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# Conference on Disarmament

10 August 2010

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## Final record of the one thousand one hundred and ninety-second plenary meeting

Held at the Palais des Nations, Geneva, on Tuesday, 10 August 2010, at 10.15 a.m.

*President:* Mr. Gancho Ganev .....(Bulgaria)

**The President:** I declare open the 1192nd plenary meeting of the Conference on Disarmament.

I am very pleased to welcome you back to the work of the Conference on Disarmament. At the beginning of this third and last part of the annual session of the Conference, I wish to brief delegations on a couple of points, first of all on the programme of work.

During the intersessional period, I conducted bilateral consultations with a large number of delegations. The consultations were on pertinent issues related to the work of the Conference. My purpose was to build a picture of where the Conference stands and to explore ways and means of reaching a compromise on the programme of work, which continues to be a priority for this presidency.

The main objective of this presidency is to build on the achievements of our predecessor this year in order to ensure continuity and predictability in the way in which the Conference is guided. I therefore wanted to conduct the bilateral consultations on the basis of the last draft decision containing a proposal for a programme of work tabled by the Brazilian presidency. My intention was to hear from delegations, in an open and frank manner, their views on whether document CD/1889 can be an acceptable basis for a compromise. I have to note that for the moment this body is not ready to reach consensus on its programme of work. Since this is the President's main duty, I will however continue to consult with delegations bilaterally in seeking an acceptable compromise.

My bilateral consultations with delegations clearly show an increasing interest in the upcoming high-level meeting in New York on 24 September. The focus of delegations' interest is legitimately shifting to this important event, which is expected to revitalize the work of the Conference and to seek consensus on the largest challenge facing the wider architecture of disarmament machinery.

During the last week, at briefings of the Secretary-General of the Conference on Disarmament, Mr. Sergei Orzhonikidze, with the regional groups, we were able to hear from delegations a number of suggestions and ideas related to the organization and substance of the high-level meeting.

In order to respond to delegations' interest in discussing the issues related to the high-level meeting further, I am planning to convene informal open-ended discussions that will be open to Conference members and observers, where delegations can express themselves and exchange views with regard to the high-level meeting. I hope that such an exchange will be useful both to delegations and to the secretariat, which has been tasked by the Secretary-General of the United Nations with collecting ideas and suggestions for the final outcome.

I would like to be very clear: at these informal consultations, we shall not discuss a final document; we shall not discuss a draft document. The idea is to exchange views in a very informal way on the high-level meeting, and on the possible outcome. These views and ideas will be conveyed to the Secretary-General, and it is up to him, when preparing his summary — which will be the final document of the high-level meeting — to take or not to take into consideration these views.

I will continue to consult with delegations on this issue in order to find the most appropriate timing and format for these informal discussions, and I will duly inform the regional coordinators.

Having said that, I wish to turn now to some other aspects, some of them procedural. During this intersessional period, some colleagues who have been with us for a number of years have left. It is our duty to bid farewell to Ambassador Martin Uhomoibhi of Nigeria, Ambassador Hans Dahlgren of Sweden and Ambassador Philip Owade of Kenya. It is

always unfortunate when colleagues have to leave Geneva and this distinguished forum, but their departure is generally aligned, as you know, with good prospects. So on behalf of the Conference and on my own behalf, I wish them success in their future functions and endeavours.

We have the following delegations on the list of speakers: first, the representative of Japan, and then the representative of Cuba.

Allow me now to give the floor to the distinguished representative of Japan, Ambassador Suda.

**Mr. Suda (Japan):** Thank you, Mr. President, for giving me the floor. First of all, I would like to express our deep appreciation for your intensive work during the intersessional period in conducting the informal bilateral consultations with all delegations in order to find a constructive way to enable us to start the substantive work of the Conference. The holding of informal discussions on the coming high-level session would be helpful in my view.

At the beginning of the third part of this year's session of the Conference on Disarmament, I would like to take this opportunity to note that this year marks the sixty-fifth anniversary of the atomic bombing of Hiroshima and Nagasaki. August 6th, for Hiroshima, and August 9th, for Nagasaki, are days for remembering the tragedies that befell these two cities and for renewing our determination to realize a world free of nuclear weapons.

It should be highlighted that this year the Secretary-General of the United Nations, Mr. Ban Ki-moon, attended the Hiroshima Peace Memorial Ceremony and visited Nagasaki as well, in the first trip of its kind by a Secretary-General of the United Nations. My country was honoured by his presence and heartened by his visible commitment to nuclear disarmament.

We should not forget the grass-roots support as well. I recall that a hundred or so atomic bomb survivors, or *hibakusha*, came to New York in May to observe the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (the NPT Review Conference). They had come to follow closely the proceedings of that meeting and to see if its outcomes would meet their aspirations for nuclear disarmament.

The sixth and ninth of August should not, however, be only for remembrance, but also for taking stock of the progress made in our endeavours to bring about the total elimination of nuclear weapons.

Since last year we have witnessed significant steps forward, beginning with United States President Obama's Prague speech in April last year: the African Nuclear-Weapon-Free Zone Treaty (the Pelindaba Treaty) entered into force; the United Nations Security Council held a special session on nuclear disarmament and non-proliferation; the United Nations hosted the Nuclear Security Summit; and the United States and the Russian Federation signed an important new Strategic Arms Reduction Treaty (START). Moreover, in May 2010, the NPT Review Conference ended with the significant accomplishment of adopting a final document that contains important action plans covering all three pillars of the NPT. In this respect, the Conference on Disarmament should take serious note of actions 6, 7 and 15 of the final document.

These are all positive developments, but in taking stock we must also look at the great deal of work yet to be done: approximately 25,000 nuclear weapons are still reportedly in existence; a number of countries still remain outside the NPT; nuclear weapons still play a prominent role in the national security strategies of possessor States; a number of States still present grave proliferation challenges; the Comprehensive Nuclear-

Test-Ban Treaty (CTBT) has still not entered into force; and the much awaited negotiations on a fissile material cut-off treaty (FMCT) have yet to start. We still have a long way to go.

At this critical juncture for nuclear disarmament and non-proliferation, the Conference on Disarmament bears a special responsibility for activating its substantive work on critical issues, including negotiations on an FMCT in particular, if it is to continue to be the sole multilateral negotiating forum on disarmament. To our regret, however, the Conference is currently in a state of serious stagnation, betraying the great expectations of the people of the world, including those who gathered in Hiroshima and Nagasaki last Friday and yesterday.

The reason for the present deadlock seems to be obvious. It is the lack of a sound understanding of the rule of consensus. The consensus rule is, in my understanding, the wisdom for building well-balanced and feasible agreements through mutual respect and mutual cooperation. Under this rule, we try to build agreements that are widely acceptable to all members, or at least not explicitly rejected by any member. The point is, it is the wisdom which enables an international body to carry out its assigned tasks. It cannot be a built-in device to allow a member State to paralyse the very functioning of an international body. While Japan appreciates and respects the important positive value of the consensus rule, we seriously wonder whether the Conference on Disarmament is not trapped by the negative side effects of the rule. It is a rule for promoting cooperation, not for preventing or blocking cooperation.

We should bring the Conference's consensus rule back to its real meaning and sound functioning. In order to do so, all of us need: one, to respect the vital interests of each member State; and, two, at the same time to demonstrate the cooperative spirit and flexibility, particularly on purely procedural matters, that will allow the Conference to engage in substantive work. It may be also helpful if, with the help of the secretariat, we could study and discuss the most appropriate interpretation and application of the rules of procedure of the Conference on Disarmament to reflect its historical development and its present situation.

Mr. President, we cannot stand still. We have to respond to the high expectations of the people and leaders of the world. For that, we must make a greater effort to explore a reasonable and constructive way to commence substantive work as soon as possible. My delegation stands ready to cooperate with you and other delegations in such an extraordinary effort.

**The President:** I thank the distinguished representative of Japan for his statement, and I now give the floor to the distinguished representative of Cuba.

**Mr. Reyes Rodríguez** (Cuba): Thank you, Mr. President. Before I deliver my prepared speech, I would like to join with the representative of Japan in paying tribute to the victims of the nuclear attacks on the inhabitants of Hiroshima and Nagasaki, which were avoidable to say the least. I would also like to pay tribute to all the victims of wars of conquest, especially those waged for colonialist and imperialist motives.

Mr. President, allow me first to congratulate you on taking on the great challenge of the presidency of the Conference on Disarmament.

I would also like to pay tribute to Ambassador Luis Filipe de Macedo Soares and his delegation for their efforts to adopt a programme of work that would allow the Conference to get down to substantive work.

While we are listening to speeches assuring us of a supposed commitment to peace and disarmament, the reality outside this chamber is very different.

The world and the human race face the very real danger of a war that might involve the use of weapons of mass destruction.

International peace and security can be maintained, but doing so will require genuine political will and heightened awareness of the principle of peaceful coexistence and a commitment to respect the principle and right of peoples to self-determination.

Cuba reiterates that the only way to safeguard international peace and security is through the search for negotiated solutions at the multilateral level and the conclusion of collective agreements.

Steps are also needed to break the deadlock that has paralysed the Conference in recent years. The Conference is the sole multilateral negotiating forum on disarmament: its importance as such must be recognized and its nature and capacity respected at this time in particular.

In this respect, Cuba would prefer the Conference to resume its substantive work, by adopting and implementing a programme of work that includes all the items on its agenda.

My delegation calls on everyone to show the necessary flexibility, based on respect for the rules of procedure and constructive dialogue, in order to adopt a full, balanced programme of work that takes account of all the real priorities in the field of disarmament and arms control.

The mere existence of nuclear weapons, and of the doctrines that contemplate their possession and use, constitutes a grave threat to international peace and security. The possession of nuclear weapons is an irresponsible incentive for their proliferation.

Cuba considers the use of nuclear weapons to be an illegal, completely immoral act that cannot be justified under any circumstances or by any security doctrine. Their use would be a flagrant violation of international norms on the prevention of genocide.

Bearing these points in mind, Cuba considers, like many other countries, that nuclear disarmament should be given top priority in our work.

We support the establishment of an ad hoc committee and advocate the opening of negotiations on an instrument that will establish a gradual programme to completely eliminate nuclear weapons within a set time limit and under strict international control.

Cuba rejects the claims of those who ignore or minimize the importance of nuclear disarmament in an effort to impose a completely selective and discriminatory approach to non-proliferation.

We also reject the selective implementation of the Treaty on the Non-Proliferation of Nuclear Weapons. We reaffirm our position that the inalienable right of all States to the peaceful use of nuclear energy must be fully respected.

It is extremely worrying that not all nuclear-weapon States are prepared to reaffirm an unequivocal commitment, as agreed by consensus at the 2010 NPT Review Conference, to the complete elimination of their nuclear arsenals so as to achieve nuclear disarmament, as provided for in article VI of the above-mentioned treaty.

While my Government has no objection to discussing a possible treaty to end the production of fissile material for nuclear weapons, we are concerned at the selective and politicized analysis of this issue, since it largely concerns the interests of Western countries, who unfortunately represent the majority on this issue.

The establishment of nuclear-weapon-free zones is a major advance and an important step towards achieving the goal of nuclear disarmament and non-proliferation in the world. In this context, Cuba believes it is essential that nuclear-weapon States offer

unconditional guarantees to all States in such zones not to use or threaten to use such weapons on them.

Cuba also reiterates its concern about the negative consequences of the development and deployment of anti-ballistic-missile defence systems and the growing threat of the deployment of weapons in outer space.

For a long time there have been universal calls for the prevention of an arms race in outer space, because of the serious risk it poses to international peace and security. The legal instruments that have been agreed by the international community on this matter must be respected.

Such instruments have played a positive role in promoting the peaceful uses of outer space and in regulating activities in space. They have also been important in relation to banning the deployment of weapons of mass destruction and certain military activities in outer space.

More needs to be done in this area. Cuba supports the urgent establishment of a special committee of the Conference on Disarmament to begin negotiations on an instrument on the prevention of the placement of weapons in outer space.

These are some of Cuba's views and concerns with regard to the work of the Conference on Disarmament.

Allow me to conclude by reiterating my delegation's full support for the mandate and work of the Conference on Disarmament.

**The President:** I thank the distinguished representative of Cuba for his statement. Would any other delegation like to take the floor? I recognize the distinguished representative of Nigeria.

**Mr. Endoni (Nigeria):** Mr. President, since this is the first time my delegation has taken the floor, I would like to congratulate you on your assumption of the presidency, and also, through you, to congratulate the Brazilian presidency on its good work in trying to move the Conference forward.

I would like to thank you for the kind words addressed to the Nigerian ambassador, who has gone to fully assume the responsibility of permanent secretary in the Ministry of Foreign Affairs. The ambassador also extends his good will to the Conference. He has also said that as permanent secretary he will still be fully aware of deliberations in the Conference on Disarmament and will be working closely with the Nigerian mission to propel the Conference forward.

**The President:** I thank the distinguished representative of Nigeria for his statement. Is there any other delegation that would like to take the floor? I recognize the distinguished representative of Algeria, Ambassador Jazaïry.

**Mr. Jazaïry (Algeria):** Mr. President, I would like at the outset to extend to you our warm congratulations for the dynamic way in which you have undertaken the perilous task of helping this Conference move forward. I would also like to pay tribute to Ambassador Macedo Soares for his very imaginative contribution to trying to find a solution to the charade of the programme of work.

I have listened with a lot of attention to the statements that have just been made, and I think that the statements of both the representative of Japan and the representative of Cuba are most appropriate at this time, when we commemorate the tragedy of Hiroshima and Nagasaki. These two events of which we now commemorate the sixty-fifth anniversary must be of particular significance for the members of the Conference on Disarmament.

It is true that Japan, as the country — fortunately the only country so far — that has been the victim of two nuclear bombs has a special responsibility for keeping this memory alive so that never again will humanity be involved in such destructive madness. It is also the responsibility of all those countries which, like Algeria, have been exposed to radiation from nuclear devices, to keep this thought alive, that never again must we let this happen.

It is more broadly the responsibility of the membership of the Conference on Disarmament to make sure that we fulfil the expectations of the people of the world for that never to happen again. We are only part of the world community and yet we have this responsibility to negotiate instruments to prevent that from effectively happening. We should ask ourselves whether we have been true to the aspirations of the people of the world and to all those other States that are not part of the Conference on Disarmament and that expect us to deliver.

I ask myself sometimes whether, to remind us of these collective responsibilities, we should not think of having a United Nations Day on Total and Complete Disarmament, including Nuclear Disarmament, and whether such a commemoration should not take place indeed between 6 and 9 August of each year. But I leave this idea for you to consider. I think it was appropriate that I should raise this question in these particular circumstances, where, from one point of view, as the Ambassador of Japan said, we have had tremendous expectations and hope that we would at last be moving towards a reduction of the nuclear threat, a nuclear threat which should not just be seen, as the distinguished Ambassador of Cuba said, as referring only to non-proliferation but to the whole nuclear *problématique*. Tremendous expectations, indeed: the speech of President Obama in Prague was one of the elements, and several other heads of State made some statements that were really leading us to be hopeful that some things would happen. At the same time, recent developments have given us cause for increased concern. Tension is increasing in some parts of the world — in the Middle East in particular — and we have to ask ourselves whether, on balance, we are moving forward or whether we are going backwards.

It is, I think, a major challenge for the Conference on Disarmament to make sure that we do move forward and not backwards.

It is with these remarks that I wish to make a modest contribution to this commemoration of the sixty-fifth anniversary, and also to say that perhaps the problem cannot be reduced to just the issue of the definition of consensus or an issue of procedure. The issue is broader. The issue is to try to progress on the interlinked elements of a nuclear disarmament package, and unless we try to put equal emphasis on these different components, we are obviously going to hit a snag.

To say, as I have said before, that the subject which is favoured by some members of the Conference on Disarmament should be singled out for negotiation because it is “ripe” is in fact to reintroduce this notion of selectivity that we need to distance ourselves from if we want to move forward.

There have been some positions taken on negative security assurances, and I referred only recently to a statement by the President of the United States which opened the door to recognition of the legitimacy of obtaining for non-nuclear States the right to a guarantee of non-use of nuclear weapons against them. So from the point of view of Algeria and the Group of 21, the issue of negative security assurances is “ripe” in the same way as others think that FMCT is ripe for negotiations. I think that the way out of the impasse is not just to think of the consensus rule but to try and see if we can make an earnest effort to move simultaneously, and not selectively, on some of the key components which are fundamental elements of the security of one group of countries or another.

**The President:** I thank the distinguished representative of Algeria for his contribution. I really appreciate his statement, which was, as always, very interesting. Does any other delegation wish to take the floor? I do not see any.

This concludes our business for today.

The next plenary meeting will take place on Tuesday, 17 August 2010, at 10 a.m. in this chamber.

This meeting stands adjourned.

*The meeting rose at 10.50 a.m.*