

CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE NINE HUNDRED AND EIGHTY-FIRST PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 24 March 2005, at 10.15 a.m.

President: Mr. Joseph AYALOGU (Nigeria)

The PRESIDENT: I declare open the 981st plenary meeting of the Conference on Disarmament.

Allow me at the outset to extend a cordial welcome to our new colleague, Ambassador Khan, who has assumed the responsibility of the representative of Pakistan to the Conference on Disarmament. I should like to take this opportunity to assure him of our cooperation and our support in his new assignment.

For today, I have the following speakers at the plenary meeting: Ambassador Khan of Pakistan will make a general statement. Ambassador Jazairy of Algeria will speak on the programme of work.

However, before giving them the floor I would like to make some opening remarks as Nigeria assumes the presidency of the Conference on Disarmament.

I would like to share with you my views on what the CD will be seized with during Nigeria's presidency. But first, I wish to pay special tribute to my predecessors this year, Ambassadors Chris Sanders of the Netherlands and Tim Caughley of New Zealand, for the excellent manner in which they have conducted the affairs of the CD. Their enthusiasm, commitment and diligence have inspired me tremendously. Both have tried to carry along the succeeding Presidents, a move that has not only contributed immensely in ensuring a smooth transition, but also assisted in sustaining the momentum created by Ambassador Sanders at the beginning of this session. I intend to continue and build on that with the hope of moving the CD forward. Just as my predecessors did, I intend to keep my successor, the Ambassador of Norway, and others informed of the process.

I believe the current challenges facing the CD require sober reflection on our part and a rethink of our positions, if we are to make any progress. The realities and challenges that confront our world will require multilateral solutions. Our collective security, therefore, can only be realized when all of us that have been entrusted to negotiate disarmament agreements by the international community adopt a spirit of give and take. This is the only way to achieve the convergence necessary to resume our work and to reassure the international community of the credibility of this body.

I am convinced there are opportunities to make progress, if we all are willing. I therefore intend to explore whatever options are available by continuing consultations with the Regional Coordinators and, where necessary, individual delegations, on the "food for thought" paper. In that regard, I need your cooperation and support.

The "food for thought" paper, which I personally view as an evolution of the A-5 proposal, is a good initiative which unfortunately has not yet received the necessary support from all of us to enable us to move our discussions forward on that track. It appeared to have been chewed and swallowed by many. However, others appeared not to have chewed it at all, while others that chewed and swallowed have not allowed it to digest. I agree somewhat that with time there could be the possibility of more accommodation on the "food for thought" paper

(The President)

as it is or with some amendments. The difficulty is how long we can wait. These options can only become evident and available if all delegations were to be open and forthcoming in stating their positions and proffering alternative proposals likely to facilitate consensus.

While therefore pursuing responses to the “food for thought” paper, I intend that if after two weeks, there are no positive indications of broad support for it, I will focus the searchlight on the A-5 proposal. This is really because since it was proposed, the majority of delegations have indicated readiness to accept a programme of work based on the A-5. In that regard, I would explore possibilities of agreeing on a work programme based on the A-5, whilst not disconnecting from the “food for thought” track. This multidimensional approach may have its constraints, but because there are some similarities between A-5 and the “food for thought” paper, I envisage the possibility that we might, at the end of the exercise, clearly identify and narrow down to where they diverge and concentrate our efforts, including through consultations, to achieve common ground on reaching a programme of work. I therefore plan to meet with Regional Coordinators, in due course, to elicit their groups’ response to the following questions: what are the problems in your groups in commencing discussions on the five Ambassadors’ proposal?; and what are the amendments, if any, or the accommodation that your group is willing to make on the A-5 in order to facilitate discussions?

The flexibility and mutual accommodation shown in response to the questions may allow us a window of opportunity to move out of the jinx in agreeing on a work programme. In responding to these questions, I therefore urge the regional groups and delegations to look at the issues in a comprehensive and balanced way in order to address the threats and challenges faced globally. I appeal for a spirit of give and take to guide responses to the questions. I realize that the problem we face is political, but I am hopeful that the momentum generated by the high-level segment this year will help us to move forward to advance the course of collective security and peace.

My tenure as President has coincidentally fallen within the period of the 2005 NPT Review Conference. It is a common understanding that there is some synergy between the two processes, i.e. the CD and the NPT Review Conference. The outcome of one can impact positively on the other. It would have been best for a positive change in the process of the CD now so that the euphoria could possibly energize the NPT. But perhaps time is too short to expect such changes in positions held over the years by various delegations. However, I believe that the outcome of the NPT Review Conference should in many ways energize or catalyse the CD.

I now give the floor to the representative of Pakistan, Ambassador Khan, to make a statement.

Mr. KHAN (Pakistan): Mr. President, the duration of my statement is less than 30 minutes and more than 10 minutes, so between these two points, you may be ready for any eventuality.

(Mr. Khan, Pakistan)

Thank you so much for your gracious remarks in welcoming me. I congratulate you on your assumption of the presidency of the Conference on Disarmament. We look forward to your able stewardship of the Conference. We also appreciate the efforts of your distinguished predecessors, Ambassadors Chris Sanders and Tim Caughley.

This is the first time I am speaking to the CD. I thank you and members of the CD for giving me this opportunity. It is indeed an honour for me to address this prestigious forum. I am looking forward to working with my colleagues in the CD and benefit from their experience and expertise. It was a pleasure to meet Secretary-General Sergei Ordzhonikidze and Deputy Secretary-General Enrique Román-Morey. Thanks for your support as I am settling down.

The Conference on Disarmament is a key multilateral forum for addressing all issues relating to the most dangerous weapons on our planet, including nuclear weapons, and reduction and control of armaments. Several bilateral and plurilateral initiatives are sprouting, but legally and politically they cannot detract from the CD's mandate as the sole disarmament negotiating forum.

The fact is that despite its importance, at present, the CD is in a state of what one may call suspended animation. In the recent past, all sorts of creative attempts to energize the CD have not succeeded.

Ms. Laila Freivalds, Swedish Minister of Foreign Affairs, aptly remarked that the failure is "political", not "diplomatic". To find the right remedy we need the correct prescription. If the stalemate is deliberate, not inadvertent, it cannot be broken with innovative semantics, as the dynamic of this Conference is influenced by the changing paradigm of international politics.

For its part, as always, Pakistan supports this important body. The Conference on Disarmament should press ahead with its agenda within a balanced and comprehensive framework. Pakistan associates itself with the statement delivered on behalf of the Group of 21 by Ambassador Naéla Gabr of Egypt on 15 March 2005.

Negotiations on an FMT, whenever they start, must cover existing stockpiles and an effective verification mechanism. We should strive to prevent militarization of outer space. In accordance with the commitments given by the nuclear-weapon States under article VI of the NPT in its last Review Conference, a realistic programme for nuclear disarmament must commence. Until the goals of nuclear disarmament are met, security assurances to non-nuclear-weapon States would reduce incentives for the proliferation of nuclear weapons.

The Conference on Disarmament should be enabled to take up the issue of missiles in all their aspects. It should also include in its programme of work conventional arms control at the regional and subregional levels.

A comprehensive consideration of ways to address threats to international security should not be deemed artificial linkages. Universal compliance requires legitimacy and broad support from constituents and stakeholders alike.

(Mr. Khan, Pakistan)

Let me now turn to Pakistan's perspective on issues of peace and security as well as non-proliferation and disarmament as they affect us, our region - South Asia - and our extended neighbourhood.

I would like to allude to four concentric circles, namely, the *raison d'être* and rationale of our nuclear capability; our command and control structure; safety and security; and our concept of a strategic restraint regime.

The overarching tenets of our nuclear programme are restraint and responsibility. Our pursuit of nuclear capability has been security-driven, not status-driven. We were not the first to test. We do not have great-Power ambitions.

Our primary objective in acquiring a nuclear capability has been to deter all forms of external aggression that could endanger our national security. To that end, we have opted to maintain credible minimum nuclear deterrence, with flexible and sufficient delivery means. Simultaneously, we would maintain an adequate conventional military force. We believe that an open-ended arms race in South Asia is counterproductive and fraught with serious dangers. Pakistan will not transfer nuclear weapons or weapons-related material or technology to any foreign entity or State.

In 1998, Pakistan made a transition from a recessed capability to an overt nuclear capability. In doing so, we breached no law, but merely responded to the regional security situation. After 1998, we had rapidly put in place a raft of measures. I will highlight just a few.

In February 2000, our Government established a National Command Authority (NCA) with the mandate and power to oversee and manage Pakistan's strategic assets and nuclear programme. All key nuclear installations were brought under the unified control of the NCA, which has a strong civilian-military interface. The NCA exercises employment and development control over all strategic forces and strategic organizations. The President of Pakistan is the Chairman of this apex body; and the Prime Minister is the Vice-Chairman.

A reliable command and control system has been put in place, which is supported by an elaborate network of communications, computers, information, intelligence, surveillance and reconnaissance.

Safety and security of our strategic assets are accorded the highest priority. Custodial controls have been streamlined and strengthened to guard against risks of leakage of technology, accidental launch or unauthorized deployment. Oversight is stringent. A series of checks and balances have been built into the system, which include complete institutional control over fissile materials and sensitive technology.

We have passed laws and enforced them to strengthen export controls. We are a party to both the BWC and CWC. To meet obligations under the Chemical Weapons Convention, we

(Mr. Khan, Pakistan)

promulgated an ordinance in 2000. In September 2004, we enacted a comprehensive Export Control Act to deal with nuclear and biological weapons. This Act tightens controls over the export, re-export, trans-shipment and transit of sensitive goods, technologies and equipment.

In 2003, disturbing revelations pointed to the activities of the international nuclear black market, which had its tentacles in more than two dozen countries. We moved swiftly and resolutely to investigate the illicit proliferation network and dismantled it. The network, as it related to Pakistan, has been neutralized definitively. We conducted these investigations in our own supreme national interest, but we are cooperating with IAEA and the international community.

A combination of volatility and nuclear weapons can be lethal. Active and festering conflicts are a threat to peace and pose risks of the use of nuclear weapons in the regions which possess them.

Global diplomacy must focus on resolving long-standing disputes. The High-level Panel report, in its considered assessment, said that such disputes “continue to fester and to feed the new threats we now face”. “Foremost among these”, the Panel said, “are the issues of Palestine, Kashmir and the Korean Peninsula”.

In the post-1998 phase of our history, we have accelerated our quest for conflict resolution and peace in South Asia. Our concept of a strategic restraint regime in South Asia is premised on three elements - sustained and results-oriented dialogue to resolve the Jammu and Kashmir issue and other outstanding issues with India; nuclear restraint; and conventional balance.

Since January 2004, following a historic agreement between President Musharraf and former Prime Minister Vajpayee, later endorsed by his successor Prime Minister Manmohan Singh, we have been sustaining an intertwined process of confidence-building and composite dialogue with India. Our objective is to find a win-win, just and lasting solution of Kashmir. The dialogue has a cyclical pattern, with peaks and troughs, and we hope that the peaks will define the current engagement between India and Pakistan.

We have seen some movement in the area of nuclear CBMs. In a joint statement issued on 20 June 2004 in Delhi, Pakistan and India recognized that their respective nuclear capabilities, based on their national security imperatives, constituted a factor of stability. They committed themselves to working towards strategic stability. Pakistan and India also decided to move in two other areas, namely nuclear risk reduction measures, which include upgrading and establishing hotlines, and working on an agreement on pre-notification of flight testing of missiles, an arrangement that had already existed informally since 1999. We hope that the agreement will mature in the second quarter of this year.

As part of the strategic restraint regime, over the years, we have also made the following proposals: maintenance of nuclear weapons on de-alert status; no operational deployment of nuclear ballistic missiles; no acquisition or deployment of anti-ballistic missile systems.

(Mr. Khan, Pakistan)

Conventional military balance between Pakistan and India is essential for stability in South Asia, as it will ensure prevention of the use of force, which could escalate unpredictably. Last December, we had a preliminary round of talks with India on conventional CBMs.

Our vision for South Asia is anchored in a security architecture based on preventive diplomacy, confidence-building and conflict resolution.

In the recent past, there has been some talk of the so-called “three-State solution”. Last year, during his visit to Pakistan, British Foreign Secretary Jack Straw said that the three non-NPT nuclear-weapon States should be pulled out of what he called “the nuclear netherworld”. The IAEA Director General has also called for the inclusion of three non-NPT nuclear States in future talks on non-proliferation and disarmament.

The fact is that Pakistan is not in the netherworld. We are a declared nuclear-weapon State. Ground realities ought to be respected. “Pulling out of the netherworld”, however, has another connotation. Residual sanctions and intangible restrictions should be removed. Pakistan’s legitimate requirements for technology should be recognized.

We qualify for such an engagement. We are fulfilling non-proliferation obligations, although Pakistan is not a party to the NPT. We are observing a unilateral moratorium on further nuclear tests. We have developed and implemented export control laws; we are investing heavily in the safety and security of our strategic assets and materials; and we are ready to participate in negotiations on a fissile-material treaty in accordance with the Shannon mandate. Pakistan is also ready to develop mutually beneficial cooperation with the Nuclear Suppliers Group. Last, but not least, we are making vigorous efforts to resolve the outstanding issues with India, especially Kashmir.

The landscape of international security is constantly changing. Several new moves are afoot. There are proposals to reconfigure the disarmament architecture. Initiatives have been taken for proliferation security and maritime security. Separately, at IAEA an independent expert group has examined the question of a nuclear fuel cycle. For the CD these developments pose a challenge for reflection and for evolving a new synthesis.

The PRESIDENT: I thank the representative of Pakistan for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Algeria, Ambassador Idriss Jazairy.

Mr. JAZAIRY (Algeria) (translated from Arabic): Mr. President, allow me at the outset to congratulate you upon your election to the presidency of our Conference. We assure you of our readiness to collaborate with you and to support you fully in performing your task under the difficult circumstances which our Conference is facing. We have every confidence that your experience and abilities will enable you to carry out your task successfully.

We should like to thank your predecessor, Mr. Caughley, the Ambassador of New Zealand, for the efforts he deployed during his tenure.

(Mr. Jazairy, Algeria)

Allow me today to take up an issue on which there has been no progress for many years, namely the Conference's programme of work. I mention it in the light of the ideas and initiatives that have been presented to us at this session. I shall not dwell on the subject. My delegation has already addressed the Conference concerning its position on the topics under discussion.

Unfortunately, a third of the time allotted to us this year has gone by without any progress having been made on the programme of work. During that period Ambassador Chris Sanders of the Netherlands presented us with a set of informal proposals aimed at moving our work forward. We responded to those ideas very positively and told him that we were ready to use them as a basis for our work. As you know, the proposal in question concerned the appointment of coordinators on the four topics that you know very well. However, unfortunately, rather than helping to achieve consensus, those ideas only increased the distance and divisions between the different positions. This situation is untenable and cannot continue. The seriousness of the challenges facing the international community makes it imperative that we all make every effort to find a formula that will help us to end the current stalemate. In this respect, it would be advisable to go back to the steps that have the shared support of the majority of the delegations, i.e., that will bring us closer to reaching a consensus.

I should also like to say that we are more convinced than ever that the five Ambassadors' proposal or A-5 proposal in CD/1693/Rev.1 remains an objective and balanced basis for completing a programme of work that takes account of the security needs and priorities of all parties. As you are very well aware, this proposal, which was inspired by many previous proposals, enjoys wide support among the delegations present at this Conference. However, we do know that the proposal is not an ideal proposal. It is not a sacred text that cannot be changed or amended. It is the product of human endeavour and it can be developed and improved, particularly in the light of subsequent proposals, including those presented by the two previous Presidents of this Conference.

We therefore call upon the President of the Conference to undertake, in accordance with the powers vested in him by the statute of the Conference, to hold negotiations with all delegations on the programme of work on the basis of the A-5 proposal. We hope that the members will show some flexibility in working with him to find a comprehensive and balanced solution.

The PRESIDENT: I thank the representative of Algeria for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Hungary, Ambassador Tibor Tóth.

Mr. TOTH (Hungary): Mr. President, I would like to make an announcement, but I would not like to miss the opportunity to welcome you to the Chair and wish you all the luck you will need, and would like to support your efforts in the future.

(Mr. Toth, Hungary)

I would like to record that in two days, on 26 March, we will have the thirtieth anniversary of the entry into force of the Biological Weapons Convention, and on this occasion, I would like to announce the release of the video files from the 2004 BWC meetings for the meeting of experts in July and the meeting of States parties in December. Colleagues will find the DVD in their pigeonholes. In the last two years we have also released the DVD database called "BWC Information Repository". In our judgement it proved to be a valuable tool for the preparation of the earlier meetings. Our aim would be to update it, and it is our hope that States parties will support our updating efforts and please send us back the questionnaire you will find in as detailed a manner as possible, so we can provide delegations with an updated information database in the future.

The PRESIDENT: I thank the representative of Hungary for his statement. I now give the floor to the representative of India, Ambassador Prasad.

Mr. PRASAD (India): Mr. President, please accept my delegation's warm felicitations on your assumption of the presidency of the Conference on Disarmament. We are most happy to see you in the Chair and assure you of our fullest support. We would also like to take this opportunity to welcome in our midst a new colleague, the distinguished Ambassador of Pakistan. He comes here with high credentials and is known for his astuteness and diplomatic skills.

Our two countries are engaged in a composite dialogue process under which a wide range of issues are being discussed, including Jammu and Kashmir. The dialogue also includes confidence-building measures. There is only one point evoked in the statement we have just heard from the distinguished Ambassador of Pakistan that requires clarification on the part of our delegation: India does not accept the linkage between nuclear restraint and conventional balance. The defence requirements and threat perceptions of India and Pakistan are not identical. Hence, we do not entertain the idea of a conventional military balance between India and Pakistan. We remain open, of course, to all constructive suggestions on nuclear and conventional CBMs, which we intend to pursue bilaterally in the framework of our ongoing dialogue.

The PRESIDENT: I thank the representative of India for his statement and for his kind words addressed to the Chair.

This concludes my list of speakers for today. Does any delegation wish to take the floor? That does not seem to be the case. This concludes our business for today.

The next and the last plenary meeting of the first part of the 2005 session of the Conference on Disarmament will be held on Thursday, 31 March 2005, at 10 a.m. in this conference room.

The meeting rose at 10.50 a.m.