIDENT: It is my great honour to welcome amongst us His Excellency Mr. Errke Tuomioja, Minister for Foreign Affairs of Finland, and to give him the floor to address this Conference.

Mr. TUOMIOJA (Finland): I am pleased to have this opportunity to address the Conference on Disarmament. To begin with, let me congratulate Ambassador Caughley of New Zealand for his nomination as the current President of the Conference, and pledge Finland's full support for his work to the benefit of the Conference.

The proliferation of weapons of mass destruction and their means of delivery is today a major threat to global security. The international community as a whole is concerned about the acquisition of such weapons by terrorists and about the wish of some States to become possessors of these weapons. We cannot ignore this development. Collective efforts are needed to halt the advance of the phenomenon worldwide.

I am happy to note the increased interest of the international community in these issues. The Security Council approved resolution 1540 and the High-Level Plan on Threats, Challenges and Change paid close attention to WMD and disarmament issues in general. However, though positive, this is not yet enough. It is essential that we have universally agreed norms and rules that set standards of behaviour to be followed by all States and non-State actors.

The global Nuclear Non-Proliferation Treaty sets such international standards. Finland is fully committed to promoting its continued success. Finland is one of its original States parties and a strong supporter of the Treaty from its inception. The NPT has successfully limited the number of nuclear-weapon States. It supports global stability and encourages nuclear-weapon States to engage in nuclear disarmament, with the ultimate goal of eliminating all nuclear weapons. The Review Conference in May should directly recognize that the NPT is and must remain a cornerstone of international security and stability and be observed by non-nuclear and nuclear-weapon States alike.

At the same time, we cannot close our eyes to worrisome developments. At least three States with acknowledged or unacknowledged nuclear weapons remain outside the NPT despite insistent requests over the years by the international community to join the Treaty. Another State, the Democratic People's Republic of Korea, has renounced its obligations as a State party to the NPT. It is now openly flaunting its proclaimed status as a nuclear-weapon State to the detriment of regional and international security. Collective action on the part of the international community is needed to reverse this dangerous course of events. Equally worrisome is that Iran, a State party to the NPT and to its safeguards obligations, is now challenging the credibility of the international non-proliferation regime. Finland fully supports the efforts of the three NPT States, acting on behalf of all member States of the European Union, as well as those of the Director General of IAEA, to ensure Iran's compliance with its NPT obligations. However, we must also recognize that the long-term success of our present and future efforts to strengthen the non-proliferation regime will also depend on the willingness of the nuclear-weapon States to refrain from developing new kinds of nuclear arms and to reduce their own stockpiles of nuclear weapons and their reliance on them in their military doctrines.

(Mr. Tuomioja, Finland)

The Conference on Disarmament can justifiably be proud of having managed to create international norms on disarmament. The Chemical Weapons Convention, the first international legal instrument to ban an entire category of weapons of mass destruction in a verifiable manner, was successfully negotiated by the CD. The Convention is now being successfully implemented, but large stockpiles of chemical weapons are still undestroyed. Progress in the destruction of this material is an essential element of non-proliferation, and States should jointly contribute to the carrying out of this enormous and at the same time urgent task.

The Global Partnership initiative is a concrete response to this common responsibility. What actually is needed at the moment is an acceleration of the implementation of the commitments States have made, including those of my own country.

The Comprehensive Nuclear-Test-Ban Treaty was finalized at this Conference more than eight years ago in 1996, but the Treaty has still not entered into force. Even if not ratified by all those States whose signature and ratification are required for the Treaty to enter into force, the CTBT has become an observed international norm. No nuclear tests have been conducted since. But we cannot rely on the efficacy of moral persuasion alone. The CTBT must enter into force. Finland urges all those States that have not yet ratified the CTBT to do so as soon as possible.

The CWC and the CTBT are indeed laurels on the Conference's brow. Unfortunately, for the past eight years the Conference on Disarmament has done little but rested on its laurels. This immobility is a source of growing concern for countries such as Finland that believe in a globally representative permanent forum for disarmament negotiations.

There is a danger that this Conference will sink into irrelevance, that States will increasingly turn toward other ways and means of negotiating international disarmament commitments than this Conference. That, I believe, is in nobody's true interest. The Conference can still redeem itself by engaging, finally and in earnest, in the FMCT negotiations, for which it is by far the most natural forum, thanks to its composition and expertise. During the past years, viable disarmament processes with good results have been taking place outside the CD, especially in the field of conventional arms. The CD could devote more attention to issues related to conventional arms. However, the results are, of course, more important than the forum of negotiations.

The Ottawa Convention prohibiting the use, stockpiling, production and transfer of anti-personnel mines has clearly been one of the major successes in disarmament in the past years. Even though Finland has not been a party to the Convention, it has supported an effective and global ban on anti-personnel landmines and has been, in fact, implementing most of the provisions of the Convention. Finland does not produce or export anti-personnel landmines and, during peacetime, anti-personnel mines are in stockpiles. There are no minefields in Finland. The Finnish Parliament has confirmed that Finland will accede to the Convention and thereby become fully committed to observing this international norm as from 2012. All APL stockpiles in Finland will consequently be destroyed by 2016.

(Mr. Tuomioja, Finland)

Solutions to issues relating to small arms and light weapons, the everyday weapons of mass destruction, are being sought in the United Nations small-arms process. The run-up to the Review Conference of this process in 2006 will give us an opportunity to address the issues that did not receive sufficient attention in the 2001 Conference or were not appropriately addressed in the Programme of Action. One of them is, I think, export controls at the national level, regionally and in terms of international export control regimes.

Finland supports and is actively taking part in efforts aiming at the creation of common global standards for arms exports. Such standards must be based on existing international obligations under the relevant international law. Stronger export controls on these weapons are also necessary tools in the fight against terrorism. There is also an explicit relationship between security measures, the enjoyment of human rights and sustainable development.

The Convention on Certain Conventional Weapons has recently gained some fresh impetus. The Protocol on Explosive Remnants of War, which Finland has already ratified, was concluded in 2003 and will hopefully enter into force soon. At the same time, useful exploratory work has been done on the issue of anti-vehicle landmines. The Coordinator on mines other than anti-personnel mines, Ambassador Reimaa, needs your full support in his work. We hope that these efforts can be brought to a successful conclusion this year.

In today's world, peace and security must be addressed from a global perspective. We need a multilateral security system that is based on cooperation. I believe that we all agree on this. Concrete results have been achieved in the past, but many, many steps are still required. I hope that this Conference will assume the lead in taking those steps.

The PRESIDENT: I thank the Minister for Foreign Affairs of Finland for his important statement and for the importance attached by his Government to the work of this forum and the words of support that you addressed to the Chair, Mr. Minister. Thank you very much for that.

I will now suspend the plenary meeting for five minutes in order to escort the Minister from the Council Chamber.

The meeting was suspended at 11.15 a.m. and resumed at 11.20 a.m.

The PRESIDENT: It is a great honour to extend a very warm welcome to His Excellency Mr. Bernard Bot, Minister for Foreign Affairs of the Netherlands, who will now address the Conference.

Mr. BOT (Netherlands): In 1946, the first resolution ever adopted by the United Nations General Assembly stressed the necessity of eliminating "weapons adaptable to mass destruction". Now, 60 years later, the issue is still topical. So it is a particular honour and a pleasure for me to address the Conference on Disarmament once again this year.

(Mr. Bot, Netherlands)

Today, I wish to focus on the Nuclear Non-Proliferation Treaty or NPT. The upcoming Review Conference is in my opinion one of the major challenges for diplomacy in 2005. If we leave the situation unchanged, the Treaty will be in serious trouble. To quote one of the key passages in the report by the UN Secretary-General's High-level Panel: "We are approaching a point at which the erosion of the non-proliferation regime could become irreversible and result in a cascade of proliferation".

Actually, the state of affairs surrounding this Treaty is a textbook illustration of what the same reports calls the need for "a new security consensus". I see it as a crucial paradox we have to come to grips with: on the one hand, more than ever, a globalized world poses security challenges that affect all of us. On the other hand, there is a widening gap between different countries' perspectives on which global security challenges are most urgent, and which ones are less important. This gap is clearly visible in the debate on the NPT.

Fortunately, we can still find common ground. All of us acknowledge that the NPT has been of crucial importance in preventing countries from acquiring nuclear weapons. It has also proved to be a robust framework for delaying proliferation, which has exceeded all expectations. Without it, the number of nuclear-weapons-capable States would probably have been far greater. The key to the success of the Treaty is the balance it strikes between three concepts: non-proliferation, nuclear disarmament and access to peaceful nuclear technology. But this carefully crafted balance is also its greatest weakness. If the views of its signatories on the stability of this framework diverge any further, the entire structure itself could become unstable. Let me stress that there are no winners in such a scenario.

Ten years ago, when the members of the NPT agreed to extend the Treaty indefinitely, important promises were reconfirmed in the "Principles and objectives" document. Five years later, at the 2000 Review Conference, agreement was reached on a substantive Final Document, but by that time it had already taken considerable effort to paper over the cracks that were appearing.

In the past five years we have seen those cracks widening. The countries that acceded to the Treaty voluntarily gave up the nuclear option on the understanding that the nuclear-weapon States would pursue the elimination of their nuclear arsenals in good faith. Nuclear disarmament must continue so that we do not create a world where only nuclear weapons can provide national security.

At the same time, there is still too much indifference about growing clandestine nuclear activity and blatant non-compliance by some parties to the Treaty. In fact, over the past 10 years, more than 200 incidents involving illicit trafficking in nuclear materials have been documented. Therefore, if in the long run we want to maintain global political support for the NPT bargain and discourage countries that might want to acquire nuclear weapons from doing so, both nuclear-weapon States and non-nuclear-weapon States will have to keep their end of that bargain. The debate about the relative priorities of non-proliferation and nuclear disarmament is a fruitless one, since the three elements of the Treaty - disarmament, non-proliferation and peaceful use - are inseparably linked. One cannot be pursued without the others. I will now turn briefly to each of these three elements.

(Mr. Bot, Netherlands)

Last year I opened my statement in the CD with a discussion of non-proliferation. This year, for the sake of balance, I will begin with nuclear disarmament.

For the Netherlands, the benchmark for progress towards nuclear disarmament is the “13 steps” approach we agreed in 2000. While some of those steps have been overtaken by events, like those relating to START and the ABM Treaty, many of the 13 steps have lost none of their relevance. The entry into force of the Comprehensive Test-Ban Treaty remains of the utmost importance, pending which existing moratoriums on testing of nuclear weapons should be maintained and nuclear-weapon States should refrain from the development of new types of nuclear weapons. I should also mention the need for a further reduction of tactical nuclear weapons as an integral part of nuclear disarmament, and the need for a ban on the production of fissile material for nuclear weapons, or FMCT. For the past five years, we have essentially come to a standstill in these important areas, which threatens to undermine the norms laid down in the Treaty and by its Review Conferences.

Another element addressed by the 13 steps is the need for transparency and accountability, which for my Government has always been a priority. Although the nuclear-weapon States have provided a good deal of information, I think the world expects them to be even more open about their nuclear capabilities, wherever their national security allows. We urge the nuclear-weapon States to report regularly on their aggregate number of warheads, delivery systems and stocks of fissile materials. Transparency provides the basis for measuring progress in nuclear disarmament and for building confidence that will enable the NPT to remain the guardian of non-proliferation and peaceful uses.

Finally, one of the 13 steps refers directly to the Conference on Disarmament and its programme of work. Earlier this year, when the Netherlands held the presidency of this Conference, we made every possible effort to resolve the remaining disagreement on this programme. You, Mr. President, have continued these efforts in a very effective way. Your statement on the CD’s programme of work last week made clear that there is a window of opportunity, if key delegations are willing to go the extra mile. We may be closer to final agreement than we have been in many years. I would encourage you all to make this happen before the NPT Review Conference.

It is clear that the 13 steps will have to be updated. This will be a major challenge for the Review Conference - to say the least - given that the consensus on some of those steps has eroded, and that they cannot simply be replaced with something different.

The second part of the bargain that created the NPT is non-proliferation. I would like to recall the European Union strategy against the proliferation of weapons of mass destruction, which is an expression of the European Union’s commitment to the multilateral system and rule of law. The Union recognizes that to uphold the law strict enforcement is needed. The European Union will continue to set demanding conditions in its relations with third countries with respect to non-proliferation, while at the same time fostering inclusiveness and remaining receptive to countries’ security concerns.

(Mr. Bot, Netherlands)

The implementation of the Additional Protocol will build greater confidence about the absence of undeclared nuclear material and activities in a State. The NPT Review Conference should affirm that the model Additional Protocol, together with a comprehensive safeguards system, now represents the verification standard.

Another way to improve our non-proliferation efforts is by better controlling the nuclear fuel cycle. I share the concerns expressed by the Director General of IAEA, Dr. El Baradei. That is why we fully support the activities of the IAEA working group on multinational approaches, which has produced its results in time for the Review Conference. The Conference should follow up by setting out a course of action to ensure that nuclear fuel cycles will be used exclusively for peaceful purposes.

Compliance with all the provisions of the NPT is crucial. In that regard, one of the matters of most serious concern should be, and I quote the High-level Panel once again, that some countries “will acquire all the materials and expertise needed for weapons programmes with the option of withdrawing from the Treaty at the point when they are ready to proceed with weaponization”. In this respect, I call upon those countries that are currently a source of great worry to live up to their obligations under the NPT.

The third component of the bargain that underpins the NPT is the transfer of nuclear knowledge, equipment and materials for peaceful uses. We have long recognized it as one of the fundamental provisions of the Treaty. What has now become clear is that it is no longer possible to view this issue in isolation from non-proliferation. Compliance with the non-proliferation and verification requirements of the Treaty should be regarded as a precondition for cooperation on peaceful uses of nuclear technology. What is more, States that want a stable, open and transparent international security environment in which peaceful nuclear cooperation can take place should be required to adhere to the Additional Protocol and to abstain from cooperation with States that are in non-compliance with their IAEA safeguard agreements.

In preparing for the Review Conference, the Netherlands has worked closely with Belgium and Norway to further develop building blocks for a Final Document. The latest version of this paper was presented to the third session of the Preparatory Committee in May last year. These efforts are aimed at exploring the middle ground between the nuclear-weapon States and the non-nuclear-weapon States. We would warmly welcome any parties that want to participate in this bridge-building exercise, and we hope the President of the Review Conference and his Bureau can reap the benefits of this approach.

Before concluding, I would like to make a few specific remarks about the three States that have chosen to remain outside the NPT. These States maintain that their security situation does not allow them to forgo the option of possessing nuclear weapons. I would like to call on India, Pakistan and Israel to reanalyse their positions and to reconsider the case for joining the Treaty as non-nuclear-weapon States. In the meantime, I hope that these States also realize that they are indirect beneficiaries of the NPT, and that they too can help to promote the success of that Treaty. The most productive step, in my view, would be for them to start negotiations and discussions without further delay in the Conference on Disarmament on a number of issues related to nuclear disarmament - first and foremost on an FMCT, without preconditions. This

(Mr. Bot, Netherlands)

would set the stage for a positive and constructive NPT Review Conference in May. And it would deliver on the main conclusion of the High-level Panel's Report: that without mutual recognition of threats, there can be no collective security.

The PRESIDENT: I am very grateful to the Minister for Foreign Affairs of the Netherlands for coming to address the CD again this year. Thank you, Minister, for your important statement and also for the importance that your Government attaches to the work of this forum. Thank you also for the words of support that you addressed to the Chair. I will now suspend the meeting for five minutes to escort the Minister from the Council Chamber.

The meeting was suspended at 11.35 a.m. and resumed at 11.40 a.m.

The PRESIDENT: I now have the honour of warmly welcoming amongst us this morning Her Excellency Ms. Laila Freivalds, Minister for Foreign Affairs of Sweden, and I give her the floor to address the Conference.

Ms. FREIVALDS (Sweden): Multilateralism, disarmament and non-proliferation are key dimensions of Sweden's foreign policy. It is therefore with a sense of urgency that I again address the Conference on Disarmament. It is particularly gratifying to do so under the presidency of New Zealand, a country whose commitment to disarmament and multilateralism is second to none.

Some 15 years after the end of the cold war, we are faced with both new and old challenges to our common security. Weapons of mass destruction figure prominently in both categories. We must find ways to effectively deal with the threats facing us. Containment and stopgap arrangements may buy us some time. But we must never lose our focus. The complete elimination of all weapons of mass destruction is the only durable solution.

Agreed steps towards nuclear disarmament are not being taken. Some are even being challenged by nuclear-weapon States. At the same time, the non-proliferation regime has come under great stress. Threats to our collective security include the risk that terrorists could acquire weapons of mass destruction. Illegal networks of proliferation have been discovered and shown to have been alarmingly wide-ranging. North Korea has declared that it possesses nuclear weapons. Iran's nuclear programme is high on the international agenda. These proliferation threats are being addressed in various ways, but we also need to create conditions which prevent such problems and concerns from arising in the first place. In order to achieve this, and thereby reversing the current trend, there are a number of ways and possibilities, as well as several forums, at our disposal. Most of the issues are identified and most of the instruments already exist. It is up to us to use them.

The European Union has stepped up its efforts by adopting a strategy against the proliferation of weapons of mass destruction. It is our conviction that the implementation of this strategy, in close cooperation with others, will have a positive effect at the global level.

(Ms. Freivalds, Sweden)

The report of the United Nations Secretary-General's High-level Panel makes an excellent analysis and presentation of the task at hand in the disarmament and non-proliferation area. The threats from weapons of mass destruction are outlined, and future scenarios are stern. But the distinguished Panel also gives us a number of clear policy recommendations. These are based on thorough knowledge of the issues, and they show the direction in which we need to go. We should all do our utmost to make sure that the follow-up of the recommendations will be as serious and dedicated as the work that went into the report.

One of the High-level Panel's recommendations is directed specifically to the Conference on Disarmament. Without further delay, this body should negotiate a verifiable fissile material cut-off treaty. Similar calls have been voiced year after year by the United Nations General Assembly. As we know, the CD has so far been unable to follow through on this key disarmament and non-proliferation task.

The impasse in which the CD still finds itself is of grave concern. You, Mr. President, and your Dutch predecessor have made great efforts to break the deadlock and to get the CD back to work on its core tasks. All possible diplomatic and procedural tools have been tried to overcome the stalemate. But the consensus rule, which was meant to safeguard legitimate national security needs, is now routinely abused to block any attempt which might lead to substantive progress. The time has come to recognize that the failure is not diplomatic. It is political.

Political difficulties require political attention. And global problems require global cooperation. The time has come to reflect on how best to achieve this. Political leaders must realize that in the twenty-first century, the legitimate security concerns of all States must be acknowledged, respected and addressed. Global security is not a zero-sum game. Effective multilateralism enhances security for all. Effective multilateralism means seizing opportunities when they arise, such as negotiating a fissile material cut-off treaty. It means considering positions that yield no results. And it means a readiness to give and take. Those blocking progress must be made to understand that the inertia in the CD is doing damage to both their own security and our common security.

In just over a month's time, States parties to the Nuclear Non-Proliferation Treaty will meet to review the implementation of and compliance with the nuclear disarmament and non-proliferation regime. The NPT is the nexus of nuclear non-proliferation and nuclear disarmament. The two are intimately linked. Without the fundamental balance inherent in the Treaty between nuclear disarmament, non-proliferation and peaceful uses of nuclear energy, there would have been no Treaty. Without the fundamental bargain in 1995 - when the nuclear-weapons States again promised to pursue nuclear disarmament and a commitment was made to the entry into force of the Comprehensive Test-Ban Treaty - the NPT would not have been extended indefinitely. This fundamental agreement and balance between the three pillars of the NPT was further developed in the year 2000, when a number of undertakings were made, including an unequivocal commitment by the nuclear-weapons States to the total elimination of their nuclear arsenals and a practical plan for the pursuit of nuclear disarmament. Without due progress in all three spheres of the NPT, the regime risks erosion.

(Ms. Freivalds, Sweden)

There are serious problems. Just as the three pillars were meant to reinforce one another, so do the respective problems tend to reinforce each other. Proliferation has occurred. Clandestine weapons programmes have been pursued. Nuclear weapons are still abundant and are still being further developed and refined. New kinds of nuclear weapons and new uses of them are seriously contemplated. Furthermore, the challenges come from both State and non-State actors. As the High-level Panel concluded, lacklustre disarmament by the nuclear-weapon States weakens the ability of the regime to constrain proliferation.

We need to focus on compliance and implementation. The problem is not the Non-Proliferation Treaty itself, but the way States choose to comply or not comply with various commitments as they deem politically opportune. Non-compliance breeds non-compliance. The result is diminished security for all of us.

All the articles of the Treaty are equally legally binding and all must be fully complied with. Compliance and implementation is necessary not only vis-à-vis all the obligations laid down in the Treaty itself, but also vis-à-vis commitments made on how to implement the Treaty. This goes for agreements reached between the States parties during the Review Conferences. It also goes for the safeguards agreements with IAEA. And it means allowing the CD to do its job.

The processes towards nuclear disarmament and non-proliferation need to be strengthened. International cooperation is of the essence. The Conference on Disarmament clearly has a vital role to play, and the stakes are high. This Conference has great potential, and Sweden will continue to push for this potential to be realized.

The PRESIDENT: On behalf of the Conference, I would like to thank warmly the Minister for Foreign Affairs of Sweden for coming to address the CD again this year. Thank you, Minister, for your important statement, and thank you also for the importance attached by your Government to the work of this body. I am grateful, too, for the kind words of support you addressed to the Chair.

I will now adjourn the meeting in order for me to escort the Minister from the Council Chamber. There may be a slightly longer gap this time before our next distinguished guest, but I shall try to establish for you the length of that gap and let you know very shortly.

The meeting was suspended at 11.55 a.m. and resumed at 12 noon.

The PRESIDENT: I now have great pleasure in welcoming amongst us His Excellency Mr. Borys Tarasyuk, Minister for Foreign Affairs of the Ukraine. I would like to invite you, Minister, to take the floor to address the Conference.

Mr. TARASYUK (Ukraine): Mr. President, it is a great honour and pleasure for me to speak before you. I consider you the highly knowledgeable professionals dealing in the very delicate area of arms control and disarmament. I would like to say to you that I belong to your shop, because in my previous diplomatic career, I was Chairman of the National Committee on Disarmament in 1992 and 1995. Those were the most crucial years in the cause of disarmament. During those years, Ukraine managed successfully to renounce the third largest potential in the

(Mr. Tarasyuk, Ukraine)

world, having 176 anti-ballistic missiles, with close to 2,000 warheads. So in destroying this third largest nuclear potential, Ukraine actually contributed to nuclear disarmament in real terms, not in words. Ukraine has led, by its responsible behaviour, to a better and safer world. I would like to mention to you again that this occurred during those years that Ukraine reduced considerably the number of men in uniform. We had inherited close to 1 million military personnel in units of the former Soviet army in Ukraine, and we had to cope with this huge, absolutely unnecessary number of people in uniform. So we inherited huge stockpiles of heavy ammunition and armaments. Ukraine inherited more than 6,000 tanks, 6,000 armoured personnel carriers and I forget the other figures. We have successfully destroyed excessive tanks, excessive armoured personnel carriers, and that is making Europe a safer continent.

Forgive me for this deviation from the text. I am sure that the text is an excellent one. But I just wanted to share with you my feelings, just as a message to all of you that I belong to your shop.

At the outset, Mr. President, I would like to congratulate you on your assumption of these very important duties, and I am convinced that the Conference on Disarmament will greatly benefit from your experience and diplomatic skills, of which I have no doubt that you have a lot.

Today I have the privilege of speaking here in this important international forum on behalf of the new Government and the new President of Ukraine, Viktor Yushchenko. Nowadays Ukraine has been making strides toward building civil society, a rule-of-law State and a market economy. Ukraine is changing fundamentally, but I wish to assure you that my country, whose contribution to the cause of strengthening global peace and security cannot be overestimated, will keep pursuing a consistent policy in the field of disarmament. Moreover, President Yushchenko and the Ukrainian Government will continue to ensure strict national compliance with respective international obligations.

The year 2004 proved to be another year of stalemate for the Conference on Disarmament, which was unable to effectively launch its work. So far the beginning of 2005 has not been promising either. Ukraine deeply regrets this situation, and is ready to spare no effort with a view to breaking the current impasse. As an encouraging feature, we can note your predecessor Ambassador of the Netherlands Chris Sanders', non-paper "Food for thought on a CD programme of work" and your strenuous efforts to move closer to a common approach by the CD members to this very crucial task. We do hope that this will give renewed impetus to the Conference and that it will finally reach an agreement on its programme of work and address all the substantive issues contained therein.

The immediate commencement of negotiations on the fissile material cut-off treaty (FMCT), as well as dealing with both nuclear disarmament and the prevention of an arms race in outer space within appropriate subsidiary bodies - these three parts together constitute the basis today for an agreement to begin our work.

(Mr. Tarasyuk, Ukraine)

Ukraine has repeatedly stated that the NPT is the cornerstone of the global non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament under article VI of the Treaty. We continue to attach great importance to achieving the universality of and universal compliance with the NPT.

Last year marked the tenth anniversary since Ukraine acceded to the NPT and the START I Treaty entered into force. This fact is particularly worth recalling since Ukraine's landmark decision to forswear its nuclear capability - the world's third largest nuclear arsenal - has been crucial for progress in the nuclear disarmament process and for global security as a whole.

In the run-up to the NPT Review Conference to be held this May, I would like to stress that the Conference provides a great opportunity to solve the grave problems facing the non-proliferation regime today as well as invigorate the nuclear disarmament process. And we should not lose this opportunity.

Ukraine is a firm supporter of practical efforts to ensure the effective implementation of the United Nations Programme of Action and the OSCE document on small arms and light weapons (SALW). Ukraine attaches great importance to the issue of the destruction of excessive stockpiles of SALW and related ammunition. Here I wish to draw your particular attention to one of the problems that is extremely acute in Ukraine. By that, I mean the destruction of thousands of tonnes of outdated ammunition accumulated on the territory of Ukraine. Ukraine inherited those stockpiles after the break-up of the Society Union when Soviet troops were being withdrawn from the Warsaw Pact countries, leaving their surplus ammunition in Ukraine. Nowadays we have been looking for ways to cope with the said problem, including within the framework of the NATO/PfP Trust Fund and the OSCE document on conventional ammunition. The problem I am speaking about may have grave implications not only for Ukraine but also for the whole region. Ukraine, therefore, very much counts upon the assistance of all interested States in the solution of this problem.

Ukraine fully supports the aspirations of the Ottawa process initiators and like-minded States to overcome the humanitarian crisis caused by the large-scale proliferation and indiscriminate use of anti-personnel landmines. In this regard, I have the honour to inform you that the preparatory process in my country for the ratification of the Mine Ban Treaty has been completed.

The Conference on Disarmament has a special place among existing international multilateral organizations and forums on the questions of international security and disarmament. Its considerable potential needs to be activated as soon as possible. Ukraine pledges its strong support to you, Mr. President, and your successors and to you, Mr. Secretary-General, with a view to bringing the Conference on Disarmament back to the leading role it is designed to play in this ever-changing world. I thank you very much and wish you tremendous success in the field of disarmament.

The PRESIDENT: On behalf of the Conference on Disarmament, I want to warmly thank the Minister for Foreign Affairs of Ukraine for his important statement. Thank you, Minister, also for your significant preliminary remarks and for the importance that your Government attaches to the work of this forum. I am grateful also for the support that you have expressed to the Chair.

I shall adjourn the meetings for a few minutes just to escort the Minister for Foreign Affairs from the Council Chamber. Then we will resume our work in about three or four minutes' time.

The meeting was suspended at 12.10 p.m. and resumed at 12.15 p.m.

The PRESIDENT: We now resume our session this morning, and I will ask the next speaker on my list, the distinguished representative of Egypt, to make a statement on behalf of the Group of 21.

Ms. GABR (Egypt): Mr. President, let me at the outset begin by expressing the sincere appreciation of the G-21 for the constructive, tireless efforts which you have exerted during the tenure of your presidency of the CD. We would also like to commend Ambassador Chris Sanders for his notable contribution during his presidency. We assure you of the Group of 21's full cooperation and support. As the Coordinator of the Group, I would like to read out a statement on behalf of the Group of 21.

Having in mind the context of the Conference on Disarmament, the Group is deeply concerned about the progressive erosion of multilateralism, and emphasizes the importance of collective international efforts and the spirit of multilateralism to enhance and maintain international non-discriminatory disarmament and non-proliferation treaties.

The Group highlights the objectives laid down in General Assembly resolution 69/59, entitled "Promotion of multilateralism in the area of disarmament and non-proliferation", which, among other things, reaffirms multilateralism as the core principle in resolving disarmament and non-proliferation concerns.

The Group stresses that, as the single multilateral negotiating forum on disarmament, the Conference's programme of work should reflect the interests and priorities of all its members and the aspirations of the international community in the field of disarmament. The Group expresses its concern that the Conference on Disarmament has been unable to take up substantive work on the basis of an agreed programme of work since 1999, in spite of the demonstrated flexibility shown by the Group towards a number of formal and informal proposals introduced.

(Ms. Gabr, Egypt)

The Group reaffirms its readiness to participate constructively in all efforts aimed at reaching agreement on a programme of work which is balanced and comprehensive and reflects the priorities of all the member States of the Conference on Disarmament. In this context, the G-21 reiterates that the A-5 proposal, as contained in document CD/1693/Rev.1 of 5 September 2003, remains a viable basis for a programme of work and that further consultations on this matter should be continued.

The Group reaffirms its proposal, as contained in documents CD/1570 and CD/1571, on the programme of work and a draft decision and mandate for the establishment of an ad hoc committee on nuclear disarmament.

The Group emphasizes that nuclear disarmament remains, as before, the highest priority for the Conference on Disarmament. It stresses the importance of the elimination of the possibility of nuclear war, the threats to humanity derived from the continued existence of nuclear weapons and the possible use or threat of use of nuclear weapons. It underscores the need to accomplish the total elimination of nuclear weapons and emphasizes, in this regard, the urgent need to commence negotiations without delay.

The Group further expresses its serious concern about the lack of expected progress following the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, made during the 2000 NPT Review Conference.

The Group has already expressed, in document CD/1549, its position with regard to the establishment of an ad hoc committee under agenda item 1, entitled "Cessation of the nuclear arms race and nuclear disarmament", which shall negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral, internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

Moreover, the G-21 reaffirms its proposal, as contained in documents CD/1570 and CD/1571, on the programme of work and a draft decision including a mandate for the establishment of an ad hoc committee on "Prevention of an arms race in outer space" to negotiate specific and concrete measures for the prevention of an arms race in outer space.

The G-21 would like to reiterate that outer space is a common heritage of mankind and must be used, explored and utilized for the benefit and interest of all mankind in a spirit of cooperation. The prevention of an arms race in outer space has assumed greater urgency because of legitimate concerns that existing legal instruments are inadequate to deter imminent attempts for the further militarization of outer space.

While various approaches exist, the Group expresses its conviction that efforts to conclude a universal and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued.

(Ms. Gabr, Egypt)

To conclude, the Group hopes that the Conference will commence substantive work during the 2005 annual session and, to this end, affirms its readiness to participate constructively in all efforts aimed at reaching agreement on the programme of work. The Group urges other groups to display matching flexibility and call upon the President of the Conference to intensify efforts aimed at finding agreement on a programme of work, so that the substantive work of the Conference can commence without delay, in accordance with the rules of procedure.

The PRESIDENT: I thank the distinguished representative of Egypt, Ambassador Naéla Gabr, for her important statement on behalf of the Group of 21.

May I ask you whether any other delegation wishes to take the floor at this stage? I give the floor to the distinguished representative of the Islamic Republic of Iran.

Mr. ESLAMIZAD (Islamic Republic of Iran): Mr. President, though it is the last week of your tenure as the President of the Conference on Disarmament, I cannot but commence by congratulating you on your assumption of this arduous task and wish you success and assure you of my delegation's full support and cooperation.

Today I take the floor in exercise of my delegation's right of reply to references made to my country in the course of today's and yesterday's meetings, and would like to make the following points:

First, since the very first days of the IAEA Board of Governors' engagement with the case of Iran, we have made it clear that given all the technicalities of the case, we do not believe the CD to be the appropriate forum to discuss the issue. However, the over-eagerness of some to use this and every forum to raise the issue leaves no choice other than the exercise of right of reply.

Secondly, after nearly two years of most robust and intrusive inspections carried out by IAEA, the Agency's November 2004 report reflected the fact that "all the declared nuclear material in Iran has been accounted for, and therefore such material is not diverted to prohibited activities".

Thirdly, the very fact that years of Iran's previously undeclared activities had not been diverted towards prohibited activities is the best proof of Iran's faith and commitment to the NPT. Let me assure you that the challenges to the credibility of the NPT do not come from Iran. Those who have blocked this house from carrying out its normal business for more than eight years now are to be blamed for the erosion of multilateral instruments governing different aspects of international relations, including the NPT.

Fourthly, the Paris Agreement provides the framework for the current talks between Iran and the three European countries where the two sides "have agreed to begin negotiations with a view to reaching a mutually acceptable agreement on long-term arrangements. The agreement will provide objective guarantees that Iran's nuclear programme is exclusively for peaceful

(Mr. Eslamizad, Islamic Republic of Iran)

purposes. It will equally provide firm guarantees on nuclear, technological and economic cooperation and firm commitments on security issues". Discussions on the modalities of Iran's objective guarantees and the European side's firm guarantees and firm commitments are still going on between the parties concerned.

Fifthly, "permanent cessation" of Iran's peaceful nuclear programme, which is totally legitimate and permissible under the NPT and is under the comprehensive safeguards of IAEA, does not constitute a starting point in the negotiations between Iran and the three European countries. Should any country wish to be supportive of "the diplomatic efforts", we believe it should avoid damaging the process through raising wishful prejudgements about the outcome of the talks and keep unhelpful threatening rhetoric for domestic policy consumption.

The PRESIDENT: I thank the distinguished representative of the Islamic Republic of Iran, Mr. Hamid Eslamizad, for his statement, and I ask whether there are any other speakers who wish to take the floor at this morning's session.

If that is not the case, this concludes our business for today. It just remains for me to remind distinguished colleagues about the next meeting of this Conference. The next plenary meeting will take place on Thursday, 17 March, and I would ask all colleagues to be here at 10 o'clock, promptly 10 o'clock. Our normal starting time is when we will begin our final session of Ministers on this Thursday morning. We, as I think you all know, have the occasion to be addressed by the Minister for Foreign Affairs of Kazakhstan, the Minister for Foreign Affairs of Slovakia, the Parliamentary Secretary for Foreign Affairs of Japan and the Minister for Foreign Affairs of Poland. Ten o'clock sharp on Thursday, 17 March.

The meeting rose at 12.30 p.m.