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# Conference on Disarmament

25 August 2009

English

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## Final record of the one thousand one hundred and fifty-fourth plenary meeting

Held at the Palais des Nations, Geneva, on Tuesday, 25 August 2009, at 10.20 a.m.

*President:* Mr. Christian Strohal .....(Austria)

**The President:** I declare open the 1154th plenary meeting of the Conference on Disarmament.

Let me start by assuring you that it is a great honour for my country and for me personally to assume the presidency of the Conference at this stage. I would like to start by expressing my appreciation and gratitude to my distinguished predecessors in this function, from Viet Nam, Zimbabwe, Algeria, Argentina and Australia, for their commitment and leadership and for the excellent cooperation we have enjoyed in the P-6 throughout the year.

I think a particular word of appreciation should go to our colleague from Australia, Caroline Millar, for the perseverance and undiminished optimism which she has shown in the four weeks of meetings and throughout her presidency of the Conference. That certainly serves us in our delegation as a great example which we will try to follow.

I would like to extend a warm welcome to our new colleague from Kazakhstan, Ambassador Muktar Tileuberdi. We are looking forward to cooperating with him closely in our common tasks.

I would also like to extend a warm welcome to the participants in the 2009 United Nations Programme of Fellowships on Disarmament, who have just arrived in Geneva and are observing our proceedings. I hope they will benefit from the exposure to our forum and from the meetings and lectures they will receive. Certainly I am ready to sit down with them to discuss various aspects of the Conference.

I would also like to thank all delegations for the engagement and the flexibility which allowed us to adopt CD/1864 on 29 May, and the Secretary-General of the Conference for his personal commitment.

This year has been unusual for the Conference since, after more than a decade of stalemate, we have succeeded in adopting a programme of work. So we have had the “kick-off”, and today I would have liked to welcome you to the home stretch, but I am not sure that we are quite there yet, because — and this is equally unusual in the eyes of the outside world — three months after the adoption of the programme of work, it has not been implemented.

We have a month left until the end of this year’s session, and that is undoubtedly not a very long time. But we are convinced that progress is still possible, if we proceed with taking those decisions which are absolutely necessary, very swiftly. As they are of a procedural and practical character, and given the very extensive consultations which the Australian presidency has undertaken, it is difficult to imagine that unsurmountable obstacles could really persist. So I wish to assure you that the delegation of Austria stands ready to engage with all of you very openly and very patiently. I am certainly looking forward to all of you putting on your running shoes for the home stretch and joining together with us to overcome the remaining concerns swiftly and ensure that these concerns are addressed in an appropriate way in the future activities of the Conference.

I have five speakers on my list for today, and I am happy to give the floor to the representative of Kazakhstan, Ambassador Tileuberdi.

**Mr. Tileuberdi (Kazakhstan):** Mr. President, thank you for giving me the floor and for the welcoming words. Allow me to congratulate you on your assumption of the presidency of the Conference and to assure you of the full support of my delegation in your activities. It is an honour for me to be here as the Permanent Representative of Kazakhstan to the Disarmament Conference in Geneva. And I am especially proud to join the Conference at its 2009 session, at which it has made such significant progress. I would also like to extend greetings to the Secretary-General of the Conference on Disarmament and

Personal Representative of the Secretary-General of the United Nations, Mr. Sergei Ordzhonikidze.

As you know, the Republic of Kazakhstan became a member of the Conference 10 years ago, on 5 August 1999, and has made a significant contribution to the disarmament process. Upon gaining its independence in 1991, Kazakhstan was in possession of the world's fourth-largest nuclear arsenal, which, by decision of our President, Nursultan Nazarbayev, was dismantled 15 years ago. At the same time, Kazakhstan stopped all nuclear tests and closed the Semipalatinsk nuclear testing site. Nowadays the Kazakhstan Government is in the process of realizing the rehabilitation plan for the Semipalatinsk region.

Moreover, in 2006 the Central Asian nuclear-weapon-free-zone treaty was signed in Semipalatinsk. It is a legally binding commitment by Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan not to manufacture, acquire, test or possess nuclear weapons.

Today, Kazakhstan continues its efforts to achieve a nuclear-weapon-free world and has submitted to the International Atomic Energy Agency a proposal on setting up in its territory the Nuclear Fuel Bank, a depository of nuclear fuel for civilian projects.

On 18 June 2009, the President of Kazakhstan, Nursultan Nazarbayev, called on the United Nations to declare 29 August — the day when the Semipalatinsk nuclear testing site was finally closed — the “International Day of Nuclear Weapon Renunciation”.

Let me conclude this statement by assuring you that Kazakhstan is always in favour of substantive negotiations on disarmament issues.

**The President:** I thank the representative of Kazakhstan for his statement and I now give the floor to the representative of Chile, Ambassador Portales.

**Mr. Portales (Chile) (*spoke in Spanish*):** Mr. President, on behalf of the delegation of Chile I wish to congratulate you on having assumed the responsibility of leading the work of the Conference on Disarmament, and offer you our full cooperation during your term, particularly in drafting the annual report which this body transmits to the United Nations General Assembly. I also take this opportunity to welcome the new ambassadors of Germany, Japan, Bangladesh, the Netherlands and Kazakhstan. I also wish the members of the United Nations Disarmament Programme who are with us today every success as they embark on this important and difficult path of peace and cooperation.

Mr. President, allow me through you to congratulate all the members of the platform of the six Presidents of the current year, particularly the Ambassador of Algeria, Idriss Jazaïry, for having brought together the necessary consensus which made it possible to adopt the work programme on 29 May.

I also wish to acknowledge the tireless efforts of the Presidents from Argentina and Australia, Ambassadors Roberto García Moritán and Caroline Millar respectively. Both of them were fine examples of creativity, imagination, inclusiveness, transparency and above all the deployment of the virtue of perseverance.

Chile has firm convictions concerning disarmament and security. These are based on the guiding principle of the indivisibility of international security and the need for collective security to prevail over the individual requirements of States. As we have affirmed in other forums, national security does not exist in isolation and cannot be invoked to undermine or affect that of others. We are once again close to concluding the 2009 session of the Conference on Disarmament and although we have adopted the work programme, already three months ago, we have not been able to reach the necessary consensus to enable us to implement it. This situation in itself is a contradiction.

We have very often heard it said that the Conference on Disarmament is the only multilateral forum for negotiating instruments on disarmament, non-proliferation and arms control, but ultimately this unique forum has not been negotiating for 12 years. Chile would like the Conference on Disarmament to work for the purpose for which it was set up. The notion of national security is invoked in our debates often, and rightly so. But what better way is there to preserve this national security than by bringing into action this negotiating body which, through the rule of consensus, guarantees such security?

If we make this Conference on Disarmament irrelevant for failure to operate, will we not be opening up an area for other initiatives to emerge in which this rule will not be accepted as it is in this Conference?

I call on you to reflect seriously on this point.

It is frankly disgraceful, bearing in mind the many needs and challenges faced by the international community in the field within our purview, for us to allow ourselves to keep a highly qualified diplomatic body, a high-level technical secretariat and a team of specialized interpreters in this unproductive state.

Despite everything, we have not lost our optimism nor have we lessened our ambitions. We must redouble our efforts and put into effect the implementation of the work programme, as early as possible, at least on a procedural level. Otherwise it will be truly absurd to try to explain this situation in our annual report.

The intersessional period which will continue until the end of 2009, and which will be led by you, Mr. President, could also offer a good opportunity to see how to tackle the substantive issues on the work programme which for reasons of time we will not be able to deal with adequately during the regular session.

We believe that we should give positive consideration to an alternative of this kind or to any other option that you, Sir, and the members of the Conference deem appropriate. The delegation of Chile will of course always be ready to cooperate.

**The President:** I thank the representative of Chile for his statement and I now give the floor to the representative of Canada, Mr. Gartshore.

**Mr. Gartshore** (Canada): Mr. President, I am pleased to take the floor on the occasion of Austria's assumption of the presidency of the Conference on Disarmament, and wish to acknowledge the tremendous work, individually and collectively, of the P-6 Presidents this year. As was the case with your predecessors, Canada is dedicated to working with you to find a way forward that serves the work of this Conference and the interests of its members. Our collective work and interests would, in Canada's view, most appropriately employ CD/1864 as the cornerstone to guide our deliberations on the subsequent document which puts our programme of work into action.

To assert that the agreed programme of work, as contained in CD/1864, should closely guide our hand on the implementation decision is to say that Canada believes the Conference should remain faithful to the text of CD/1864, which was itself a compromise, consensus decision. Many delegates might have wished that CD/1864 contained other elements. But all members of this Conference agreed to it on 29 May, and it now stands as our collective reference document. Let us recall that CD/1864 set out the work that we agreed should be accomplished. The programme of work did not, however, characterize how much progress should be achieved, or how the outcomes among the four core issue areas should be balanced. CD/1864 did not address such things because progress and outcomes on different issues are by their very nature unpredictable. In a similar manner, our implementation decision should also not seek to tie our hands to any specific outcomes. Outcomes are up to all of us. Just as progress cannot be preordained, neither can outcomes. And the "balance" among issues depends on where you stand and how you approach them.

In deciding to adopt CD/1864, the Conference opted not to use the word “principle” anywhere in the text – the programme of work simply refers to the rules of procedure of the Conference. Matters of “principle” and their possible interpretations may be different among the many delegations that sit in this chamber. All these qualifying words — outcomes, progress, balance, principle — do not serve the Conference well when found in a procedural implementation document. Canada was therefore very pleased to support CD/1870/Rev.1 as our implementation document for the programme of work because it does not condition the conduct of our work to words with varying interpretations. Nonetheless, in the spirit of flexibility and consensus, Canada could also support the subsequent revisions proposed by your predecessor as President.

In conclusion, Canada urges the Conference to be mindful of our agreed text, CD/1864, and to base our efforts on it in order to implement our work. In our view, those that cannot live with CD/1870/Rev.1, or the President’s subsequent circulated drafts, are calling into question their commitment to the programme of work to which they themselves agreed. If we cannot now agree to implement the programme of work, then the report of the Conference on Disarmament to the First Committee will certainly reflect that, and the world will draw the appropriate conclusions about the ability of this Conference to undertake substantive work. There is still time, however, to implement CD/1864 in a meaningful way – especially if we decide now to limit our deliberations on the final report of the Conference to two weeks only, instead of three. Let us devote the limited time remaining to the Conference on Disarmament this year to practical work, rather than set time aside to report on the little substantive work we have accomplished so far.

**The President:** I thank the representative of Canada and now give the floor to the representative of Italy, Ambassador Manfredi.

**Mr. Manfredi (Italy):** Mr. President, first of all let me congratulate you most sincerely on your assumption of the presidency of the Conference on Disarmament, and let me assure you of the constant support of our delegation in your work.

My country is extremely disappointed to see the Conference on Disarmament stalled once again. We deplore the situation in the strongest terms.

Three months ago, by consensus, all of us agreed on a programme of work, thanks also to the unstinting efforts of the Permanent Representative of Algeria, ably supported by his other P-6 colleagues. The programme of work was a document of substance. Since then, we have been marking time, unable to agree on minor house logistics questions. Actually, I am sorely tempted to use a much stronger expression.

In our opinion this is not a proper use of the rule of consensus, which we all agree is the keystone of the Conference’s procedure of work. It allows every member to avail itself of an indispensable tool to safeguard its paramount national interests, but here now we are not faced with paramount national interests.

When all is said and done, and whatever adjectives we use to define our national security interests, whatever form we use in the documents spelling out the calendar of meetings of the Conference, the results of our work will be determined only by the negotiations on substance. A satisfactory fissile material cut-off treaty (FMCT), for example, will not depend on how we sort out the housekeeping issues that have been distracting us since the end of last May.

The situation we are witnessing is demeaning to the prestige of the Conference and is in fact jeopardizing its very existence. It is undermining its relevance with the community of multilateral institutions.

Following the example of our colleague from China, who a few months ago shared with us some nuggets of wisdom from his country, I would like to recall a proverb in Latin

from my home town: “*De minimis non curat praetor*”. We are the *praetor* and the *minima* are these issues that have monopolized our attention for three months, preventing us from doing the serious work our capitals rightly expect of us.

**The President:** I thank the representative of Italy and now give the floor to the representative of Algeria, Mr. Chebibi.

**Mr. Chebibi** (Algeria) (*spoke in French*): First of all, Mr. President, allow me to convey warm congratulations from Ambassador Idriss Jazairi and all the members of the Algerian delegation to you on taking the Chair of the Conference on Disarmament and to assure you of our full support in carrying out your mission. We also wish to pay a resounding tribute to your predecessor, Ambassador Caroline Millar, for the tireless efforts she made to enable the work of the Conference to begin in pursuance of the work programme adopted last May.

We also welcome the representatives of member States who have just taken up their duties in the Conference and wish them every success in carrying out their tasks. At the moment when the Conference on Disarmament is continuing with its consultations in order to decide upon the best way of tackling its substantive work, I wish to refer to the Treaty of Pelindaba, which made Africa a nuclear-weapon-free zone and which has now entered into force following the deposit of the twenty-eighth instrument of ratification on 15 July 2009.

Algeria was one of the first member States of the African Union to ratify this Treaty, signing it on 11 April 1996, ratifying it on 23rd of December 1997 and depositing the instruments of ratification on 11 February 1998.

We welcome this happy development, which is taking place 13 years after this Treaty was officially opened for signature.

This Treaty, which is an important component of the African Union’s peace and security architecture, prohibits the development, manufacture, stockpiling, acquisition, possession and use of nuclear weapons throughout the African continent and the neighbouring islands.

Through this important step, Africa has strengthened in practice the concept of a nuclear-weapon-free zone and made a significant contribution to the international regime of nuclear disarmament and non-proliferation.

In this way the African continent is reflecting its active commitment to global efforts to preserve humanity from the spectre of nuclear war and create a world which is free of weapons of mass destruction.

In order to guarantee respect for these provisions by non-party States, three protocols are annexed to the Treaty, including one which calls on the nuclear-weapon States not to use or threaten to use nuclear weapons against the parties to the Treaty and against any territory within the zone.

We take this opportunity to call on those countries which have not yet done so to accede to these three protocols. We also encourage the other African signatory States to ratify the treaty.

The establishment of nuclear-weapon-free zones, apart from strengthening the nuclear non-proliferation regime, strengthens peace and security in the regions covered and enables the States concerned to devote all their resources to the priorities of economic and social development.

It is important to highlight the fact that with the entry into force of the nuclear-weapon-free zone in Africa, the whole of the southern hemisphere has now become free of nuclear weapons.

Algeria cherishes the hope that it will also be possible to see a nuclear-weapon-free zone in the Middle East region. The emergency situation in that region demands active efforts by us in that direction, so great are the risks of conflagration.

**The President:** I thank the representative of Algeria for his contribution and I give the floor to the representative of the Russian Federation, Ambassador Loshchinin.

**Mr. Loshchinin** (Russian Federation) (*spoke in Russian*): Mr. President, the Russian delegation welcomes you as President of the Conference. You are well known in the diplomatic community as a skilful politician and diplomat with a wealth of experience in the field of multilateral diplomacy and United Nations activities as a whole. You have always been accompanied by success. We hope that this time too your term of office in the Conference will be successful. In all of your efforts you may count on our full support and assistance.

We set out our position concerning the current situation in the Conference several days ago. And I would like to emphasize once again that we favour the rapid start of substantive work in the Conference on the basis of the approved programme of work.

Now I would like to inform you about another issue. On 17 August the Russian delegation, jointly with the Chinese delegation, presented for official publication in the Conference an information paper called "Principal questions and comments on the draft Treaty on Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force against Outer Space Objects, and the answers thereto".

In preparing the paper we used the statements made by delegations within the unofficial thematic discussions in the Conference, at the open-ended meeting of Conference members which Russia and China held in August last year, and also at the international conferences on security in space traditionally organized by UNIDIR. Also taken into account were specific proposals conveyed to us by a number of delegations in writing. We are grateful to all those who actively participated in the discussion and analysis of the Russian-Chinese draft treaty. We hope to continue this joint work for further substantive consideration of the draft treaty, taking into account the paper that I have mentioned.

The Russian delegation has also submitted for official publication in the Conference "Updated proposals by the Russian Federation relating to the report by the United Nations Secretary-General on 'Transparency and confidence-building measures in outer space activities', prepared in pursuance of United Nations General Assembly resolution 63/68". Somewhat earlier these proposals were sent to the United Nations Secretary-General in keeping with this resolution, in which Russia and China were joined by many co-sponsors. We call upon all delegations to study this resolution carefully once again and send their proposals on the issue of confidence-building measures to the United Nations Secretary-General before the beginning of the sixty-fourth session of the United Nations General Assembly.

We believe that these two new documents of the Conference on Disarmament will, once they are published, provide a good basis for the working group on item 3 of the agenda, PAROS, when it starts its activities. The documents that I have mentioned are available in English and can be obtained in this room from the Conference secretariat.

In conclusion we would like to warmly welcome the new Permanent Representative of Kazakhstan, Ambassador Muktar Tileuberdi, and note that we are ready to cooperate in a joint manner with the delegation of that country.

**The President:** I thank the Ambassador of the Russian Federation for his very kind words.

This brings me to the end of my list of speakers for today. Is there any other delegation who wishes to take the floor at this time? I give the floor to the representative of France.

**Mr. Danon** (France) (*spoke in French*): Just very briefly, Mr. President, first of all of course to congratulate you on taking the Chair and to thank Caroline Millar for the extraordinary work she did last month, to welcome the newcomers to the Conference and to tell everyone how much France is of course ready to continue to work and make progress in this forum. I just wanted to associate myself with some very specific points made in the interesting speeches this morning. First to endorse the Italian statement and say how much I share with my Italian colleague disappointment at what is happening today in the Conference. I must say that, thanks to the skill of the Ambassador of Algeria, we had hopes here of being able to begin work, and I have no hesitation in saying that another country killed that hope of being able to work on the substance in this year 2009 and this is particularly disappointing. I hope it will not be the same thing next year. I wish to associate myself with what Chile said in connection with the risk of negotiating outside this forum. We know that in other forums there have been slippages of this kind. For our part we will try to combat this, but the risk definitely exists because, above and beyond the fact of document CD/1864, what is important is what happened politically behind the scenes. In fact, for the first time since the Second World War, the five countries which possess 98 per cent of the nuclear weapons in the world were ready to institute negotiations on a verifiable treaty on fissile material. That was the political event which underpinned the possibility of starting up working group No. 1 and behind that having the balance in the programme of work issued under the symbol CD/1864. Now, it is quite obvious that this political dimension will have to be reflected in something specific. Today, with global pressure on us to change what is happening in the disarmament field, we cannot think that if the five are ready to draw up a verifiable treaty on fissile material, nothing is going to happen. We will see in what form, how, etc. It is too soon today to address it, but the risk does exist. That being the case, we in the French delegation will do all we can so that everything stays in the Conference on Disarmament. Meanwhile, the Conference needs to be able to actually begin its work. I am going to associate myself with what our Canadian colleague said, which I found very interesting in connection with the fact that the official documents had managed to avoid a number of rather woolly things on major principles and on this kind of bogus international law and this bogus balance which efforts are sometimes made to get us to endorse. If that had been the price to pay so as to begin work, then we would have paid it. But if it is so as to do nothing, then it is out of the question for the Conference on Disarmament to sell itself short with this kind of sham and I would like to tell my Algerian colleague how pleased we are with the implementation of the Treaty of Pelindaba, which we have always supported. We did what was necessary in that regard. We are very pleased at the implementation of this Treaty and I would like to take this opportunity to say once more how we cannot but congratulate Ambassador Jazaïry on the extraordinary work he accomplished in bringing us to documents CD/1863 and CD/1864. Lastly, with my colleague the Ambassador of Russia I cannot but say how carefully we are going to look at the new documents submitted by China and Russia and how the issue of space is considered by us to be of paramount importance in the coming weeks and months, aside from nuclear problems. That was what I wanted to say very rapidly, Mr. President, wishing you all the best for the difficult ordeals which await you between now and the end of your term of office.

**The President** (*spoke in French*): I thank the Ambassador of France for his statement. Are there any other delegations that would like to take the floor?

(*spoke in English*)

This brings us to the end of business for today. Before concluding, let me thank you once more for your cooperation, and tell you that I am looking forward to working with all of you in the hours and days ahead.

*The meeting rose at 11 a.m.*