

# CONFERENCE ON DISARMAMENT

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## FINAL RECORD OF THE NINE HUNDRED AND FORTY-EIGHTH PLENARY MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 26 February 2004, at 10.25 a.m.

Temporary President:                      Mr. Pablo MACEDO                      (Mexico)

The PRESIDENT (translated from Spanish): I declare open the 948th plenary meeting of the Conference on Disarmament. As you know, Ambassador Rajmah, the President of the Conference, is in Caracas attending the summit of the Group of 15. Consequently, in accordance with rule 10 of the rules of procedure of the Conference on Disarmament, I am taking the Chair temporarily in the absence of Ambassador Rajmah.

In the last few days we have learned with great sadness of the massive loss of life and extensive material damage caused by a severe earthquake near the town of Al Hoceima, in northern Morocco. On behalf of all the delegations to the Conference on Disarmament, I would like to express our sorrow and convey our deepest sympathy to the families of the victims and the Government of Morocco.

I wish to invite you respectfully to observe a minute of silence in tribute to the several hundred victims, in a modest display of solidarity with the people and Government of Morocco.

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The PRESIDENT (translated from Spanish): The distinguished Permanent Representative of Morocco, Ambassador Omar Hilale, has the floor.

Mr. HILALE (Morocco) (translated from French): I thank you, Mr. President, on behalf of all the dead and injured victims of the earthquake which has plunged my country into mourning. I would like to express our warm thanks to the President and all the members of the Conference on Disarmament for their tokens of sympathy, their sincere condolences and this noble gesture of two minutes' silence in memory of those who lost their lives. This morning's gesture by the Conference on Disarmament is a comfort to the people of Morocco, and encourages them to think that they are not alone in their grief nor alone in the suffering of all those who have been hurt. I also wish to reiterate my warm thanks to you all. In addition, I take this opportunity to express my gratitude to all my colleagues and friends who have conveyed their solidarity, sympathy and condolences to me personally. I would also like to express gratitude and thanks on behalf of Morocco to all the countries which have sent aid and material support, or rescue teams. These were gestures of solidarity which Morocco will not forget, and for which it is very grateful to you all.

The PRESIDENT (translated from Spanish): I have the following speakers on the list for today's plenary: Austria, Norway, Canada, Netherlands, United Kingdom, United States, Japan, France, Belgium and Croatia. I have great pleasure in giving the floor to the first speaker, the distinguished Permanent Representative of Austria, Ambassador Wolfgang Petritsch.

Mr. PETRITSCH (Austria): Mr. President, let me first congratulate you and assure you of my delegation's full support. It is a difficult and, in the past seven years, a fruitless and often frustrating task.

Monday 1 March 2004 marks the fifth anniversary of the entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction.

(Mr. Petritsch, Austria)

This anniversary will mark the countdown to the Nairobi Summit on a Mine-free World - the most significant event in the life of the Convention since it was opened for signature. The Nairobi Summit will take place from 29 November to 3 December 2004 in the capital of Kenya.

I am honoured to have been chosen President designate of this important event, and it is in this capacity that I am taking the floor today. In close concert with other States parties - particularly Kenya as host of the Nairobi Summit - I will try to do everything in my power to ensure the success of the Summit.

More than 60 countries continue to be affected by landmines. Many years after the end of conflicts, innocent civilians still fall victim to these weapons. It is no coincidence that most of the affected countries are the poorest and least developed on earth. Minefields in these countries delay the return of refugees, prevent post-conflict reconciliation and extinguish hope for socio-economic development.

In the past five years, the use of this weapon has been markedly reduced globally, and trade has practically ceased. Few new anti-personnel landmines are being produced. Much progress has been made towards achieving the humanitarian objectives of the Convention. More than US\$ 1.7 billion has been generated to support mine clearance and assistance to victims. And more than 31 million stockpiled mines have been destroyed by the parties to the Convention.

While the global community has rallied as never before to rid the world of anti-personnel mines, much more needs to be done. Renewed dedication will be required to ensure that mines are removed from the ground. A long-term commitment is necessary to address the lifelong care and rehabilitation needs of landmine survivors. Hence, the biggest challenge for the Nairobi Summit will be to secure the necessary political and financial commitment to continue to eliminate the humanitarian impact of anti-personnel mines.

In the few years since 1999, 141 States, including most mine-affected countries, have joined the Convention. This represents a record for a treaty of international law. The Convention has set a high normative standard that is also respected by most - though not all - non-signatories.

Significant countries still remain outside the Convention. Their contribution to the global effort is required so that the Convention can live up to its promise as an instrument designed to end the suffering caused by anti-personnel mines once and for all. However, given the dynamism that has characterized the universalization process of the Convention in the past five years, there is cause for optimism for a truly global ban on anti-personnel mines.

In this regard, and on the eve of a major anniversary in the life of the Convention, I would like to mention in particular the encouraging and positive developments that we have witnessed in the past few weeks on the Indian subcontinent.

(Mr. Petritsch, Austria)

At their historic meeting in January of this year in Islamabad, the Indian Prime Minister and the President of Pakistan agreed that “constructive dialogue would promote progress towards the common objective of peace, security and economic development for [their] peoples and for future generations”. Last week, it was announced that officials from both States had established a “basic road map” for such a dialogue.

With such a road map in place, the time might be ripe for India and Pakistan to also take a fresh look at the global ban on anti-personnel mines. Many of the 141 States that have joined the Convention find themselves in complex security environments and with important obligations as part of military alliances. Yet they have all accepted that the disastrous humanitarian impact of these weapons greatly outweighs their marginal military utility.

Furthermore, eliminating anti-personnel mines can contribute to all facets of security. In 1995, for example, Peru and Ecuador fought a border war which saw no side the victor but which resulted in untold human misery as a result of widespread landmine use. Today, mine action cooperation between the two countries has increased confidence, has helped assure progress in the demarcation of a disputed frontier and has seen socio-economic gains by both sides.

More recently, leaders from Greece and Turkey took a bold confidence-building step and jointly accepted the Convention. When in 2001 they announced their intention to join the Convention, the Foreign Ministers of the two countries stated that they “recognize that a total ban on [anti-personnel] mines is an important confidence-building measure that would contribute to security and stability in the region”.

Cooperation in solving the humanitarian problems caused by anti-personnel mines can indeed strengthen confidence between States that embark on the road to peace.

At the Nairobi Summit on a Mine-free World in November of this year, the Convention's States parties will review progress and establish an action plan to ensure the elimination of anti-personnel mines. As President designate of the Nairobi Summit, I therefore encourage India and Pakistan, as well as other States not party to the Convention, to join in what has become a global success story and to accede to the Convention.

I had the privilege to preside over the first preparatory meeting for the Nairobi Summit on 13 February of this year. I was again greatly encouraged by the cooperative spirit and focus on progress in which the 116 represented States and the many international organizations, the United Nations system and non-governmental organizations approached this work. This is a welcome contrast to some other forums in Geneva.

In conclusion, let me state that we are working towards an international event that will attract participation at a high political level and that aims to agree on a strong and concrete plan of action to address the humanitarian problem caused by landmines in the coming years. We expect that the Nairobi Summit will result in a renewed commitment to the full implementation of the Convention. And we want to convey a rare message in today's international relations: there is a problem that can be solved.

The PRESIDENT (translated from Spanish): I thank Ambassador Petritsch, the President designate of the Nairobi Summit, for his statement. The next speaker on my list is the distinguished Permanent Representative of Norway, Ambassador Sverre Bergh Johansen, to whom I have pleasure in giving the floor.

Mr. BERGH JOHANSEN (Norway): I am delighted to see the Ambassador of Mexico, the next President of the Conference on Disarmament, presiding over this meeting. I would have liked to congratulate Malaysia's Ambassador Rajmah Hussain on her assumption of the presidency, and I ask you kindly to convey to her my heartfelt congratulations.

Like the previous speaker, I am taking the floor today to mark the fifth anniversary of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction.

This Convention is both a humanitarian and a disarmament treaty. It proves that multilateralism works. States parties are committed to the Convention, and there is a strong political will among them to ensure its success. Its establishment and implementation also reflect a close and constructive partnership between governments and civil society. In addition, it has established a norm against the use of landmines which is widely respected, also beyond the 141 States that have acceded to the Convention. We take this opportunity to underscore the importance of universalizing this crucial instrument, and urge the States that have not yet done so to join the Convention.

Norway was among the initiators in establishing the Mine Ban Convention, and is particularly happy to note that it has so far been highly successful. It provides the primary framework for mine action and a global and effective humanitarian instrument. Since the Convention's entry into force, fewer governments use anti-personnel landmines, and production has decreased. As mine clearance proceeds and mine risk education programmes are implemented, the number of new mine victims is decreasing in many affected countries. Stockpiles are decreasing. To date, more than 31 million stockpiled mines have been destroyed.

Notwithstanding its success, considerable work still remains to be done to fulfil the objective of the Convention: a world free of mines. We should not lose focus on the challenges that are before us. Anti-personnel landmines remain a serious threat to lives, health and development. We are still facing a humanitarian emergency. Even if many stockpiled mines have been destroyed, this process is far from finished, and needs to proceed. Much more needs to be done with respect to mine clearance. A lower number of mine victims does not mean that the job is done - it means that we are on the right path. Too many people fall victim to anti-personnel landmines. We have an obligation to help the victims. As mines continue to claim victims, the total need for assistance continues to grow. Mine victims need assistance for many years, often for life.

(Mr. Bergh Johansen, Norway)

The first Review Conference of the Convention will take place in Nairobi, Kenya, in December this year. It will provide an opportunity to address the remaining challenges. We hope that the Review Conference will produce what we need to carry out this job: a strong and clear commitment to continue implementing the Mine Ban Convention, and to achieve its important objectives.

The PRESIDENT (translated from Spanish): I thank the distinguished Permanent Representative of Norway for his statement and the kind words addressed to the Chair, which I will of course pass on to Ambassador Rajmah Hussain. I now have pleasure in giving the floor to the next speaker, the distinguished representative of Canada, Ms. Ann Pollack.

Ms. POLLACK (Canada): Mr. President, we welcome you in the Chair this week and look forward to working with you when Mexico formally assumes the presidency next month.

(continued in French)

1 March marks the fifth anniversary of the entry into force of the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. This is a major milestone in the life of the Convention, for which the first Review Conference and Nairobi Summit on a Mine-free World will take place this year. The fifth anniversary will be celebrated in Canada during Canadian Landmine Awareness Week. There will be a number of events organized by non-governmental organizations all over the country relating to the many Canadians and others who, through their activities to combat mines, are playing a decisive role throughout the world.

The Convention has been very successful during its first five years of existence. The number of signatories has risen sharply: 10 new countries have acceded to it over the past year, bringing the number of countries which have ratified or acceded to the Convention to 141. It is highly appropriate that the Convention should be entering into force for four of those countries on this anniversary day, and so we welcome two members of the Conference - Belarus and Turkey - and two observers - Greece and Serbia and Montenegro - which will become States parties to the Ottawa Convention on 1 March. This rapid increase testifies to the general determination to address the humanitarian problems caused by anti-personnel mines. We once again call on all members and observers at the Conference on Disarmament which have not yet done so to accede to this Convention and take special steps to do so during this significant year. Canada also encourages countries which are recovering from conflict to regard the Ottawa Conference and the rules adopted at it as possible confidence-building measures.

(continued in English)

Mr. President, the Ottawa Convention, as its title indicates, prohibits the use, stockpiling, production and transfer of anti-personnel landmines, and provides for their removal, clearance and destruction. The Ottawa Convention is comprehensive; it is legally binding; it is effective; it has a large and growing membership. It thus does not need to be supplemented by a partial instrument, as some have mentioned in this forum.

(Ms. Pollack, Canada)

The goal remains the universality of the Convention. Canada is proud to chair the Universalization Contact Group, working towards this objective, and we are confident of new members before the Review Conference. Active universalization efforts are under way, reaching out to States not party, including through networks of retired senior military officers and of parliamentarians, to engage them on a variety of levels.

In the interim, those States that consider that they are unable to join the Convention should take steps themselves, individually or collectively, such as stating a commitment to its humanitarian goals, undertaking moratoriums not to produce or transfer anti-personnel landmines, beginning stockpile destruction, funding mine action, submitting voluntary article 7 reports, attending the Review Conference as an observer. Such steps would acknowledge the important norm established by the Convention and the impact that it is having on modifying behaviour, at a time when the eyes of the world will be focused on the problems of anti-personnel landmines.

I do not need to repeat that the Ottawa Convention is making a real difference, in mentality, practice and in the lives of civilians, to eliminate the scourge of anti-personnel mines: land is being cleared, returning it to productive use; huge numbers of stockpiles have been destroyed; the number of new victims has been reduced. Governments, regional and international organizations and civil society, all increasingly aware of the dangers of landmines, are actively working together to universalize the Convention, to improve aid to victims, to undertake mine clearance, to destroy stockpiles within deadlines, and to make the general public more aware of the awful humanitarian and development costs of using anti-personnel mines. A collective spirit and a partnership approach are the hallmark of the Convention, all working together and contributing in a shared spirit of cooperation, as we witnessed yet again in the very full session of the Standing Committees earlier this month.

The Convention's first Review Conference, as we have heard, will take place in Nairobi, Kenya, from 29 November to 3 December, to celebrate its successes and recognize the remaining challenges. It will culminate in a high-level segment, marking the anniversary of its signature in Ottawa. It is fitting that this event takes place in Africa, the most mine-affected region of the world, drawing attention to the extent of this problem on the continent, as well as globally.

Its central message, as we have just heard from the President designate, will be that progress has been made, but that more needs to be done. States parties to the Ottawa Convention will testify to their collective will and political commitment to move ahead to finish the job, will renew political and financial commitments to continue to eliminate anti-personnel landmines, will further seize responsibility to clear mines and to assist victims. We will state our determination to do so through a concrete action plan to fulfil these aims, which Canada has the honour to be closely involved in helping to develop. We will communicate our vision to the world through a High-Level Declaration, to reaffirm the success of the Convention, to address the challenges that remain and to renew commitment to its full implementation.

(Ms. Pollack, Canada)

At a time when the Conference on Disarmament continues to be unable to agree upon a programme of work to address pressing issues affecting collective and national security, it is reassuring that so many members of the international community - including a large number of members of this body - are moving ahead to address a vital issue of human security, which is making a real difference in the lives of so many people, communities and nations. It is my hope that this positive spirit may infect the CD.

The PRESIDENT (translated from Spanish): I thank the distinguished representative of Canada for her statement and the kind words addressed to the Chair. I now have pleasure in giving the floor to the next speaker on my list, the distinguished Permanent Representative of the Netherlands, Ambassador Chris Sanders.

Mr. SANDERS (Netherlands): Mr. President, first of all, let me tell you that we are happy to see you in the Chair, be it only for a week, and you can count on the support of my delegation during your brief interim presidency.

I have asked for the floor briefly to add the voice of the Netherlands to the statements made by Austria and Norway and Canada, marking the fifth anniversary of the entry into force of the Mine Ban Convention. I do not have to repeat what they have said. That would become a bit duplicative, so I will restrict myself to a few essential comments.

The most important is that we would like to join the others where they call upon the countries that have not so far been in a position to join the Treaty. The terrible humanitarian suffering caused by anti-personnel landmines far outweighs any military benefit one could derive from these mines, and I think that is very important to realize when we discuss these issues.

We also want to pay our compliments to Ambassador Wolfgang Petritsch, who is preparing us and will preside over our first Review Conference in Nairobi at the end of this year. We are firmly on the road towards a mine-free world, but we are not yet there, and that makes this Nairobi Summit a very important event.

So far the Mine Ban Convention has been a great success, and it must continue to be a success in the future.

The PRESIDENT (translated from Spanish): I thank the distinguished representative of the Netherlands for his statement and the kind words addressed to the Chair. I now give the floor to the distinguished representative of the United Kingdom, Ambassador David Boucher.

Mr. BROUCHER (United Kingdom of Great Britain and Northern Ireland): Mr. President, since this is the first occasion on which I have taken the floor since Malaysia assumed the presidency, let me present my compliments to Ambassador Rajmah Hussain and the Malaysian Government and also say how I welcome seeing you in the Chair, if only on a temporary basis.



(Mr. Broucher, United Kingdom)

Let me also add my voice to the previous speakers who have spoken eloquently about the Ottawa Mine Ban Convention and say that the United Kingdom, of course, continues fully to support the aims of that Convention and looks forward to taking part in the meeting in Nairobi.

This is, however, not the purpose of my taking the floor this morning. I have been instructed to draw attention to a statement on counter-proliferation made by the British Foreign Secretary, Jack Straw, to the House of Commons yesterday morning. The statement makes clear our counter-proliferation priorities for the coming months.

“Over the past year, there have been some significant breakthroughs in countering the proliferation of weapons of mass destruction (WMD). The United Kingdom has worked effectively with the United States in the case of Libya’s programmes and in countering the A.Q. Khan network. We have played a leading role, with France and Germany, on the issue of Iran’s nuclear programme. We have enforced United Nations Security Council resolutions on Iraq. We have been active on the Proliferation Security Initiative designed to interdict the passage of cargoes intended for use in WMD programmes. We support the six-party talks in North Korea. All of this demonstrates effective multilateralism in action.

“I would like to set out for the House other steps we are taking and further proposals we will be discussing with our partners to deter, check and roll back WMD programmes in countries of concern, and to prevent WMD equipment and expertise falling into the hands of terrorists.

“The Proliferation Security Initiative has developed well since it was launched in May 2003. Some 60 countries have indicated their support for it and their intention to apply its principles. There is more that we can do to extend its possibilities:

“We are working in the International Maritime Organization to secure amendment to the Suppression of Unlawful Acts at Sea Convention, which will make it an internationally recognized offence to transport WMD, their delivery systems and related materials on commercial vessels. It is already an offence under the Chicago Convention of the International Civil Aviation Organization to transport WMD on civil aircraft.

“Agreements have been concluded in the past providing for the boarding of vessels which may be carrying drugs. We now plan to negotiate similar agreements with the main commercial flag States allowing for the boarding of vessels which may be carrying cargoes which could be used in WMD programmes. Shipping of the 10 largest commercial flag States covers some 70 per cent of maritime trade. So with a relatively small number of such agreements, a large proportion of the world’s shipping would be covered. The options available to the proliferator and rogue supplier would be reduced.

“We will consider with our partners whether new penalties should be introduced to deter air or shipping lines from seeking to transport such cargoes. Might the vessels

(Mr. Broucher, United Kingdom)

and planes of any companies found to have engaged in such transport be denied landing or port rights around the world? Should we consider an international register of companies and individuals convicted of proliferation offences?

“We support President Bush’s call to use Interpol and all other means to help law enforcement agencies work against the traffickers.

“Within the EU, we see a case for customs experts considering how to tighten regulations and practices, and how better to exchange information in order to prevent the trafficking of WMD.

“In the United Kingdom, we have begun work on the screening of traffic for the illicit movement of radioactive materials. This will eventually cover all air, sea and Channel Tunnel traffic - passengers, parcels, vehicles, freight and containers.

“Eighteen months ago, the Kananaskis G-8 summit established a Global Partnership against the spread of weapons and materials of mass destruction. Under this initiative G-8 leaders decided to support specific cooperation projects, initially in Russia, to assist the destruction of chemical weapons, the dismantlement of decommissioned nuclear submarines, the disposition of fissile materials and the employment of former weapons scientists. The United Kingdom announced that it would make up to US\$ 750 million available over 10 years for this work. The first report of work undertaken by the United Kingdom was published in December.

“Since Kananaskis, we have had the Iraq conflict and Libya’s decision to dismantle its WMD programmes. Work is under way to develop a programme for the employment of former weapons scientists in Iraq. The United Kingdom has offered to help with similar programmes in Libya. We would like to see the Global Partnership expanded so that it is fully global in its geographical extent, and for the number of donor States to be expanded so that the target of \$20 billion can become a floor rather than a ceiling.

“An anomaly in the field of counter-proliferation has been the lack of discussion since 1992 of proliferation in an overall sense by the United Nations Security Council. Following a proposal by President Bush last September, work is now under way on a resolution which will call on States to adopt tough national legislation to criminalize the possession, manufacture or trafficking of WMD, in particular for terrorist purposes; to develop effective export controls where these do not exist; and to maintain effective physical protection of sensitive materials. I hope the Council will pass this soon.

“We believe the Council should also consider establishing an appropriate follow-up mechanism, perhaps a Counter-Proliferation Committee, just as the Council’s Counter-Terrorism Committee was established in 2001.

(Mr. Broucher, United Kingdom)

“The European Union

“The European Security Strategy, adopted by the European Council in December, highlights the importance of work against WMD. The month before its adoption, the EU agreed that agreements with other countries should include a non-proliferation clause. We are working with our EU partners and the Commission to see this introduced as new agreements arise or existing ones are renewed.

“The Non-Proliferation Treaty and International Atomic Energy Agency

“The Non-Proliferation Treaty obliges States parties to enter into safeguards agreements with the International Atomic Energy Agency to verify that nuclear activities are and remain legitimate. Article IV of the Treaty confirms States’ rights to develop and use nuclear energy for peaceful purposes.

“But States which fail to comply with their safeguards obligations inevitably lose the confidence of the international community. The bargain which is at the heart of the Treaty is then called into question. We should consider whether such States should not forfeit the right to develop the nuclear fuel cycle, particularly the enrichment and reprocessing capabilities which are of such proliferation sensitivity. That does not mean that they would be deprived of the possibility of constructing and running civil nuclear power stations. These could still operate with fuel supplied by countries honouring their safeguards obligations. The fuel would be subject to Agency monitoring while in the receiving country, and would be returned to the country of supply when spent. This would prevent a seemingly civil programme masking a weapons programme.

“Experience in recent years has shown the need for more wide-ranging Agency inspections of national nuclear industries. The Agency’s Additional Protocol provides the basis for carrying out such inspections. It is important that all members of the international community adopt one. Suppliers of nuclear technology should increasingly see this as a key commitment when they judge export licence applications.

“The Agency has done well to meet a growing verification workload within the constraints of its budget. But we should not ask it forever to do more within the same resources. We may need seriously to consider further strengthening its Safeguards Division.

“Biological and Toxins Weapons Convention

“The Government set out in a Green Paper in April 2002 ideas on how to verify compliance with the BTWC. We continue to believe that we need a mechanism, possibly under the authority of the Secretary-General of the United Nations, for investigating instances of alleged use and suspect biological weapons facilities. We will be putting forward proposals to follow this up at the next meeting of States parties to the Convention in Geneva in July.

(Mr. Broucher, United Kingdom)

“Conclusion”

- and I crave your indulgence for this rather long statement -

“Countering proliferation remains as important today as it ever was. The part our intelligence services play in it is vital. We and they can be proud of what we have achieved over the past year. But we cannot let up. There is much work still to do. The proposals I have outlined are designed to assist that.”

That is the end of the Foreign Secretary’s statement.

The PRESIDENT (translated from Spanish): I thank Ambassador Broucher for sharing with the Conference the statement delivered by the Foreign Secretary, Jack Straw, in the House of Commons of the British Parliament. I also thank him for the kind words addressed to the Chair, which I will of course convey to Ambassador Rajmah. I now have pleasure in giving the floor to the next speaker on my list, who is the distinguished representative of the United States, Ambassador Jackie Sanders.

Ms. SANDERS (United States of America): Mr. President, I beg your indulgence for an even longer statement.

It is a pleasure to see Mexico, a close friend and neighbour of the United States, sitting in the Chair - even if only temporarily. It inspires confidence to have someone so experienced and knowledgeable in CD matters filling in, and to know that we will get the benefit of your presence on a longer-term basis again in the near future.

I would like to express my sympathy and that of all Americans to the Government and people of Morocco on the devastating earthquake that occurred Tuesday. Our prayers are with the victims and their families.

It is an honour for me to be making my first substantive statement to the Conference today on behalf of the United States. We are all aware that the Conference has in recent years fallen on hard times. I regret to say that I do not have with me today ideas or proposals to lead the CD out of its current impasse, but that is because the solution does not lie in United States hands alone. Breaking the logjam is a collective effort, and I look forward to working closely with you and with all of our colleagues toward that end.

When solutions are not easy to come by, it is particularly important for us to continue a dialogue on the serious challenges we face, and to work cooperatively to address them. On 11 February President Bush issued a call to action to address what he considered as the “greatest threat before humanity today”, that is, the possibility of a “secret and sudden attack with chemical or biological or radiological or nuclear weapons”. That assessment may be startling to some, given that so recently the end of the cold war seemed to promise unprecedented peace and security. The spectre of Armageddon may indeed have faded, but it would be a dangerous

(Ms. Sanders, United States)

illusion to believe that we no longer face grave risks. And we must not draw false comfort that the solutions and methods that got us through the cold war are sufficient to address the challenges we now face. Indeed, the threat has shifted and the tools we choose to meet it must necessarily evolve as well.

Today the materials and expertise necessary to produce weapons of mass destruction and their means of delivery are more widely available than ever before. At the same time, we can no longer assume that all of our potential enemies will be persuaded by a shared impulse for self-preservation. The recent experience of my country and the countries of many of our colleagues here today shows that no State is immune from terrorist attack. Thus, no government can be sure that terrorists will not some day use weapons of mass destruction against its citizens. As President Bush said, “in the hands of terrorists, weapons of mass destruction would be a first resort - the preferred means to further their ideology of suicide and random murder”.

The ongoing pursuit of weapons of mass destruction by a handful of States in violation of treaty commitments and international obligations poses multiple risks. It puts the safety of their neighbours and their own citizens at doubt. It threatens the international legal norms that our predecessors in this body and elsewhere worked painstakingly to build and that have helped keep the world safer for decades. It has also encouraged an international black market willing and able to put the most dangerous technologies in the hands of the world’s most irresponsible regimes and individuals including terrorists. In short, it puts us all at risk.

These realities require a change in both our thinking and our tactics. We must first recognize a compelling common interest in halting proliferation, and then strengthen the tools to advance that common interest. This is not to dismiss the importance of existing concerns, but rather to recognize and deal with a threat of overriding urgency before us.

President Bush called for unity among nations in promoting an international environment that actively discourages proliferation. He identified a number of practical steps comprising an effort that would be both profoundly multilateral and effective.

First - expand the work of the Proliferation Security Initiative (PSI). Through improved information-sharing and enhanced operational readiness, the PSI has created the practical basis for cooperation among States in disrupting the trade in weapons of mass destruction, delivery systems, and related materials. President Bush called for the PSI to expand its focus to law enforcement cooperation against proliferators, building on both the PSI and on the tools already developed to fight terrorism, to prosecute illicit networks and other sources of supply.

Since the PSI’s launch last May, it has gained the support of nearly 60 countries, many of whom are represented in this body, and that number continues to grow. We hope eventually to involve all countries that have the will and capacity to take action on proliferation. Key flag, coastal or transit States, as well as countries that are used by proliferators, are particularly important in these efforts.

(Ms. Sanders, United States)

Second - enact and enforce effective domestic laws and controls that support non-proliferation. Governments should criminalize proliferation, implement export controls conforming to the highest international standards, and ensure the security of dangerous materials within our territories. If our citizens act contrary to these laws and standards, there must be stiff penalties. President Bush proposed last fall a Security Council resolution calling for such measures. The permanent members of the Security Council are now crafting a resolution designed to meet these goals. We hope to submit a draft soon to the entire Council, and we should all work to see that it is adopted quickly. When it is passed, we stand ready to help States meet the goals of the resolution.

Third - expand on Cooperative Threat Reduction and other assistance efforts to deal with dangerous weapons and materials. Since proliferation is a global problem, we see opportunities to extend the scope of the G-8 Global Partnership beyond Russia to other States of the former Soviet Union as well as to countries such as Iraq and Libya. This could include expanding programmes for the security and disposition of fissile material, destroying chemical weapons, improving border security, controlling radiological sources, promoting cooperation against bioterrorism, eliminating the use of highly enriched uranium fuel in research reactors, and redirecting scientists and other specialists with weapons of mass destruction know-how into peaceful civilian employment, including commercial ventures.

Fourth - prevent governments from developing nuclear weapons under false pretences. The Nuclear Non-Proliferation Treaty (NPT) sought to strike a balance between preventing proliferation and permitting maximum scope for States to pursue peaceful nuclear programmes. Article IV reflects that balance by making clear any such peaceful nuclear programme must be in conformity with the non-proliferation provisions of the Treaty. International nuclear commerce has settled into a reliable system that provides reactors and fuel for NPT parties, with the vast majority of States forgoing the large economic and technical challenge of constructing their own enrichment and reprocessing facilities. It is very clear that the peaceful nuclear benefits envisaged under the NPT can be fully realized without building an enrichment or reprocessing plant. Yet, in the last 15 years, a handful of States without any operational power reactors have sought their own enrichment or reprocessing facilities, and did so secretly and in violation of the NPT.

For this reason, President Bush proposed that the Nuclear Suppliers Group decide that no member State provide enrichment or reprocessing equipment or technology to any State that does not already possess a fully functioning enrichment or reprocessing facility. Nuclear Suppliers Group States long ago pledged to provide no such assistance to non-NPT States, and that position remains firm. At the same time, States that have renounced enrichment and reprocessing should have reliable access at reasonable cost to fuel for civilian reactors.

Fifth - add impetus to the Additional Protocol. More than 80 countries have already negotiated an Additional Protocol, with about half of these being in force. The United States must do its part, and the President urged the Senate to consent immediately to ratification of the Additional Protocol. We must accelerate diplomatic efforts in this area and also make signature of the Additional Protocol a condition of nuclear supply by the end of 2005.

(Ms. Sanders, United States)

Sixth - strengthen the International Atomic Energy Agency (IAEA). The President also proposed to enhance IAEA's capability to ensure compliance by creating a special committee of IAEA's Board of Governors to focus intensively on safeguards and verification.

Finally - countries under IAEA investigation should not be allowed to exercise the privileges of Board membership. IAEA and its Board of Governors have faced very difficult non-compliance cases in recent years, and we must ensure IAEA has all the tools it needs to fulfil its mandate.

A realistic appraisal of the challenges we face is sobering. The continued spread of weapons of mass destruction and related technologies threatens the interests of every responsible government, and the future well-being of every person on this planet. But we are beginning to recognize the scope of the problem, and to identify the outlines of solutions.

As Secretary of State Colin Powell recently observed, there is some good news. The overwhelming majority of States have responsibly complied with their treaty obligations. Those that have not may be having some second thoughts - we hope so - with a view to following the good examples set by those countries which have renounced nuclear weapons and nuclear weapons programmes, including South Africa, Argentina, Brazil, Ukraine, Kazakhstan, Belarus and, most recently, Libya. These States have recognized correctly that such weapons would ultimately make them less, not more, secure. Six-party talks on North Korea resumed yesterday in Beijing, and we remain hopeful that the DPRK will make the strategic choice to give up its nuclear programmes.

Resolving the problem of proliferation will not be quick or easy. Terrorists and outlaw regimes will not be dissuaded by high-minded speeches or written agreements. We can begin by fostering an environment in which outlaw behaviour is met with universal condemnation and with real consequences that make the costs of proliferation unsustainable. As Under-Secretary of State John R. Bolton recently stressed, "Dictators around the world must learn that weapons of mass destruction do not bring influence, prestige or security - only isolation".

President Bush has outlined several pragmatic steps, and we look forward to working with the international community in developing these ideas. There will be no single solution, and no State can win this battle alone. Whatever our individual national priorities may be in securing a higher and richer quality of life for our citizens, I believe we can all agree that our collective and national interests are best served if we combine our efforts to combat and defeat the scourge of weapons of mass destruction. The United States looks forward to working with every country here today to help achieve this goal.

The PRESIDENT (translated from Spanish): I thank the distinguished representative of the United States for her statement and the kind words addressed to the Chair. I now give the floor to the distinguished Permanent Representative of Japan, Ambassador Kuniko Inoguchi.

Ms. INOUCHI (Japan): Mr. President, allow me to go back to the consideration of the Mine Ban Convention.

(Ms. Inoguchi, Japan)

At the outset, I would like to express my sincere appreciation to you, Mr. President, for chairing this plenary meeting today. I congratulate you on the very skilful manner in which you are conducting proceedings. I look forward to your able guidance when you formally assume the presidency.

Let me also congratulate Ambassador Rajmah Hussain of Malaysia on her assumption of the presidency. I trust the Conference will, in her hands, further promote the positive atmosphere that was created by the active and practical engagement of her predecessor, Ambassador Amina Mohamed of Kenya. I assure Ambassador Rajmah Hussain of the full support of my delegation for her efforts to take the Conference closer to its resumption of substantive work.

Today I have asked for the floor to underline the importance of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti Personnel Mines and on Their Destruction, which is marking its fifth anniversary since entry into force in March 1999. I appreciate Ambassador Wolfgang Petritsch of Austria, the President designate of the Review Conference of this Convention to be held this November in Nairobi, and other delegations, for having taken the floor and effectively brought this Convention to the attention of the Conference. I would like to take this opportunity to assure Ambassador Petritsch of the full support of my country, which is also undertaking the role of Co-Chair of the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies. At this point allow me to present the views of my country on the status of the Convention and to reaffirm our firm commitment to its implementation.

Presently, the Convention enjoys a membership of more than 140 countries. It is remarkable that most of the mine-affected countries throughout the world are already party to the Convention. We believe that the Convention holds opportunities for such mine-affected countries to alleviate and resolve their mine problems. Most importantly, the Convention has established the overall norm of the eradication of anti-personnel mines, which is demonstrated by the implementation of the provisions of the Convention, including the destruction of stockpiles within the five-year deadline. It is significant that States non-party to the Convention are also taking meaningful actions in line with this norm, such as the moratorium on the export of anti-personnel mines.

The Convention also provides a legal architecture to promote partnership among mine-affected countries, donor countries, international organizations and civil society for carrying out various mine actions. Resource mobilization is essential, in particular, for mine-affected countries to translate the norm into reality by making a difference on the ground, through mine action projects such as demining, victim assistance and mine risk education.

Certainly, major challenges are confronting us. First and foremost, the norm established by the Convention should be further universalized. Joining the Convention involves a difficult judgement on the compatibility between humanitarian objectives and legitimate security requirements. Japan decided to renounce anti-personnel mines in 1997, despite its large stockpiles. We made such a historic decision because we believed that by so doing, Japan could make a contribution to the reduction of humanitarian problems caused by mines.



(Ms. Inoguchi, Japan)

Last September, the Fifth Meeting of States Parties was held in Bangkok, Thailand, as the first meeting of this kind in Asia, where there still remain a substantial number of States non-party to the Convention. As cited in the Declaration adopted at this Meeting, it is important to generate additional public awareness of the problems of anti-personnel mines and the benefits the Convention could offer to States parties.

Another challenge is to mobilize the resources necessary for mine action. It is said that over US\$ 1.6 billion has been mobilized since the Convention was negotiated. However, the vast minefields remaining throughout the world and the continued humanitarian suffering caused by mines warrant sustained financial commitment to mine action by the entire international community.

The recent meeting of the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, which was held on 11 February in Geneva, revealed the magnitude of the challenge we are facing in order to clear all minefields. At the same time it was encouraging to hear from many mine-affected countries about their initiatives in setting up a focal point for mine action, developing national plans, allocating resources and identifying priorities for assistance. It is important for donor countries as well to continue to support the efforts made by these affected countries in the spirit of partnership which is also provided by the Convention.

Japan is firmly committed to the implementation of the Convention. It completed the destruction of its anti-personnel mines last February. It has been doing its utmost to enhance its partnerships in dealing with mine problems, and will continue to do so. The development of effective technologies for mine action is also an area in which Japan has been making substantial efforts. For example, my Government took the initiative of applying high technologies to the detection and clearance of mines in cooperation with companies and researchers, taking into account advice and opinions from deminers in the field.

In conclusion, consideration should be given to those who are friends, relatives and children of war-torn villagers and whose dignity is at stake where armed conflict has recently ended, but real peace is yet to come. Regardless of whether a State is a party to the Convention or not, it is imperative for all of us to behave responsibly and act with a view to achieving our common goal, that is, to eliminate human suffering from anti-personnel mines.

The PRESIDENT (translated from Spanish): I thank the distinguished Ambassador Inoguchi for her statement and the kind words addressed to the Chair, which I will convey to Ambassador Rajmah Hussain. The next speaker on my list is the distinguished representative of France, Ambassador François Rivasseau, and I have much pleasure in giving him the floor.

Mr. RIVASSEAU (France) (translated from French): I thank you personally, Mr. President, and your country for the contribution you are making to the Conference's work by agreeing to replace the President of the Conference while she is unavailable this week, and I look forward to seeing you in that Chair in a few weeks for a longer period. I would also like to reiterate here our condolences to the people of Morocco in their time of trial.

(Mr. Rivasseau, France)

Five years ago, on 1 March 1999, the Ottawa Convention, an international convention prohibiting the use, production, stockpiling and transfer of anti-personnel mines, entered into force. Even then, there was no doubt that that date would mark an important event in the history of disarmament. Firstly, because for the first time a complete ban on the use of one type of conventional weapon had been decided on by States following a novel process of preparation. Next, because the motivation for this historic, legally binding commitment had a dimension which was completely distinct from mere strategic and economic calculation. This decision had initially been guided by humanitarian considerations. From now on nothing justifies the use, stockpiling, production or transfer of this type of weapon, given the unbearable suffering mines cause for civilian populations during conflicts and especially after - long after - they have ended. Next too, because through their signatures States committed themselves to helping the victims of anti-personnel mines and ensuring the socio-economic rehabilitation they deserve. This resolve to make good the effects of a weapon on civilian populations constitutes in itself an innovation - it shows the world that governments are not indifferent to this injustice. Lastly, because the commitments which were entered into then form part of a long-term effort involving mine clearance, destruction of stockpiles, cooperation and assistance to States in difficulty - all of them huge undertakings which can be accomplished only through a collective effort for a common purpose. All of that took place five years ago.

I do not intend to review the Ottawa Convention here. The first Review Conference, which is to be held in Nairobi on the African continent, which has been so gravely affected by this scourge, will be entrusted with that task under the leadership of Ambassador Wolfgang Petritsch of Austria, whose abilities and professionalism are acknowledged by everyone. I wish to pay tribute to him, assure him of our support and express the hope that the appeals he has made today will be answered. Our ambassador in charge of efforts to combat anti-personnel mines will lead our delegation's efforts in Nairobi.

I will confine myself to a few general observations on this very recent treaty. This Convention has been an unprecedented humanitarian success. This legal tool is based on a collective approach. It has opened the way for a lasting solution, and we must pay tribute to the praiseworthy commitment of many governments, civil society and the Red Cross in this difficult, long and sometimes painful struggle. In the field, through its contributions, with the establishment of the National Commission for the Elimination of Anti-Personnel Mines - I would mention that it is organizing a major symposium in Paris on 12 and 13 March this year - France has contributed to this effort. France has always considered that treaties of this type had a universal calling, and were meaningful only if they were truly as universal as possible.

Real progress has been made in this direction in the last five years. Today the Ottawa Convention has 141 States parties, but we must also look the facts in the face. For a variety of reasons, some very large States are still not parties to this treaty. Some States which have major military resources still have no plans to join in this effort. Out of the 65 members of our Conference, which are regarded as being representative of the disarmament community, 24, if I am not mistaken, are not parties to the Ottawa Convention. I would add that, in terms of the world's population, half of mankind remains outside the sphere covered by the Convention. Where stockpiles are concerned, over 30 million mines have been destroyed since the Convention entered into force. This is a lot, it is unexpected, but is also a small number. There

(Mr. Rivasseau, France)

are estimated to be at least 205 million anti-personnel mines in stockpiles worldwide, largely in the hands of States which are not parties to the Mine Ban Convention. It is true that these States have in some cases unilaterally destroyed a portion of their stockpiles. It is true that the number of producing countries has fallen from 36 nations to 15 countries. It is true that trade in weapons of this type between countries is the subject of various moratoriums. Is this enough? No, Sir, we cannot resign ourselves to a situation where schemes for prohibition - and disarmament too is involved in the case of the Ottawa Convention - do not enjoy universal participation. We must continue our efforts, and everything that we can try to do within the Ottawa process or elsewhere to secure universal participation in this regime for the total prohibition of anti-personnel mines globally or on certain aspects is of value in our view and may merit our support. It is our hope that this fifth anniversary and, beyond that, the Nairobi conference will make it possible to trigger this movement for which we all hope. We will need more persuasion, time, determination and good will. There is no shortage of these.

The PRESIDENT (translated from Spanish): I thank the distinguished Permanent Representative of France, Ambassador Rivasseau, for his statement and the kind words addressed to the Chair. The distinguished representative of Belgium, Mr. Damien Angelet, now has the floor.

Mr. ANGELET (Belgium) (translated from French): First and foremost, Mr. President, I should like to congratulate you on taking up your post, temporarily at first, it is true, and to assure you of my full cooperation and my unequivocal support.

I shall be very brief, as my country's position on the topic on which I am going to speak today is well known to all. Next Monday, 1 May, we will have the pleasure of celebrating the fifth anniversary of the entry into force of the Convention on the Prohibition of Anti-Personnel Mines. From the very start of the process, Belgium made the struggle for a world without anti-personnel mines a major element of its foreign policy, and my country remains determined to continue to participate in efforts to achieve this objective.

In that context, my delegation endorses the statements that have been made in this forum, it reiterates its support to the President of the fifth meeting of the States parties, it congratulates the Co-Chairs and Co-Rapporteurs of the Standing Committees for the excellent work they have been doing during the intersessional meetings, and, above all, it welcomes the excellent preparatory work carried out by Kenya and Austria for the Nairobi summit.

I would like to conclude my statement by calling on all States present in this forum, and more specifically those which are not yet parties to our Convention, to attend the Nairobi summit and play an active part in it.

The PRESIDENT (translated from Spanish): I thank the distinguished representative of Belgium, Mr. Angelet, for his statement and the kind words addressed to the Chair. The Permanent Representative of Croatia, who is an observer in the Conference, Ambassador Gordon Markotić, now has the floor.

Mr. MARKOTIĆ (Croatia): Mr. President, allow me at the outset to express my satisfaction at seeing you presiding over the Conference on Disarmament today and to extend the full support and cooperation of my delegation to you as the next President and to the current President, the Malaysian Ambassador, Rajmah Hussain.

I am taking the floor today for the same reason as most of my predecessors did, to congratulate the States which have signed the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, better known as the Ottawa Convention, on the fifth anniversary of the entry into the force of this unique international instrument.

From the very beginning, this Convention set up a very ambitious programme: a total ban on the production, transfer and use of anti-personnel mines, comprehensive assistance to mine victims and their reintegration into society, the demining of all national territories contaminated with mines and the total elimination of all mines stored in stockpiles. Such a programme really demands the dedication and full cooperation of involved players, not only governments and intergovernmental organizations but also, and especially, civil society. While the realization of the last of the aforementioned goals, namely, the destruction of stockpiles, has been more than successful, we are cognizant that the fulfilment of the others will need the investment of a great deal of energy and engagement so that the timetables set by the Convention can actually be implemented. In that context, we invite all the States which have not yet done so to join us in the effort to make this Convention a real success and free the world of these horrible weapons.

Croatia is pleased with the progress the Convention has made on the road to universalization, and wishes to express its satisfaction with the fact that in our view the Convention has succeeded in creating a new international norm, to which over almost two thirds of the globe is already a party.

The Convention's first Review Conference that will take place in Nairobi at the end of this year will be an excellent opportunity for the States parties to renew their political and financial obligations and will give us a chance to assess results already achieved, as well as the opportunity to envisage further priorities and plans. In that regard, we invite the greatest possible participation in this meeting of all States parties and others.

As the current Co-Chair of the Committee on Victim Assistance and Socio-economic Reintegration, we would like to recall here one important indicative fact. Financial contributions for the victims of mines have been stagnating over the last two years. This fact, bearing in mind the increase in the total number of mine victims, as well as the knowledge that this is a problem that will stay with us in the forthcoming decades, should cause us deep concern. We would like to take this opportunity to thank all the donors for their tireless efforts up to now, but at the same time, we have to call for new forces to join us in our attempt to make the lives of victims of mines in their daily struggle easier. We wish to express our strong commitment to addressing the needs of people with special requirements, as well as our readiness to undertake all that is necessary to help make a success of this comprehensive task.

(Mr. Markotić, Croatia)

Allow me to impart a few words regarding mine action in my region and my own country in particular. Eastern Europe is more and more frequently mentioned as a model region regarding mine action, primarily because of its success in the universalization of the Convention and stockpile destruction. We hope that in the remaining two goals of the Convention - assistance to victims and the demining of national territories - we will soon become cited as an example.

My country, which was amongst the original 40 countries whose signature and ratification brought the Convention into force, which is running a centre for the rehabilitation of child mine victims in Rovinj, which only a few months ago opened a regional centre for the testing and evaluation of demining machinery, which destroyed its stockpile ahead of the Convention's deadline and which is using approximately 85 per cent of its own budgetary funds for the demining of its national territory, is making strenuous efforts to do its part in this regional exercise.

Before concluding, I would like to recall once again our invitation extended at the last Intersessional Meeting held recently in Geneva to hold the Meeting of the States parties of the Ottawa Convention directly following the Review Conference in my capital, Zagreb. My country has played a full and active role in both the formal and informal working mechanisms of the Convention, and we are ready to serve as a bridge between the highly developed donor countries of the West (Croatia itself is a third largest donor in the Slovenian International Trust Fund) and the too often poor and undeveloped, heavily contaminated, African, Asian and Latin American countries. We know too well both sides of the coin called mine action, and we stand ready to extend that knowledge and experience to the sixth Meeting of the States parties to be held hopefully for the first time in our still heavily contaminated region.

The PRESIDENT (translated from Spanish): I thank the distinguished observer from Croatia, Ambassador Markotić, for his statement and the kind words addressed to the Chair. Ambassador Markotić was the last speaker on the list for today. I would like to ask whether any delegation wishes to take the floor at this stage. I give the floor to the distinguished representative of the Democratic People's Republic of Korea.

Mr. JANG (Democratic People's Republic of Korea): I would like to react briefly to what the distinguished delegate of the United States mentioned in her statement with relation to the six-way talks which are now under way in Beijing.

I am glad to hear that the United States remains hopeful for the talks. The DPRK also hopes that the resumption of the second round of the six-way talks can bring a breakthrough in resolving the long-standing nuclear issue on the Korean Peninsula.

It is the firm commitment of the DPRK to seek a negotiated peaceful solution to the nuclear issue between the DPRK and the United States. From this point of view the DPRK advanced the productive proposal to put into it practical measures with the package solution based on the principle of simultaneous actions. However, calling on the DPRK to give up its nuclear programme, without taking any action, cannot solve this issue at an early stage.

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

It is my intention to elaborate further on this issue in this place now that the six-way talks are under way. We do not know the result yet. However, I would like to stress once again that it is most important for the United States to make a switchover in its policy towards the DPRK. It is a co-issue in solving the nuclear issue on the Korean peninsula.

The PRESIDENT (translated from Spanish): I thank the distinguished representative of the Democratic People's Republic of Korea for his statement. Does any other delegation wish to take the floor at this stage? If not, before closing this plenary session, I wish to take this opportunity to convey a farewell message from Ambassador Gustavo Albin, who until yesterday was the Permanent Representative of Mexico to this Conference, and who returned to Mexico City this very morning to take up new duties. Ambassador Albin asked me to convey to the Conference how much he enjoyed working for some years with all his colleagues, and returns to Mexico with a pleasant memory of the tokens of kindness towards him during the time he spent as Permanent Representative of Mexico. Ambassador Albin takes his leave of you and sends his best wishes to you all.

Thus we conclude our work for today. The next plenary session of the Conference will be held next Thursday, 4 March, in this Council Chamber, with Ambassador Rajmah Hussain in the Chair.

The meeting rose at 11.45 a.m.