

CONFERENCE ON DISARMAMENT

CD/PV.964
12 August 2004

ENGLISH

FINAL RECORD OF THE NINE HUNDRED AND SIXTY FOURTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 12 August 2004, at 10.20 a.m.

President:

Mr. Omar HILALE

(Morocco)

The PRESIDENT (translated from French): I call to order the 964th plenary meeting of the Conference on Disarmament.

As I announced yesterday during the Presidential consultations, the programme of meetings for today is as follows. First, I will give the floor to the delegations which have expressed their intention to make statements. Then I will suspend the plenary meeting and, after a five-minute break, I will convene the second informal plenary meeting to consider the methodology of the programme of work, following which I will resume the 964th plenary meeting. I will first give the floor to any delegation which wishes to make a statement to the Conference. I will then make some concluding remarks to mark the end of Morocco's term in the Chair. And I will inform the Conference about the programme of meetings for next week.

There is just one name on the list of speakers for today: the Ambassador of Australia, Mr. Mike Smith, to whom I now have the pleasure of giving the floor.

Mr. SMITH (Australia): Mr. President, it gives me great pleasure to be addressing the Conference on Disarmament with you up there in the driving seat. You have been a great personal friend and a strong promoter of links between your country and mine, and you have carried out your current duties in the Chair with energy, imagination and distinction. Congratulations.

Australia welcomes any initiative which would get the CD back to work. We are in no doubt that seven years of inaction has badly damaged the standing and integrity of the CD and is raising fundamental questions about its future. Australia would support any proposal for a work programme capable of attracting the support of all CD members.

Australia welcomes the statement made by the distinguished Ambassador of the United States on 29 July reaffirming her country's support for the FMCT. We remain strong supporters of the FMCT and hope the United States statement will generate new momentum for a start to negotiations.

The United States has indicated that it has concerns about whether effective FMCT verification is achievable.

Australia's position is that, to be credible and effective, the FMCT should include appropriate verification arrangements. But, as with any verification system, it will be essential that FMCT verification provides confidence that treaty commitments are being complied with. We look forward to hearing more detail of the United States concerns during the planned visit to Geneva by United States experts.

The form of FMCT verification would be among the matters to be negotiated, but Australia has advanced the so-called "focused approach" for FMCT verification, which we consider could be both effective and cost-efficient. Under the "focused approach" verification measures would apply to fissile material - i.e. highly enriched uranium and separated plutonium - produced after the treaty's entry into force, and to the facilities that produce fissile material, i.e. enrichment and reprocessing plants.

(Mr. Smith, Australia)

We are ready to work with the United States and others to ensure effective FMCT verification. But the first objective is securing a start to FMCT negotiations so that verification and other issues can be taken forward. It defies credibility that the widely held aspiration for a fissile material cut-off treaty continues to be frustrated by the CD's failure to agree on a work programme.

The United States has also proposed a ban on the sale and export of persistent landmines.

Like many CD members, Australia has obligations as a State party to the Ottawa Convention and has enacted these prohibitions in national legislation. Australia continues to work with others to promote the universalization of the Convention, and to progress the consideration of anti-vehicle mines in the CCW. We will need to take these efforts closely into account in considering the United States proposal, particularly in addressing areas of potential duplication.

The PRESIDENT (translated from Arabic): I would like to thank my dear friend, Mr. Michael Smith, the Ambassador of Australia, for his statement and for his kind words and support during my mandate. I am speaking in Arabic as a tribute to my friend the Ambassador of Australia, who loves speaking Arabic and always speaks to me in that language.

(continued in French)

We have reached the end of the list of speakers. Would any other delegation like to take the floor at this stage? Apparently not. I am now going to suspend the 964th plenary meeting and in five minutes convene the informal plenary meeting on the methodology of the work programme. This meeting will be open only to member States of the Conference and States with the status of observers.

The meeting was suspended at 10.25 a.m. and resumed at 12.40 p.m.

The PRESIDENT (translated from French): The 964th official meeting is resumed.

You will allow me to make a few comments at the end of my term in the Chair before turning to some organizational matters for the coming weeks.

At the end of Morocco's term in the Chair of the Conference on Disarmament, I am pleased to share with you some thoughts on the salient events during that time.

First of all, the informal meeting on transparency in the area of arms, which concluded the series of unofficial meetings devoted to the seven items on our agenda, gave rise to fruitful exchanges that confirmed well-known national positions. In parallel, it led to better understanding of the various positions and the priorities of different delegations.

Secondly, in my opening remarks I submitted to your attention some proposals aimed at making use of the informal meetings in order to achieve a breakthrough at two levels - the level of substance and the level of methodology - with the ultimate objective of reaching agreement on the programme of work that has been sorely lacking in the work of our Conference for the past

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eight years. The Chair's proposals were discussed in marathon bilateral consultations, intensive and arduous, with almost half of the delegations, for about 40 hours. These efforts were crowned with success, for which I thank you, because ambitious or imaginative though they might be, my initiatives would never have succeeded without your unanimous support, your trust, and above all your flexibility and keen sense of responsibility.

The Chair's first proposal made it possible to organize an informal meeting on new and additional issues linked to the agenda of the Conference. This meeting not only marked a first in the annals of the Conference, but it was also a successful test for the Conference on Disarmament. Both because of the number of 19 speakers and because of the substantive nature of their contributions and the dispassionate tone of the discussions, this was a great moment in the history of the Conference. Hence the need to continue this collective thinking on new issues in order to enable the Conference on Disarmament to provide appropriate responses to the concerns of our countries in connection with the growing fragility of international security and the increasingly global nature of the threats and challenges to peace in the world.

The second proposal made during Morocco's term in the Chair which secured consensus from you was connected with the methodology for the adoption of the work programme of the Conference on Disarmament. Your clear and frank answers to the questionnaire that I circulated, as well as the interactive approach of the 38 participants, both during the last meeting last Tuesday and during the second this morning, should be noted and welcomed at their proper value. Since this discussion has only just concluded, it is too soon to make any comments. However, I would like to express the wish that full advantage will be taken of the possibilities that have opened up during these exchanges through a greater focus on common denominators than on elements of disagreement.

More than ever, I am deeply convinced that the members of the Conference on Disarmament are firmly committed to the primary calling of this institution as the sole body for multinational negotiations in the area of disarmament. Only the priority parameters and the degree to which issues are ripe for negotiation differ, but in my view this is not an insurmountable obstacle, provided that we abandon the dogmatic reading of the Decalogue which has been the rule over the past few years.

Thirdly, Morocco's term in the Chair coincided with the presentation to our Conference of the two United States proposals on the FMCT and the sale and export of persistent mines. On this occasion I would like to congratulate the delegation of the United States and welcome its initiative on the FMCT, which gives our Conference an opportunity to think about a topical issue which is of great interest to the members of our Conference and corresponds to a demand for disarmament that has been reaffirmed internationally. In this context, the Conference awaits with great interest and optimism the promised arrival of the team of experts to present the different elements of a treaty to ban the production of fissile material.

The United States initiative on the sale and export of persistent mines is to be welcomed on several points. It should be viewed in terms of the dozens of human lives that will be saved each year and its contribution to the strengthening of international security and the process of disarmament in the world. In my view it is directly in keeping with the spirit and the letter of

(The President)

paragraphs 45 and especially 46 of the plan of action contained in the Final Document of the first special session of the General Assembly devoted to disarmament, which stressed that “nothing should preclude States from conducting negotiations on all priority items concurrently”. Thus the Conference on Disarmament offers the appropriate framework to discuss the matter, especially as our forum has the great advantage of bringing together States that are parties to the Ottawa Convention and those that are not - hence the prospect of having an open and fair debate among all interested delegations which would hopefully be fruitful and productive in strengthening this international instrument and promote its universality. In any event, it will be for the Conference to decide what the fate of this initiative should be. My hope is that issues of procedure or competence, however important they may be, will not hinder an approach which is eminently multilateral and highly humanitarian and stems directly from the mandate of the Conference.

Fourthly, and in order to ensure that this report is both factual and complete, it should be noted that my first consultations as President focused on ways and means of securing the support of all the members of the Conference for the five Ambassadors’ initiative. In this regard it must be noted that this initiative enjoys broad support, that it is widely perceived as an excellent foundation for our work and highly appreciated for its intrinsic value. However, for a number of delegations, the problem lies not in the A-5 proposal but in the prejudicial manner in which the planned work would be conducted. In addition, I have detected a growing feeling of regret that the momentum generated by the elements of the A-5 proposal when it was presented two years ago is being undermined by this link which is synonymous with self-blocking and, moreover, is foreign to the founding document of the CD. In this regard our Conference would benefit from making use of the potential political readiness of delegations to discuss the different agenda items on their own merits and their urgency in terms of international security and the fundamental objective of reversing the course of the arms race.

My final comment is an appeal for pragmatism and realpolitik, in order to lead the Conference out of its long deadlock. At a time when nuclear stockpiles are growing and being continuously modernized, when the militarization of outer space continues imperturbably, when new, even more deadly weapons are being developed and weapons of mass destruction proliferate on a large scale, leading to worldwide concern, when international disarmament instruments are being violated or repudiated, when nuclear, chemical or biological terrorism pose a global threat and when the expectations of the international community in the area of disarmament are more urgent than ever, our Conference is wallowing in a desperate inability to overcome the differences among its members. This is why I call on the Conference to draw lessons from its successes and also learn from its failures. It must be noted that the successes of the past were accomplished thanks to the respect shown for the pre-eminence of the Decalogue and the prime goal of implementing it without any conditions, whereas the lethargic state of the Conference over the past eight years is the inevitable consequence of the sterile all-or-nothing approach. This is a genuine existential dilemma. The future of our Conference depends on the choice which is made. The choice lies between the paralysing effect of the status quo and the dynamics of compromise; between an idealistic vision of the Decalogue and a realistic and pragmatic approach to its implementation. Salvation lies in the primacy of the disarmament imperative and the abandonment, where possible, of methodological concepts which have held the mandate of this Conference hostage for the past eight years.

(The President)

The Arab philosopher and historian Ibn Khaldoun said back in the thirteenth century that “man often neglects his own past. If only he knew that it is a guiding light that can make the present clearer and illuminate with wisdom the paths to be taken in the future”. Let the Conference on Disarmament draw inspiration from this thought of Ibn Khaldoun by learning from the past in order to consolidate the present by making full use of the palpating momentum of our informal meetings and to respond better in the future to the expectations of the international community. The positive and meaningful developments of the past few weeks offer grounds for hope - in an individual and collective challenge to us - in order to make them more specific so as to put the Conference on Disarmament back on the path of the much-desired negotiations.

Finally, I cannot conclude without expressing my warm gratitude to all those who have provided me with support, with a special mention to our Secretary-General, Mr. Sergei Ordzhonikidze, whose support and encouragement have provided me with valuable assistance. I would also like to thank our Under Secretary-General, Mr. Enrique Román-Morey, and his staff for their assistance. Many thanks to those who work behind the scenes - the interpreters, the translators and the secretariat - for their contribution to the excellent functioning of our Conference. Finally, I would like to express my best wishes for success to my successor, Ambassador Mya Than of Myanmar. As we are meeting on the eve of the Olympic Games, let me say that he will be able to keep alive the flickering flame of the Conference which has been passed on with imagination, perseverance and conviction by my predecessors, Ambassadors Amina Mohamed of Kenya, Rajmah Hussain of Malaysia, Pablo Macedo of Mexico and Khasbazaryn Bekhbat of Mongolia.

Before concluding the meeting, I would like to raise the matter of the timetable of meetings for the coming week. In this connection, I would like to draw your attention to the decision on the improved and effective functioning of the Conference on Disarmament (CD/1036) adopted on 21 August 1990, and in particular paragraph 4 of the decision in accordance with which the Conference holds two plenary meetings per week at various times during its annual session, and in particular during the two weeks - weeks 21 and 22 - in the middle of the third part of the session. This year, week 21 of the session begins next Monday, 16 August and week 22 begins on Monday, 23 August. At this stage, there are no speakers on the list for next week. Therefore, unless I hear to the contrary, I propose that the Conference should hold only one plenary meeting next week, on Thursday, 19 August 2004, at 10 a.m.

It was so decided.

The PRESIDENT (translated from French): I would also like to inform you that Ambassador Sanders of the Netherlands has requested the convening on Thursday, 19 August 2004, following the closure of the plenary meeting, of an informal meeting during which Mr. Sanders will introduce a book entitled The Final Test - A History of the Comprehensive Nuclear-Test-Ban Treaty Negotiations, whose author is Ambassador Jaap Ramaker, the last Chairman of the Ad Hoc Committee on a Nuclear Test Ban.

(The President)

Complimentary copies of the book will be made available to delegations. The timetable of plenary meetings for week 22 of the session will be announced next week by the incoming President, Ambassador Mya Than of Myanmar. Does any delegation wish to take the floor at this stage? Syria.

Mr. ALI (Syrian Arab Republic) (translated from Arabic): Thank you, Sir, and do forgive me for taking the floor at this late stage and perhaps for breaking with tradition. I would like to comment on your final statement, which makes a plea for realpolitik.

I believe that the entire international system, and the United Nations in particular, was set up to put an end to practices based on realpolitik. So, by calling for us to engage in realpolitik today, it is as if you are calling for an end to the Conference on Disarmament and to the United Nations itself. I would ask you to look again at the use of that expression in your statement.

The PRESIDENT (translated from French): I thank the distinguished delegate of Syria. I agree with him that it is not customary for delegations to make comments on the statement by the President. I must just remind him that the statement by the President is his own responsibility, just as statements by the delegations concerned are their own responsibility. The President never interferes in the statements made by delegations and in return, out of courtesy, out of respect for the authority of the President, his sphere of competence, delegations never interfere in what is said by the President, especially since it is a general statement and is not in any way linked to substance. I do not withdraw my appeal for pragmatism, for realism; I reaffirm it and I will continue to reaffirm it. Our Conference on Disarmament will only recover its real mandate as the sole body for multilateral discussions in the area of disarmament to the extent that it adopts a realistic approach. This is what Morocco believes, and this is what the President believes at this stage. And I hope that the respect due to the President will be respected, and that there will be no interference in his statements.

I thank you for your kind understanding. Are there other delegations wishing to take the floor? I see none. Thus we have concluded our work for today. The next plenary meeting will take place on Thursday, 19 August 2004 in this room, and, as I have already announced, will be followed by an informal meeting.

The meeting rose at 1 p.m.