

CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE NINE HUNDRED AND TWENTY-SIXTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 15 May 2003, at 10.15 a.m.

President: Ms. Mary WHELAN (Ireland)

The PRESIDENT: I declare open the 926th plenary meeting of the Conference on Disarmament. At the outset of the second part of the session, I would like to bid farewell to our colleague who has left the Conference since we adjourned in March, Ambassador Juan Henrique Vega Patri of Chile. I am confident that you will join me in asking his delegation to convey to him our deep appreciation of his many valuable contributions to our endeavours here, as well as our sincere wishes for his success and satisfaction in his career.

Recently we have learned with profound sadness that a former Permanent Representative of Canada to the Conference on Disarmament, Ambassador Gerald Shannon, has passed away. In the Conference he is well remembered for his untiring efforts aimed at launching negotiations on the prohibition of the production of fissile material for weapons purposes, which were crowned with the report containing a mandate for the relevant ad hoc committee, the document that is known as the "Shannon report". On behalf of the Conference and on my own behalf, I would like to extend our sincere condolences and our heartfelt sympathy to the Government of Canada and to his family.

I have two speakers on my list for today, namely, Ambassador Inoguchi of Japan and the Russian Federation, which has also indicated that it will wish to take the floor to refer to the ratification yesterday by the Duma of the Moscow Treaty. May I first give the floor to the Ambassador of Japan.

Ms. INOBUCHI (Japan): Madam President, allow me to assure you once again of the full support of my delegation for your very steadfast efforts to advance the work of the Conference towards the fulfilment of its tasks.

I have asked for the floor this morning to inform the Conference of the discussions held at the workshop on promoting verification in multilateral arms control treaties - future verification regime, FMCT in particular, held on 28 March and jointly organized by Japan, Australia and the United Nations Institute of Disarmament Research. Many delegations and knowledgeable persons from civil society attended the workshop and participated in the discussions. The co-organizers are especially grateful to those panellists who came to Geneva for their valuable contributions.

Now if you allow me, I would like to present a more detailed account of the elements discussed at the workshop.

The workshop focused on the issue of verification, the key to maintaining and strengthening the credibility of multilateral arms control regimes. In our view, verification deserves special attention, particularly at this juncture where concern is growing over clandestine activities to develop proscribed weapons of mass destruction. The most critical requirement of verification is, therefore, how effectively it can detect an undeclared activity. There are always risks, however, that verification may fail to meet this requirement, owing to the difficulty of finding clues in submitted declarations and information. In addition, ineffective verification also

(Ms. Inoguchi, Japan)

contributes to efforts to cover up clandestine activities. Verification must be adequately effective so that the credibility of arms control regimes can be maintained. Ultimately, effective verification will help diplomacy to succeed before choices become limited to acceptance of the inability to solve a problem or military options.

The effectiveness and adequacy of verification is, however, not unconditional. There are quite a few constraints. All verification systems in existence dealing with weapons of mass destruction involve a substantial need for financial resources. Cost-efficiency is just as much a guiding principle in arms control as it is in any other field.

Another constraint is related to intrusiveness, not only in terms of a State's legitimate interest in protecting sensitive military information, but also in terms of proliferation risks that intrusive inspections entail. Those interested in acquiring weapons of mass destruction may get access to priceless information and expertise from such inspections.

All these aspects are interrelated in the overall issue of verification, and it is profoundly important to arrive at an optimum solution to balance these factors.

The workshop comprised two sessions. In the first session, we discussed possible generic lessons that could be learned from existing verification systems. My special thanks go to those panellists from IAEA, OPCW, the Preparatory Commission for the CTBTO and VERTIC, a non-governmental organization. Their contributions enabled us to discuss different verification regimes in a comparative manner. I believe that it was a unique opportunity, not only for its intellectual interest but also in its contribution towards the debate on new systems, such as FMCT verification.

I would now like to share several important points outlined in the discussion.

First, while perfect assurance of compliance may not be given by verification, verification must be effective enough to detect any diversion activity or, at least, suspicious hints of such activity, in a timely fashion before the problem becomes too serious.

Second, cost-efficiency is clearly an important factor, as I have already mentioned. It is also true, however, that financial constraints should not override the essential purpose of verification.

Third, IAEA has a robust infrastructure for verification in the field of nuclear weapons, as we all know, including equipment and personnel, and therefore the future FMCT verification system should make maximum use of the existing IAEA infrastructure.

Fourth, while non-routine inspection has never been used, such inspection is still vital for any verification system, particularly in view of its deterrent effect against clandestine activities.

And finally, the Group of Scientific Experts made significant contributions to the issue of seismological verification in the case of the CTBT. This is a good example of a modality

(Ms. Inoguchi, Japan)

whereby technical discussions may proceed before full-fledged negotiations start. Whether or not this example is applicable to the FMCT, however, careful consideration will have to be given to determining appropriate issues for such technical discussion.

The second session focused on verification of the FMCT. The co-organizers circulated a list of specific questions in order to structure the debate. I hope that this list of questions will also help all interested parties form an overall picture of the debate on FMCT verification. The list includes the following questions: First, what should be declared and monitored on a routine basis? Second, what techniques would be useful in order to improve the detectability for non-declared facilities and activities for FMCT, the IAEA-INFCIRC/153-type inspection or random, short-notice-type inspection? Third, how can sensitive information be protected, and is “managed access” appropriate? And fourth, how can the IAEA be utilized for FMCT verification, etc.?

The most fundamental purpose of FMCT verification is to detect any undeclared enrichment or reprocessing activities, which consequently brings us to the question of what approach to adopt in order to meet this requirement. The scope of declaration and routine inspection is, among others, of the utmost importance. In this respect, two well-known approaches were discussed: the focused approach and the extended approach. The focused approach centres on enrichment and reprocessing facilities, on highly enriched uranium and plutonium (and the U-233 isotope) in downstream facilities and on certain other areas, including hot cells. The second approach covers, above and beyond this first approach, low-enriched uranium, spent fuel, and other materials, that are considered to be feed materials for the production of highly-enriched uranium and plutonium.

This question should be examined in terms of a balance between adequacy and cost-effectiveness. The first approach, the focused one, seems less costly than the second approach, but just how expensive the extended approach would be needs to be clarified, and it is not very clear yet. Also, there are questions concerning the ability to detect undeclared activity, for example, and to determine how much more effective the extended approach will be if, for example, spent fuel is included in the scope of routine inspections. In order to move the debate forward, I believe that more precise analyses of these issues are required.

The modality of inspections, including the intrusiveness of inspections, is also an important issue in the context of FMCT verification. This issue is related to the protection of sensitive information, the so-called notion of confidentiality.

This technical and difficult issue was not extensively discussed at the workshop; a view was expressed, however, that the idea of managed access that is being adopted under the CWC could be applied under the FMCT. There will be technological as well as financial challenges to overcome the differences.

In this connection there was a useful presentation by one of the panellists on the scientific expertise related to noble gases. I believe that environmental sampling is clearly a useful verification technique for the FMCT.

(Ms. Inoguchi, Japan)

The issue of verification organization is also complex because it involves questions such as how to use the existing institutions of IAEA. There was one view that no stand-alone organization, apart from IAEA, would be necessary, while, according to another view, there was a need for a different organization.

The flexibility of the treaty to adapt itself without too much difficulty to future technological developments is not a priority issue, but should always be kept in mind.

Other specific questions, such as how to deal with special cases, including naval reactors, etc., were also raised.

Finally, discussions revealed the disturbing possibility that the most contentious issue - i.e. whether fissile material stocks should be included in the treaty - could bring the entire negotiations to a stalemate. I believe that such a stalemate is not in the interest of any country, especially after all member States of the Conference have agreed on the commencement of negotiations.

Before concluding, I would like to express my appreciation to both Dr. Patricia Lewis, Director of UNIDIR, and Mr. Hiroyoshi Kurihara, Senior Executive Director of the Nuclear Material Control Centre of Japan, for having done excellent jobs as moderators. I would also like to express my special thanks to the secretariat of the Conference on Disarmament for having assisted us in all the logistical aspects. Finally, I would like to thank my colleague, Ambassador Mike Smith of Australia, and his delegation, for having extended essential support to my delegation.

The PRESIDENT: Thank you very much, Ambassador Inoguchi, for that very substantive statement this morning. I believe that it marks a good opening to the second part of our session.

The next speaker on my list is the representative of the Russian Federation. Mr. Vasiliev, you have the floor.

Mr. VASILIEV (Russian Federation) (translated from Russian): Madam President, since this is the first time that Russia is taking the floor under your presidency, I would like, at the outset, to wish you every success in your new duties and to assure you of the full support and cooperation of the Russian delegation.

I am pleased to inform you that yesterday, 14 May, the State Duma of the Russian Federation adopted a federal act ratifying the Russian-American Strategic Offensive Reductions Treaty, signed in Moscow on 24 May 2002 by the presidents of Russia and the United States of America. In Russia, this decision by the Duma is viewed as an exceptionally important step, which has now opened the path to the entry into force of yet another major agreement in the domain of the reduction and limitation of strategic offensive weapons. I would like to recall here that, in March 2003, the United States Senate had already given its advice and consent to ratification of this Treaty.

(Mr. Vasiliev, Russian Federation)

The Strategic Offensive Reductions Treaty is of very wide-ranging significance. It represents a major contribution to the disarmament cause, since the strategic nuclear warheads of both Russia and the United States will have to be reduced to approximately one-fourth of their levels under the current START-I Treaty. It also represents substantial support for the current system of international nuclear non-proliferation and disarmament treaties and has dispelled the imminent danger of a legal vacuum in the area of strategic stability. In this way, its effect has been to strengthen international security. The Strategic Offensive Reductions Treaty also represents a practical contribution to the refashioning of relations between Russia and the United States, as stated in the text of the Treaty itself, on the basis of principles of mutual security, cooperation, trust, openness and predictability. I also hope that the forthcoming entry into force of the Moscow Treaty will have a positive effect on the work of the Conference on Disarmament.

The PRESIDENT: I thank the representative of the Russian Federation for his statement and for the welcome news that he has brought us.

There are no other speakers on my list today, so I would like to take the opportunity to brief you on developments in our consultations.

As delegations will recall, as President, I have sought responses on resolving the continuing impasse on a programme of work, including through the submission of views by delegations which have not elaborated their concerns about the five ambassadors' proposal. Specific ideas were also invited from the Conference regarding possible new issues leading towards this goal. And, finally, I asked delegations to consider whether it might be possible to make modest progress towards greater civil society participation in our work.

In relation to the programme of work and the five ambassadors' proposal, in the light of yesterday's informal consultations, which marked the opening of the second part of our 2003 session, it is clear that the position of regional groups remains unchanged with regard to a programme of work. In that context, the Conference remains open to continued consideration of the five ambassadors' proposal as a means of achieving consensus on a programme of work. My invitation remains open to delegations to respond further on this proposal, although to date none of them has taken it up.

On the question of new issues, similarly in this area no specific proposal has been laid on the table or elaborated since we last met.

On the question of civil society, the issue of the participation of civil society was also discussed at yesterday's presidential consultations. All groups confirmed that their minds remained open on this issue. Some, however, expressed a more cautious approach than others. I have reached the tentative conclusion that some progress may be possible. One suggestion mentioned at yesterday's presidential consultations would envisage enabling non-governmental organizations to address the Conference once or twice per year on a basis similar to that obtained in the NPT review process, providing access to official documents of the Conference on

(The President)

Disarmament to non-governmental organizations in the field of disarmament and enabling those organizations to provide written material outside the meeting room. I intend to write to the group coordinators seeking their views on this suggestion, as well as other possible approaches.

In response to a request from me, the secretariat has prepared a document on the rules governing the participation of non-governmental organizations in disarmament conferences. This document will be circulated this morning, and is being made available on my authority to facilitate delegations in their consideration of the issue. I would like to thank the secretariat very much for the work which they have put into this.

The document illustrates that, while there is a diversity of approaches, a means has been found in all cases to enable some active engagement between States and civil society.

I appreciate that some delegations are more hesitant than others in envisaging a role for civil society in the work of the Conference on Disarmament. For this reason, consideration could be given to putting any new approach in place for a trial period. We could, for example, decide that a new approach would be put in place during our next session or in 2004, and that the impact would be considered after a 12-month period. I will also cover this issue in my letter to regional coordinators.

In the interests of transparency, I want to share my views on this issue and the outcome of my consultations with all members of the Conference.

There are no other speakers on my list this morning, but the delegation of Canada has indicated that it would like to take the floor under "Any other business". I now give the floor to the delegation of Canada.

Mr. WESTDAL (Canada): I take the floor, Madam President, to speak of Gerry Shannon, who was the Canadian Ambassador here in Geneva from 1990 to 1995 and the Gerry Shannon of the FMCT mandate, who died 10 days ago.

In a way it is ironic that he is best known formally here for that non-proliferation and disarmament mandate, because Gerry Shannon's field was trade much more than it was arms control. He was for Canada a national and an international trade-policy leader. He is remembered, though, for the broad range of what he achieved both here in trade and also in the United Nations agencies and in disarmament. He was versatile, and he was indefatigable.

In brief, Madam President, he was also patriotic. He was a proud Canadian, and he served Canada with intense loyalty. He was vertebrate. He had a sound spine, and it was tempered, and he stood straight and tall. He was witty - as those of you who knew him will confirm: his formal obituary got it right. He had a wicked sense of humour. He was concerned with consequence and impact, whatever the setting of his professional engagement. He made a difference by being there, and he was demanding - "exigeant". Leading by example, he demanded the very best of all of us who worked with him and for him, but he was always very generous and gracious with credit and with praise.

(Mr. Westdal, Canada)

We think that heaven will think the world of Gerry Shannon. We did here and in Canada and beyond. We still do, and we long will.

We will convey the sympathy and condolences you expressed, Madam President, to Gerry Shannon's widow and his family, and there is a book of condolences at the desk here for any who might wish to sign it.

The PRESIDENT: I know that his legacy will live on in the disarmament field and, at least, through the Shannon Mandate.

The Conference will resume next Thursday at 10 a.m. We have a distinguished speaker on our list of speakers next week: the Foreign Secretary of Pakistan, Mr. Riaz Khokhar.

The meeting rose at 10.45 a.m.