

CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE NINE HUNDRED AND THIRTY-FOURTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 7 August 2003, at 10.15 a.m.

President: Mr. Carlo TREZZA (Italy)

The PRESIDENT: I declare open the 934th plenary meeting of the Conference on Disarmament.

At the outset, I wish to express our deepest sympathy and most heartfelt condolences to the Permanent Representative of Indonesia for the tragic terrorist attack on the Marriott Hotel in Jakarta. I would like Ambassador Wisnumurti to convey to the Government of Indonesia the sincere condolences of the Conference on Disarmament.

I would now like to extend a cordial welcome to the Permanent Representative of France, Ambassador François Rivasseau.

I have the following speakers for today's plenary meeting: Indonesia, Ambassador Wisnumurti; Italy, Ambassador Trezza, the Permanent Representative of Italy in its capacity as President of the European Union; and Ukraine, Mr. Mikhailo Skuratovskyi.

Before giving them the floor, I would like to make a statement.

At the last plenary meeting of this Conference, I informed you of some conclusions I had drawn from my consultations during the past weeks.

I have continued consultations this week. I held presidential consultations yesterday and listened very carefully to reports by the coordinators on the results of their group meetings. I held consultations with the previous and future presidencies of the Conference on Disarmament, as well as with delegations that took the floor and made contributions to the discussions during last week's plenary meeting. I also took advantage of my courtesy visits to colleagues to consult with them on the main issues before the Conference. So far I have had 32 of these encounters, in addition to 21 institutional consultations organized through the secretariat.

I have tried to discuss in depth the proposal of the five ambassadors, which remains the most updated and advanced proposal for a programme of work.

Consultations confirmed my understanding so far that this proposal is not a "take-it-or-leave-it package" and that, although there should not be a specific hierarchy in the seven items which have been suggested, some may be considered as being at a more advanced stage for negotiation or discussion. Although there should be a balance - at least in the long term - among the main items of the suggested programme of work, a vast majority agrees that not all the items could be treated simultaneously. Even the larger delegations would have difficulties in negotiating or discussing all the subjects proposed at the same time.

A compromise on the issues which are at a more advanced stage appears therefore to be necessary. The view has also been strongly expressed that no theme should be held hostage to others. Indeed, a strict linkage could paralyse the Conference. Let me assure you that I shall continue to try my best, through formal and informal consultations, to reduce the gap between the different positions in order to revitalize the work of the Conference.

I have received more elements of information from the two delegations that jointly presented on 31 July a compilation of comments and suggestions relating to working

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paper CE/1679. These are comments and suggestions coming from notes, non-papers, addresses and consultations of the respective members of the Conference. I took note with interest of the first substantial reaction by the delegation of the Russian Federation on the adjustment proposal made by the Permanent Representative of Belgium in his statement on 26 June. Other interested delegations have informed me that their capitals are studying that suggestion with interest. I also believe that the information brought to our attention by the Permanent Representative of the Russian Federation about his country's advance notification of planned spacecraft launches - a transparency and confidence-building measure - deserves our attention and that of our capitals.

From an operational point of view, I therefore suggest that we continue working on the main themes contained in the five ambassadors' proposal with a view to discussing in greater depth certain subjects of negotiations which are at a more advanced stage of preparation.

On the whole, I have the feeling that further work is necessary to reach a compromise on the programme of work and that, with a certain degree of flexibility, centimetre by centimetre, it will be possible to reach that compromise.

I have also had useful discussions on new items which could be considered, in view of the fact that the Conference's agenda was agreed upon many years ago and that major new developments have taken place in the meantime: we cannot - it is the view of many - simply close our eyes to them. In particular, we could examine how these new realities could affect the various issues which are contained in the five ambassadors' proposal for a programme of work.

I therefore continue to be ready to consider suggestions or presentations on new themes, especially on those that could be instrumental in achieving a better understanding and updating of the main issues.

I now give the floor to the Permanent Representative of Indonesia, Ambassador Nugroho Wisnumurti.

Mr. WISNUMURTI (Indonesia): Mr. President, first of all, let me, on behalf of my delegation, express our deepest thanks to you, speaking on behalf of the delegations members of the Conference on Disarmament, for your expression of deep sympathy and condolences to the Indonesian authorities and people concerning the bombing that has happened in Jakarta, a heinous crime which we have condemned to the fullest. This bombing, which has led to death and injury among not only Indonesians but also foreign nationals, will only strengthen our resolve to combat terrorism with the cooperation of the international community. I will certainly convey your expression of sympathy and condolences to my authorities in Jakarta and through them, to the people of Indonesia. Thank you once again.

Mr. President, it is indeed a distinct pleasure for my delegation to express our congratulations to you on your assumption of the presidency of the Conference on Disarmament. I am confident that your experience and expertise will successfully guide the work of the Conference. I wish to assure you of the support of the Indonesian delegation in the discharge of your duties as President.

(Mr. Wisnumurti, Indonesia)

Indonesia has just hosted the fifth Asia-Europe Meeting (ASEM) of Foreign Ministers in Bali, on 23 and 24 July. It is in the context of Indonesia's chairmanship of this event that I take the floor to introduce briefly a document adopted at the meeting, entitled "Political declaration on the prevention of proliferation of weapons of mass destruction and their means of delivery". The adoption of this declaration is, in our view, timely because it addresses issues of common concern to both the Asian and European regions and also to the international community in general.

Among the salient points contained in the declaration, the ASEM foreign ministers emphasize the importance of continuing efforts on disarmament and prevention of proliferation of nuclear, chemical and biological weapons, and related materials, equipment and technologies, in accordance with the relevant international conventions, in the interest of maintaining international peace and security. In the nuclear field, the ministers reaffirm the crucial importance of the Nuclear Non-Proliferation Treaty as the cornerstone of the international nuclear non-proliferation regime and as an essential foundation for the pursuit of disarmament.

It is also in this regard that the ministers exchanged views on the importance of signatures and ratifications of the Comprehensive Nuclear-Test-Ban Treaty and of universal adherence to and full implementation of IAEA safeguards agreements and, where applicable, their additional protocols. At the same time, in the chemical and biological field, the ministers are determined to continue their joint efforts to promote universality and to implement fully both the Biological Weapons Convention and the Chemical Weapons Convention.

Furthermore, the ministers also share the deep concern about the threat posed by the proliferation of ballistic missiles capable of delivering weapons of mass destruction, while at the same time stressing the importance of effective export controls in preventing the spread of these horrendous weapons. For this purpose, the ministers are resolved to promote dialogue and cooperation on non-proliferation, disarmament and the peaceful uses of nuclear, biological and chemical technologies between the two regions, so as to counter the threat posed by the proliferation of weapons of mass destruction and their means of delivery.

It is our hope that this declaration will enrich and help accelerate deliberations in our Conference. We have therefore transmitted the text of the document to the President - to you, Sir - with the request that it be distributed among the member States as an official document of the Conference.

The PRESIDENT: I thank Ambassador Wisnumurti for his statement and for his kind words addressed to the Chair. I assure him that the document that he has presented has already been transmitted to the secretariat and will be distributed as an official document of the Conference.

I now take the floor in my capacity as representative of the Presidency of the European Union.

I thank the Permanent Representative of the Republic of Indonesia, Ambassador Nugroho Wisnumurti, for his presentation of the document entitled "Political

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declaration on the prevention of proliferation of weapons of mass destruction and their means of delivery”, which was adopted during the fifth ASEM meeting of ministers of foreign affairs in Bali on 24 July 2003.

As you know, ASEM was instituted in the first half of 1996 in Bangkok, precisely when Italy held the rotating presidency of the European Union, and it was therefore an honour once again to co-chair this Conference this year.

The meeting has enabled the dialogue between Asia and Europe to take a new and important stride forward in friendship, mutual respect and consideration between the two geographical areas. As the Italian Minister for Foreign Affairs, Franco Frattini, said in Bali in his European Union presidential capacity, “a dialogue between Europe and Asia is valuable and irreplaceable and must continue along specific, solidly agreed and well-defined tracks, so that we can rapidly move on towards ever greater consolidation”.

As a complement to Ambassador Wisnumurti’s statement and with reference to the global challenges jointly addressed, let me draw your attention to the part of the declaration which mentions the importance of preventing terrorists from acquiring or developing nuclear, chemical and biological weapons.

The ministers of the ASEM countries also exchanged views on the urgency of the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), and they took note of the launch of the Hague Code of Conduct against Ballistic Missile Proliferation, adopted in November 2002. Furthermore, the need was recognized for a comprehensive approach towards missiles, in a balanced and non-discriminatory manner, as a contribution to international peace and security.

The ministers also stressed the importance of effective export controls in preventing the spread of weapons of mass destruction without hampering cooperation in material, equipment and technologies for peaceful purposes.

I now give the floor to the Permanent Representative of Ukraine, Mr. Mikhailo Skuratovskyi.

Mr. SKURATOVSKYI (Ukraine): Mr. President, as this is the first time that I have taken the floor under your presidency, let me extend my congratulations to you on assuming this office and pledge the full support of my delegation for your endeavours.

The Conference has resumed its sessions after a month’s break, and we hope that delegations have been able to enjoy their summer vacation and refresh their bodies and minds. At the same time, some instructions must have been updated.

The statements made by the outgoing ambassadors at the last plenary meeting in June contained some bitterness at the lack of progress in considering issues of common concern. And it reflects the mood of most of the delegations, if not all.

(Mr. Skuratovskyi, Ukraine)

Evidently, we must do our utmost to remedy this stagnant situation and prove to the world community that the Conference delegations are not idle, and have not secluded themselves in the Council Chamber from the rest of the world.

One more step towards consensus on the programme of work has been offered by our think tank - the group of five ambassadors, which is, alas, thinning now, with some of its members leaving Geneva on completion of their tours of duty. We are convinced that their departure is not motivated by any loss of confidence in this gathering.

Meeting after meeting, we continue to affirm that this is a unique multilateral forum for disarmament. Yes, it is indeed, and the successful realization of its mandate is of crucial importance for the safety and future of humankind.

But now, against the background of what is almost the seventh year which has elapsed since the Conference adopted its current agenda when work on the effective implementation of this agenda has failed to start, we have to ask ourselves: are we not trying to demonstrate the unique quality of the Conference on Disarmament by setting a meaningless record of the longest fruitless talks on how to establish appropriate negotiating mandates and bodies on specific items of this agenda?

Thus, to come back to the latest attempt of the five ambassadors to get us back to work, my delegation would like to appeal to the delegations concerned to respond to this new initiative, to take the floor and express their positions on the issue.

The delegation of Ukraine reiterates its position in support of the five ambassadors' initiative. We remain flexible even with regard to their recent proposal to soften the language of document CD/1693 concerning PAROS, if this will help to set in motion the long-awaited focused deliberations on this agenda item, which might, we hope, result in relevant negotiations. At the same time, Ukraine supports the idea of putting in place an international, multilateral, non-discriminatory, verifiable and legally binding instrument preventing the deployment of weapons in outer space.

To conclude, the delegation of Ukraine fully endorses the initiative of the Belgian delegation aimed at clarifying each delegation's position. We do not believe that it is against the rules of procedure, and propose, therefore, that each rotating president of the Conference be encouraged to make such an "inventory" in his summary at the end of his or her presidency. We hope that such an approach would help stimulate our further deliberations.

The PRESIDENT: I thank the Permanent Representative of Ukraine for his statement and for the kind words addressed to the Chair.

Does any delegation wish to take the floor at this stage? The Permanent Representative of China, Ambassador Hu, has the floor.

Mr. HU (China) (translated from Chinese): Mr. President, at the plenary meeting on 31 July, I brought up the issue of the prevention of an arms race in outer space. Today, I would like to explore the views and position of the Chinese delegation on the programme of work of the Conference on Disarmament.

The Chinese delegation has all along held that, given the divergent views of various sides on the priorities in the work of the Conference on Disarmament, it is imperative to take into account the concerns of all sides in a comprehensive and balanced manner and conduct negotiations simultaneously on all important items, such as nuclear disarmament, FMCT, PAROS and negative security assurances. This is the right way to move smoothly towards a programme of work and is entirely consistent with the nature of the Conference on Disarmament. That said, it gives us cause for regret that up to now the Conference on Disarmament has remained unable to formulate such a programme of work.

Over many years, the Chinese delegation has positively supported the work of the Conference on Disarmament and is in favour of negotiations on nuclear disarmament, negative security assurances and FMCT. This position remains unchanged. At the same time, developments and changes in the world situations, including, in particular, the inadequacy of the current legal system in preventing the weaponization of outer space and the rapid development of space weapons technology, mean that outer space is now faced with a danger of being weaponized. It has therefore become a matter of both necessity and the utmost urgency to conduct negotiations on the prevention of the weaponization of and an arms race in outer space. China has consistently maintained that, in order to prevent mishaps, the Conference on Disarmament should without delay establish an ad hoc committee on PAROS and negotiate an appropriate international legal instrument to prevent the weaponization of outer space and to prohibit outer space weapons. China's position in this regard has as its essential purpose ensuring the peaceful uses of outer space, for the benefit of all countries, including the major space Powers, and is also consistent with the requirements of various resolutions on PAROS adopted by the United Nations General Assembly over recent years, earning it the understanding and support of a majority of States.

For the last six years, the Conference on Disarmament, the sole multilateral negotiating forum in the field of arms control and disarmament, has been unable to conduct any substantive work. In order to break this deadlock, China has already demonstrated very considerable flexibility. Thus, in June 2002, China stopped insisting on a negotiating mandate for the ad hoc committee on PAROS and proposed instead that relevant work should be conducted, I quote, "with a view to negotiating a relevant international legal instrument", as stated in its paper CD/1682. While a great majority of delegations have expressed their appreciation for this proposal, the Conference on Disarmament has still failed to come up with a corresponding programme of work on PAROS.

Many other delegations have also made great efforts towards formulating a programme of work for the Conference on Disarmament and tabled a number of constructive proposals. Following the Amorim proposal, on 31 July 2002, Ambassador Dembri of Algeria, on behalf of five ambassadors, put forward an initiative on the Conference on Disarmament's programme of work. On 23 January this year, Ambassador Lint of Belgium once again formally tabled the

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initiative on behalf of the five ambassadors, as contained in document CD/1693. On 26 June, on behalf of the five ambassadors, Ambassador Lint amended the mandate of the PAROS ad hoc committee, as set out in the five ambassadors' initiative, by deleting the phrase "without prejudice" and adding the phrase "including the possibility of negotiating a relevant international legal instrument". It should be pointed out here that this newly amended mandate still falls far short of China's position aimed at negotiating a relevant international legal instrument.

In order to assist the Conference on Disarmament to restart its substantive work and taking into account the concerns of all sides, China would like, once again, to demonstrate flexibility. It accepts the mandate of the PAROS ad hoc committee as proposed and tabled anew by the five ambassadors on 26 June and is prepared to join the consensus on the five ambassadors' initiative on the programme of work (as contained in document CD/1693, with the new wording as amended on 26 June). It is our hope that other interested parties will respond positively to China's constructive gesture with the result that the Conference on Disarmament can start substantive work at the earliest possible opportunity.

The PRESIDENT: I thank the Permanent Representative of China for his statement. Does any other delegation wish to take the floor at this stage? The Russian Federation has the floor.

Mr. SKOTNIKOV (Russian Federation) (translated from Russian): Mr. President, after the statement by Ambassador Hu, I felt it necessary to say a few words on the programme of work for the Conference on Disarmament. First of all, I would like to observe that we would be ready to join in a consensus on the proposal by the five ambassadors in the form in which it is currently formulated, in other words, with the corrections made to it by Ambassador Lint. Second, I would like to say that we naturally would prefer a negotiating mandate on space and not a discussion approach, as proposed by the five ambassadors. We could of course also make suggestions regarding other formulations in the proposal of the five ambassadors, but we understand how complex it is to harmonize the various approaches taken by all members of the Conference on Disarmament to its programme of work. We believe that the proposal by the five ambassadors has found the necessary balance and we therefore hope that this proposal will soon meet with unanimous support.

The PRESIDENT: I thank Ambassador Skotnikov for this statement. Does any other delegation wish to take the floor? That does not seem to be the case.

This concludes our business for today. The next plenary meeting will be held on Thursday, 14 August 2003, at 10 a.m. in this conference room.

The meeting rose at 10.50 a.m.