

CONFERENCE ON DISARMAMENT

CD/PV.955
13 May 2004

ENGLISH

FINAL RECORD OF THE NINE HUNDRED AND FIFTY-FIFTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 13 May 2004, at 10.10 a.m.

President:

Mr. Pablo MACEDO

(Mexico)

The PRESIDENT (translated from Spanish): The 955th plenary meeting of the Conference on Disarmament is called to order.

Before I begin our work today, I would like, on behalf of the entire Conference, to welcome our new colleague, the distinguished Ambassador of Japan, Ambassador Mine. I have had the opportunity and the privilege of talking to him and I consider he will be a very worthy successor to Ambassador Inoguchi. We welcome you very warmly, Sir.

I have just one speaker on the list for today's plenary meeting - the distinguished representative of Israel, Ambassador Yaakov Levy, and I have much pleasure in giving him the floor.

Mr. LEVY (Israel): Mr. President, at the outset, I would like to congratulate you on the assumption of the presidency and express our appreciation for your wise stewardship.

We have recently witnessed several important developments in the field of non-proliferation. A network of nuclear proliferation has been exposed, thus adding a new dimension to the basket of threats to international peace and security. We have also witnessed violations which have raised significant questions about the ability of traditional arms control mechanisms to ensure compliance.

Today it is clear that the threat of the proliferation of weapons of mass destruction does not only emanate from States but also from non-State actors. Moreover, it seems that there is also a growing threat that terrorists and other non-State actors might be able to obtain sensitive weapons of mass destruction material, technologies and know-how.

As one of the countries that face these threats, Israel appreciates international efforts to identify concrete and effective steps against the proliferation of weapons of mass destruction, in particular the growing threat of terrorists using weapons of mass destruction. Israel especially welcomes resolution 1540 on weapons of mass destruction adopted unanimously on 28 April 2004 by the Security Council.

This resolution emphasizes once again the national responsibility to ensure that sensitive material would not fall or be transferred to the wrong hands. Moreover, it emphasizes that international cooperation is essential for combating illicit trafficking of weapons of mass destruction, ballistic missiles and related material.

Implementing this long-standing policy, Israel has recently adopted legislative measures for the export control of materiel, technologies and know-how that could be used for the development of weapons of mass destruction.

With your permission, I would like to elaborate on the nature of these measures.

(Mr. Levy, Israel)

On 29 April 2004 the Israeli Knesset (the Parliament) adopted a new Export Control Order, which will enter into force on 1 July 2004. The new order strengthens government control over transfers of chemical, biological and nuclear items and consolidates existing practices in this field.

To be more precise, the new order is intended to prohibit the export of goods, technologies and services designed to be used in weapons of mass destruction programmes, and to establish a licensing system for export of dual-use goods, technology and services.

Despite the fact that Israel is not yet a member of the different regimes, the order is based on international suppliers' regimes lists such as the Australia Group list and the Nuclear Suppliers Group trigger and dual-use lists. This new legislation reflects the Israeli policy of combating non-proliferation through the implementation of the above-mentioned international regimes.

Additionally, the new legislation includes a wide and a relatively advanced catch-all provision, which forbids the exportation of any good, technology or service if they are intended to promote the development or manufacturing of weapons of mass destruction.

The licensing system is headed by the Israeli Ministry of Trade, Industry and Employment. According to the mechanism put in place, all applications for export licences will be submitted for approval by the Ministry of Trade to the Ministries of Foreign Affairs and Defence. When necessary, consultations may be held with other relevant governmental agencies, such as the Ministry of Health and the Ministry of Agriculture.

A licence may be given to an exporter for a specific export deal or for specific goods, technologies or services. Moreover, it may also be granted to exporters for specific kinds of goods, technologies or services, according to the destination of the product.

Under certain conditions, the licence can be given for a limited period of time. It can also be cancelled by the authority when, for example, the terms of the licence are disregarded or violated.

A mechanism of compulsory yearly reporting by the exporter to the authorities is set for all the cases I have just mentioned.

In order to ensure compliance, it has been decided that violation of any substantial provision of the new order, or violation of any condition included in export licences issued under the new order, will be a criminal offence carrying with it a maximum penalty of three years' imprisonment.

This act supplements the existing Israeli export control legislation on missiles and related material, which is consistent with the MTCR. Moreover, Israel has been constructively engaged in United Nations efforts in other forums to prevent the proliferation of ballistic missiles and related technology. In the conventional field, we attach importance to the global attempt,

(Mr. Levy, Israel)

including in the United Nations, to combat and eradicate illicit trafficking in small arms and light weapons. Israel's policy in this regard is one of participation in and contribution to international efforts to address global threats to peace and security.

By issuing its new Export Control Order, together with other measures I have mentioned, Israel is discharging its duty to improve and strengthen the struggle against proliferation. Moreover, the order reflects our strong support for international efforts to prevent the proliferation of weapons of mass destruction.

We are of the view that this new legislation places the State of Israel on an equal footing with the countries leading the struggle against proliferation and international terrorism. Israel will continue to support and associate itself with these international efforts in this vital field.

The PRESIDENT (translated from Spanish): I thank the distinguished representative of Israel, Ambassador Levy, for his statement and for the very kind words he addressed to the Chair.

My list of speakers for today is now finished, but I would like to ask whether any delegation would like to speak at this time. I see no one. So with this we conclude the list of speakers.

Distinguished delegates, colleagues, you will recall that on 25 March I suggested devoting a series of informal plenary meetings to discussing the items on the agenda of the Conference. The first such informal plenary meeting, which will be held immediately following this plenary meeting, will be devoted to discussing item 1, "Cessation of the nuclear arms race and nuclear disarmament". Does any delegation wish to take the floor at this time, before we adjourn the plenary meeting? The distinguished representative of Myanmar has the floor.

Mr. THAN (Myanmar): Mr. President, at the outset, allow me to begin by congratulating you on the effective manner in which you have been conducting the proceedings of the CD. I can assure you of the fullest cooperation and support of my delegation in your endeavours for the advancement of the work of the CD. I should also like to express our deep appreciation to the outgoing President of the CD, Ambassador Amina Mohamed of Kenya, and Ambassador Rajmah Hussain of Malaysia for their contributions to the work of the CD.

I have taken the floor to support your initiative and the decision of the CD to convene structured informal plenary meetings devoted to substantive items on the agenda of the CD. We are glad that the incoming Presidents of the Conference, Mongolia and Morocco, have also expressed their support for your initiative and the proposed timetable for the structured informal plenary meetings. We can thus engage ourselves in structured informal plenary meetings on substantive items on the agenda of the CD, pending an agreement on the programme of work, while we carry on our consultations with a view to achieving such an agreement.

You may recall that a little over three years ago, on 15 February 2001, I made such a proposal, to make optimal use of the plenaries of the CD and to convene structured informal plenary meetings. They can be formal or informal, devoted to certain issues of the agenda of

(Mr. Than, Myanmar)

the CD. I am very delighted to note that the implementation of this proposal will now actually materialize. Such structured informal plenary meetings and consultations on the programme of work are not mutually exclusive. They are indeed mutually reinforcing and complementary to one another. For these reasons, my delegation fully supports your initiative and the decision of the CD to convene structured informal plenary meetings devoted to the agenda items of the CD. We also endorse the proposed timetable for these informal plenary meetings.

The PRESIDENT (translated from Spanish): I thank the distinguished representative of Myanmar for his statement and for the kind words addressed to the Chair. Does any other delegation wish to take the floor before we adjourn this meeting? It seems not.

Before adjourning, I would like to make a brief announcement concerning the continuation of our formal work. As all of you know, I hope, next Thursday, the 20th, the day on which we would normally be holding the next formal plenary meeting, is a holiday. When this occurs, we generally hold the plenary meeting on the Tuesday. However, at the request of a group of delegations which have scheduling problems as there are other meetings being held in Geneva on Tuesday, we will hold the plenary meeting next Monday, 17 May, at 10 a.m. Once the formal meeting is over on Monday, we will hold an informal plenary meeting on item 2 of our agenda, "prevention of nuclear war, including all related matters". If no delegation wishes to speak at this time - the distinguished representative of New Zealand, followed by the distinguished representative of Morocco.

Mr. CAUGHLEY (New Zealand): Mr. President, this is just a question in relation to the proposed rescheduling of our next plenary meeting - the proposal that you have made that we meet on Monday instead of Tuesday. I just wonder whether it is possible that there would be an opportunity for the regional groups to discuss this proposed rescheduling because I think, as a number of us will find, we will be escorting our Ministers of Health on Monday morning and it may be that the problems that make it difficult for delegations to meet on Tuesday are shared by other delegations on Monday. So I wonder whether it is possible for you to allow some time for consultations?

The PRESIDENT (translated from Spanish): I thank the distinguished representative of New Zealand for his statement. In all my years on the Conference on Disarmament, I still haven't managed to learn that no decision, however trivial, can be taken without consulting first. I give the floor to the distinguished representative of Morocco.

Mr. HILALE (Morocco) (translated from French): Our colleague from New Zealand has pretty much anticipated what I was going to say. I would just like to say that we hope we will be able to consult within our group about this rescheduling of our Thursday meetings to Monday. It is not only that our ministers will be present above all for the opening of the WHO meeting, but we consider that what is important is not to change the day of the meeting and replace it with another meeting - what is important is to make sure that almost all the ambassadors are present in order to draw benefit from this meeting and ensure that everyone can make a contribution. The aim should not be to have one day instead of another, but to make sure that all delegations are given an opportunity to be here in order to make the best possible use of our meetings. I hope that we will have a chance to discuss this within our various groups.

(Mr. Hilale, Morocco)

The PRESIDENT (translated from Spanish): I thank the distinguished representative of Morocco for his statement. That was indeed the problem that several delegations had with meeting on Tuesday - the holding of the World Health Assembly in Geneva and the presence of a number of ministers of health in town. I will hold consultations, I will of course follow your advice, and I will hold consultations so as to find a suitable date for our plenary next week.

With this our formal meeting stands adjourned, and in five minutes we will reconvene in an informal plenary meeting to take up item 1 of our agenda, "Cessation of the nuclear arms race and nuclear disarmament".

The meeting rose at 10.30 a.m.