

# CONFERENCE ON DISARMAMENT

CD/PV.984  
9 June 2005

ENGLISH

---

## FINAL RECORD OF THE NINE HUNDRED AND EIGHTY-FOURTH PLENARY MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 9 June 2005, at 10.15 a.m.

President: Mr. Joseph AYALOGU (Nigeria)

The PRESIDENT: I declare open the 984th plenary meeting of the Conference on Disarmament.

I would like to give the floor to members of the Conference who have asked to address the plenary meeting today. I have the following speakers for today's plenary meeting: the Ambassadors of the Russian Federation, China and the Netherlands.

I now give the floor to the representative of the Russian Federation, Ambassador Leonid Skotnikov.

Mr. SKOTNIKOV (Russian Federation) (translated from Russian): To our regret, the Conference on Disarmament has not yet managed to reach a compromise on the programme of work and secure the resumption of the work of the Ad Hoc Committee on Prevention of an Arms Race in Outer Space. And yet this is a major issue in international security. Unfortunately, news received in the past week has made this issue even more urgent. The CD can and must make a substantial contribution to the solution of this problem. Russia has consistently advocated the commencement of negotiations in the CD and the drafting of a legally binding international instrument on the prevention of the placement of weapons in outer space. Nevertheless, in order to facilitate a search for consensus on the work programme of the Conference, we expressed our readiness to support a discussion mandate for the Ad Hoc Committee on PAROS in the form put forward in the five ambassadors' proposal. We expect flexibility to be displayed in return, so that the Conference can at last move forward to the adoption of a balanced programme of work and the resumption of its substantive activities.

In June 2002 the delegations of the Russian Federation and the People's Republic of China, together with a group of co-sponsoring States, submitted to the Conference on Disarmament working paper CD/1679, entitled "Possible elements for a future international legal agreement on the prevention of the deployment of weapons in outer space, the threat or use of force against outer space objects". We were pleased at our partners' response to this document. Most delegations actively participated in discussing it, both at meetings organized by the co-sponsors for the purpose and in the course of useful bilateral contacts. The fact that the Russian-Chinese initiative on the non-placement of weapons in outer space stimulated intensive discussions demonstrated that the issues raised in it were highly topical, and also that the majority of CD member States are ready to relaunch substantive work on this issue in the Conference.

The exchange of views involving a high level of commitment revealed growing recognition by the international community of the genuine danger that the arms race will spread into outer space, as well as support for the idea of keeping outer space free from weapons of any kind and the need to launch negotiations aimed at the conclusion of a legally binding international instrument on this issue. In this context, the States in particular expressed their support for efforts by Russia, China and other nations directed at the practical implementation of the United Nations General Assembly resolution on the prevention of an arms race in outer space. As a result of the discussions which took place, a number of interesting ideas and proposals were incorporated in the Russian-Chinese document, and put together by the co-sponsors in an informal paper entitled "Compilation of comments and suggestions to the

(Mr. Skotnikov, Russian Federation)

working paper CD/1679”, which was distributed in the Conference in July 2003. All substantive ideas, proposals and comments which could be taken into account by the co-sponsors in their further work on working paper CD/1679 are contained therein.

We adopted the approach not of improving the document, but of accumulating ideas in parallel. This was done so that when the work of the CD Ad Hoc Committee on PAROS resumes, the co-sponsors could prepare not a new version of the working paper, but a draft international instrument to be discussed in the Ad Hoc Committee. At the same time, preparation of the compilation helped to clarify a number of aspects of the Russian-Chinese initiative and, most importantly, was conducive to further in-depth development of this topic. Important and constructive views on PAROS were expressed during the CD informal plenary on 27 May 2004, as well as the CD formal plenary on 26 August 2004. We also note with appreciation the attention paid to the Russian-Chinese initiative at international conferences and seminars. In particular, we would like to note in this regard the successful and substantial international conference held in Geneva on 25 and 26 March 2004 by the Department of Foreign Affairs and International Trade of Canada, UNIDIR and a number of prominent non-governmental organizations from Canada and the United States. A positive contribution to developing this subject area was also made by a representative international conference on “Safeguarding space security: prevention of an arms race in outer space” held in this room on 21 and 22 March 2005 and organized by China, Russia, UNIDIR and the Simons Foundation of Canada.

Further developing their initiative, the delegations of Russia and China jointly prepared and circulated in the CD in August 2004 two thematic non-papers entitled “Existing international legal instruments and prevention of the weaponization of outer space” and “Verification aspects of PAROS”. Addressing two specific aspects of working paper CD/1679, they answer a number of questions raised during the discussions and outline potential future areas of work. Along with the above-mentioned documents, these papers could lay the basis for work in the Ad Hoc Committee on PAROS after it is re-established.

The Russian and Chinese delegations to the CD continue to elaborate on their initiative on prevention of the placement of weapons in outer space. As we promised earlier, today we present another thematic joint non-paper prepared by our delegations. It has been circulated together with a text of the present statement. The document is entitled “Definition issues regarding legal instruments on the prevention of the weaponization of outer space”. As you may remember, in the course of discussions of the Russian-Chinese initiative, some countries drew attention to the fact that CD/1679 does not contain a special section on terms and definitions. This, in their view, leaves room for arbitrary interpretation of some key obligations under the international legal instrument that Russia and China propose. There is another viewpoint: the future instrument should not be overburdened with definitions like the existing treaties on outer space.

The thematic non-paper being distributed today examines this issue, and possible options for addressing it, and sets out some specific proposals on possible definitions of such key terms as “outer space”, “outer space object”, “weapons in outer space”, etc. As with previous Russian and Chinese papers, this one is mainly an invitation to joint efforts, joint creative work, food for

(Mr. Skotnikov, Russian Federation)

further thought and discussions. We trust that the paper being submitted today will be carefully studied by all delegations, and we will be grateful for all comments and observations. Subsequently, it is our intention to hold a new open-ended meeting to discuss the three thematic non-papers prepared by the Russian and Chinese delegations. We hope that a thorough discussion of the issues raised in them will bring us closer to our objective - the drafting of an international legal instrument on the prevention of the placement of weapons in outer space. We would also appreciate any comments relating to these papers delivered in any manner, including bilateral contacts.

The PRESIDENT: I thank the representative of the Russian Federation for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of China, Ambassador Hu Xiaodi.

Mr. HU (China) (translated from Chinese): Mr. President, the Chinese delegation congratulates you on your assumption of the presidency of the CD and pays tribute to your unremitting efforts in advancing the work of the CD. Over the years, China together with the Russian Federation and other countries have spared no effort in working, in the international community and the Conference, for the prevention of an arms race in outer space. China and Russia advocate the negotiation in the CD of an international legal instrument prohibiting the deployment of weapons in outer space and the use or threat of force against space objects. For this purpose, we tabled a working paper in document CD/1679.

Since the submission of document CD/1679, delegations have suggested that provisions on definition and verification be incorporated so as to define the scope and the verification regime of the future instrument. Our sincere thanks go to those who made these pertinent suggestions. In response, in August last year the delegations of China and Russia circulated two thematic non-papers, one on existing international legal instruments and prevention of the weaponization of outer space, and one on the verification aspects of preventing an arms race in outer space. Today, the delegations of China and Russia are circulating another joint thematic non-paper entitled "Definition issues regarding legal instruments on the prevention of the weaponization of outer space" so as to facilitate understanding of our positions and relevant working papers.

Just now, the distinguished Ambassador of the Russian Federation, Mr. Skotnikov, introduced this non-paper on behalf of the two delegations. Essentially, it presents our tentative definitions of terms such as outer space, outer space object and weapons in outer space. We hope that this non-paper will help people give more thought to the prevention of an arms race in outer space and provide food for thought in our negotiation of a relevant future legal instrument in the CD. We would welcome opinions of the non-paper from all delegations. Let us work together on developing it with a view to reinforcing the basis of the future negotiation.

The 2005 NPT Review Conference held last month was unable to agree on a final document on the substantial issues of nuclear non-proliferation, nuclear disarmament and the peaceful uses of nuclear energy. China finds this outcome regrettable. However, like many other States parties, China believes that the NPT has played and will continue to play a critical role in preserving the international nuclear non-proliferation regime, reducing the threat of

(Mr. Hu, China)

nuclear weapons and maintaining global peace and security. China will, as always, peacefully implement all its obligations under the NPT and participate in the NPT review process in a positive and constructive manner so as to promote the three NPT goals of preventing proliferation of nuclear weapons, the peaceful use of nuclear energy and nuclear disarmament.

There have recently been worrying developments relating to outer space, making efforts to halt the weaponization of outer space the more pressing. China appeals to CD members to show political will and courage by agreeing on a work schedule so we can begin substantive work on the prevention of an arms race in outer space, nuclear disarmament, security assurances for non-nuclear States and a fissile material cut-off treaty, since they all bear on international peace and security.

The PRESIDENT: I thank the representative of China for his statement and for the kind words addressed to the Chair. I give the floor to the representative of the Netherlands, Ambassador Chris Sanders.

Mr. SANDERS (Netherlands): As this is the first time, and probably also the last time, that I am taking the floor under your presidency, let me congratulate you and express my delegation's full support for your efforts to take the work of the CD forward.

(continued in French)

I have the honour to take the floor on behalf of the European Union. The acceding countries Bulgaria and Romania, the candidate countries Croatia and Turkey, countries of the stabilization and association process and potential candidates the former Yugoslav Republic of Macedonia and Serbia and Montenegro, European Economic Area members Norway and Iceland, as well as Ukraine, align themselves with this statement.

We observe that despite the efforts of the President of the seventh NPT Review Conference and his bureau, and despite the efforts of the Union and most of the other States parties, the NPT Review Conference was unable to arrive at a document by consensus dealing with matters of substance. The Union made an active contribution to efforts to secure the adoption of such a document during the Review Conference. The common position adopted by the Ministers for Foreign Affairs of the 25 member States of the European Union, entitled "Council common position relating to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons", which was presented during the Conference, stipulated that the Union would contribute to "a structured and balanced review of the operation of the NPT at the 2005 Review Conference, including the implementation of undertakings of the States parties under the said Treaty, as well as identification of areas in which, and means through which, further progress should be sought in future".

The Union remains convinced that the common position thus represents a document of substance around which a consensus in the Conference could have been developed. It is with that conviction that the Union not only introduced proposed language in the three main committees, but also presented working papers on the issue of withdrawal and on the global partnership for threat reduction through cooperation. For the Union importance lies in the three

(Mr. Sanders, Netherlands)

pillars of the NPT, to wit nuclear non-proliferation, nuclear disarmament under article VI and the peaceful uses of nuclear energy, as well as the issues of Iran, North Korea, South Asia and other regional matters, including the Middle East, nuclear-weapon-free zones, the issue of withdrawal from the treaty, security assurances and the universalization of the treaty. All these aspects merit keen attention. The Union is therefore disappointed that several States parties made it impossible for substantive proposals from main committees II and III and their subsidiary bodies to receive the same treatment as the substantive papers from main committee I, though they had the same status as non-papers. This is all the more regrettable because in this way the balance between the three pillars of the treaty is no longer properly reflected in the documents of the Conference.

Throughout the Conference the Union displayed flexibility and contributed in a constructive manner to all the formal and informal debates. It deeply regrets that this flexibility and constructive approach were not more widely shared, which would have made it possible to resolve procedural issues more rapidly and take advantage of the Conference in order to arrive at substantial results by consensus. Notwithstanding this difficult state of affairs and the lack of time available for discussions on substance, we had a thorough, broad-ranging general debate and substantive work in the three main committees on the basis of a great many documents presented by delegations, to which the Union contributed in a substantive way, including through its common position.

The Union is more convinced than ever that the NPT, by providing all States with a framework for security and stability, contributes decisively to the cause of peace. Respect by all parties for their obligations under the Treaty is a sine qua non if this framework for collective security is to be preserved in the decades to come. The Union reaffirms once again its support for the decisions and the resolution adopted during the 1995 Review and Extension Conference and for the Final Document of the 2000 Review Conference, taking into account the present situation. The Union is determined to preserve the integrity of the treaty and notes that the final document and the programme of work which we have adopted set a standard for preparations for the review process, and it will commit itself on the basis of the common position adopted for this conference and with the same sense of responsibility in the review process for the treaty in the future. In this context, and in order to contribute to the smoother functioning of the strengthened review process, the Union is of the view that consideration should be given to holding the first meeting of the preparatory commission in 2007, the year of the fiftieth anniversary of IAEA, in Vienna, with the second meeting of the preparatory commission held as usual in Geneva, and the third in New York.

(continued in English)

Mr. President, I continue this statement with a short announcement. Since I have the floor, allow me to present, through you, to the Conference on Disarmament, the common position of the European Union of 25 April 2005, relating to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The common position covers a number of fundamental elements with regard to the three pillars of the NPT: non-proliferation, disarmament and peaceful uses of nuclear energy. Originally this document was the contribution of the European Union to the 2005 Review Conference. The

(Mr. Sanders, Netherlands)

European Union thinks the document might also be useful to the Conference on Disarmament. I should be grateful if this common position could be issued as an official document of the Conference on Disarmament. In advance, we will have copies available in the room. The document is also available on the web site of the European Union.

The PRESIDENT: I thank the representative of the Netherlands for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Canada, Ambassador Paul Meyer.

Mr. MEYER (Canada): Mr. President, let me join others who have already voiced their appreciation for your efforts as President to try to move the work of this Conference ahead.

I wanted to express appreciation for the non-paper that has just been distributed from the Russian and Chinese delegations. This is exactly the sort of substantive paper that we are going to need if we want to move work forward on an important and complex issue area, like the prevention of an arms race in outer space. I believe that we were among those delegations noting the desirability of dealing with issues and definitions in the earlier non-papers developed by Russia and China. We are appreciative of their additional effort to address this theme.

Indeed, definitions and terminology is a crucial aspect of consideration of the PAROS topic, and for those who are promoting the notion of the non-weaponization of outer space, I think it is evident that we need to work towards a common understanding of what weaponization entails and, of course, what outer space is understood to be.

Our preference more broadly for treating this subject is, as we have repeated on many occasions, the re-establishment of the Ad Hoc Committee on PAROS that used to be a feature of the CD. In the interim, we feel that there are ways in which this sort of substantive consideration can be promoted. Last year there was a proposal from one of the delegations here relating to an expert group on PAROS, for which definitions could be an appropriate item. We would be supportive of that. We would also be supportive of using our plenary sessions to consider this issue in more detail. I know that my Russian colleague in his statement indicated an intention to organize an open-ended working group to discuss all three thematic non-papers on this subject that China and Russia have tabled. I would be interested in hearing more on this, but would suggest that perhaps, in consultation with the presidency, it would be possible to provide us with an appropriate forum to enable the consideration and commentary that these interesting working papers deserve.

The PRESIDENT: I thank the representative of Canada for his statement and the 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.

Since this is the last plenary meeting under the presidency of Nigeria, and as is the tradition, I would like to offer you my personal closing remarks. Last week I gave a comprehensive report on the outcome of my consultations in the search for consensus on our

(The President)

programme of work. I informed you on various suggestions made and committed to continuing with the consultations, with a view to identifying any window of opportunity we can use to turn the outcome of the NPT Review Conference into some positive and dynamic steps for the CD.

I met with the regional coordinators yesterday and wish to report that there has been no change in the positions of the groups on the various issues and suggestions, including that of scheduling the core issues.

While the positions of delegations still remain divergent on how to address the core issues, it is clear that our inflexibility means the failure of all. Delegations have different perceptions of what constitutes a threat to their national security, and which of the core issues should take precedence. We must, however, realize and accept the fact that threats in today's globalized world recognize no boundaries. We must in the search for efficient and effective collective security understand that a threat to one is a threat to all of us. I therefore appeal to delegations to recommend to their capitals to accommodate the concern of others, so that we can agree on a comprehensive and balanced approach to our work. Although my presidency has come to an end, I am making this appeal with a view to assisting the efforts of my successor, Ambassador Wegger Chr. Strømme, the distinguished Ambassador of Norway, who I have full confidence will continue with the search for consensus. I wish to assure him of my full support in all the actions he will take as our President.

I must say that I have enjoyed working with all of you during my tenure. In my assessment all delegations want the CD to get back to work and would do anything to help achieve consensus. I am convinced that all delegations would have been flexible and would long ago have agreed on a programme of work if it were within their powers. The solution to the problems in the CD does not seem to lie in Geneva but in the capitals, where political will is formed. I do not agree, as is often said, that there is no political will. What I feel is lacking is the type of political will that favours the thriving of multilateralism in the current global environment. Historically, we used to have this type of political will. We need to get this back into the work of the CD.

In conclusion, I wish to take this opportunity to thank all delegations for their support, cooperation, understanding and in particular their sensitivity shown during my presidency. I want to especially thank the coordinators of the regional groups; my predecessors, the Ambassadors of the Netherlands and New Zealand; and my successor, the Ambassador of Norway, for their continuous support during my tenure. I also want to seize this opportunity to thank the Secretary-General of the Conference, his deputy, the staff of DDA and the secretariat for their support to my presidency. Finally, the interpreters have been doing a wonderful job that deserves my appreciation and commendation. I thank you all.

The next plenary meeting will be held under the presidency of Norway next Thursday, 16 June 2005, at 10 a.m. in this conference room.

The meeting rose at 10.50 a.m.