

CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE NINE HUNDRED AND FORTIETH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 9 September 2003, at 10.15 a.m.

President: Ms. Kuniko INOBUCHI (Japan)

The PRESIDENT: I declare open the 940th plenary meeting of the Conference on Disarmament.

At the outset, I would like to extend, on behalf of the Conference and on my own behalf, a warm welcome to the new Permanent Representative of Canada, Ambassador Paul Meyer, and assure him of our cooperation and support in his new assignment.

I would also like to take this opportunity to bid farewell to Ambassador Jean Lint of Belgium, who will leave the Conference on Disarmament soon to assume other important assignments. Ambassador Lint has represented his Government at this Conference since 1999 with remarkable authority, diplomatic skill and clarity of political vision. We all owe him a debt of gratitude for his persistence, during his tenure as the President of the Conference, in fostering consensus on the programme of work. His efforts in this regard culminated in the introduction, together with Ambassador Mohamed Salah Dembri of Algeria, Ambassador Camilo Reyes Rodriguez of Colombia, Ambassador Henrik Salander of Sweden and Ambassador Juan Enrique Vega of Chile, of a unique cross-group initiative on a programme of work of the Conference (CD/1693) and its subsequent revision. The initiative, commonly referred to as the "A-5 proposal", has received a wide range of support from the membership of the Conference for its potential role in overcoming differences of view on the programme of work and facilitating the early commencement of the substantive work of the Conference.

Ambassador Lint has also participated in the work of other disarmament conferences, enriching them with his remarkable combination of a profound knowledge of procedural and substantive issues. His unwavering commitment and dedication to the strengthening and universalization of the Mine Ban Convention earned him a well-deserved election to the post of Chairman of the Fourth Meeting of the States Parties to that Convention, a function which he has been discharging with dedication and with unique diplomatic talent.

I am sure you will all join me in extending to him and his family our best wishes for the future.

Distinguished colleagues, I have on my list of speakers for today the representatives of Nigeria, France, Belarus, Belgium, Algeria and the Islamic Republic of Iran. I will also make some concluding remarks before the conclusion of the 2003 session of the Conference on Disarmament.

However, before giving the floor to the speakers on my list, I would like to invite you to formalize the provisional agreement reached at the informal plenary meetings on the draft annual report, as contained in document CD/WP.531, together with the amendments contained in document CD/WP.532.

(The President)

In this connection, I would like to inform you that on Friday, 5 September 2003, Ambassador Dembri of Algeria, on behalf of the authors, submitted for issuance document CD/1693 as amended by Ambassador Lint at the 932nd plenary meeting. The amended document has been issued as CD/1693/Rev.1. This fact needs to be reflected in the report of the Conference. Accordingly, yesterday I faxed to the Coordinators of the Groups proposed fixes, which are technical and factual in nature. For your easy reference, the text of these paragraphs with the proposed fixes is now before you, and it reads as follows:

“15. At the 916th plenary meeting, on 23 January 2003, Ambassador Jean Lint of Belgium, on behalf of Ambassador Mohamed Salah Dembri of Algeria, Ambassador Camilo Reyes Rodríguez of Colombia, Ambassador Henrik Salander of Sweden, Ambassador Juan Enrique Vega of Chile and on his behalf, introduced a cross-group proposal on a programme of work of the Conference (CD/1693). At the 932nd plenary meeting, on 26 June 2003, Ambassador Lint presented, on behalf of the five Ambassadors, an amendment to the proposal (later reflected in CD/1693/Rev.1). Appreciation was expressed for this initiative. A wide range of delegations expressed their support for the proposal. Some delegations indicated that, though they had some concerns about certain elements in the proposal, they would not oppose a consensus on it or on its amended version. Some did not express their views.”

Former paragraph 36 reads as follows:

“With a view to commencing early substantive work during its 2004 session, the Conference requested the current President and the incoming President to conduct consultations during the intersessional period and, if possible, make recommendations, taking into account all relevant proposals, including CD/1693/Rev.1, views presented and discussions held, and to endeavour to keep the membership of the Conference informed, as appropriate, of their consultations.”

It is my understanding that the above paragraphs are acceptable to all delegations.

Since we were able to go through the draft annual report paragraph by paragraph at the informal plenary meetings held on Thursday, 28 August 2003 and on Tuesday, 2 September 2003, in a very detailed manner, and since we considered all the amendments to the draft report, and since the proposed factual fixes are acceptable to you, I shall now proceed to the formal adoption of our annual report as a whole and as amended, without reverting to its consideration paragraph by paragraph or section by section.

In this connection I would like to emphasize that all blanks in the draft report, such as those related to the number of meetings, or the day of the adoption of the report, will be filled in by the secretariat. Furthermore, all documents that were submitted to the secretariat before the adoption of the report will be added to the lists of documents under the appropriate subsections.

(The President)

May I take it that the annual report of the Conference on Disarmament in its entirety, as contained in document CD/WP.531, as amended by CD/WP.532 and as orally revised in paragraphs 15 and 36, is adopted?

It was so decided.

The PRESIDENT: The secretariat will issue the report as an official document of the Conference in all official languages as soon as possible.

We will now proceed to our debate in accordance with the list of speakers. The first speaker on my list is the distinguished representative of Nigeria, Mr. Biodun Owoseni, to whom I give the floor.

Mr. OWOSENI (Nigeria): Madam President, the Nigerian delegation wishes to offer you very warm congratulations on assuming Japan's presidency of the Conference on Disarmament. We assure you of our cooperation during your tenure, which extends throughout the intersessional period until January 2004, during which important consultations and resolutions are to be undertaken on the way forward in global disarmament. I would also like to commend your predecessors for their stewardship in guiding the work of the Conference in 2003.

As today is the last plenary meeting of the Conference in 2003, it is pertinent to evaluate critically the developments in the Conference over the past year, share our delegation's perspectives on the present impasse, and the initiatives that we would be involved in during the intersessional period of the fifty-eighth United Nations General Assembly session in New York, hopefully in conjunction with your delegation and others, to move the Conference on the path to substantive work in 2004.

The year 2003 marks seven straight years, since 1996, without agreement on a programme of work, let alone any meaningful negotiations on disarmament. The Conference was established in 1978 as the single multilateral disarmament negotiating forum of the international community with the primary role in substantive negotiations on priority questions of disarmament. Thus, in order to continue to be relevant, the Conference must live up to its responsibilities in this vein, and our collective efforts must be invested in reinvigorating it to perform this role. While the global security environment remains volatile, with new threats and unresolved challenges, the Conference's continued paralysis can only be a disservice to the international community, out of which a solution must be found.

This is why the Nigerian delegation supported the cross-group proposal of the five ambassadors (A-5), and welcomes the flexibility recently shown by the Russian Federation and China on the proposal. We see the A-5 proposal, as it stands today, as a good basis for agreement on a programme of work in 2004. Thus, we urge the few delegations that have not yet endorsed the proposal to do so, in order to secure the necessary consensus to start meaningful work.

(Mr. Owoseni, Nigeria)

At the top of the priority questions of disarmament to the international community is undoubtedly that of nuclear disarmament. As a national of Japan, which experienced the devastating attacks by atomic bombs 58 years ago, you indeed appreciate the importance of peace and disarmament vis-à-vis the horrendous threat posed to humanity by the existing nuclear arsenals in the hands of a few States. The two atomic bombs dropped on Hiroshima on 6 August and Nagasaki on 9 August 1945 killed about 160,000 people and at least 50,000 others later from radiation effects. The Hiroshima bomb was just twelve and a half kilotons. From just three atomic bombs possessed by one nation in 1945, nuclear reality today is that the world is confronted with over 16,500 operational nuclear weapons, and a total of over 36,500 warheads, in the hands of five nuclear Powers, excluding other nuclear States or those with nuclear ambiguity. Altogether, since the Second World War, those that have acquired nuclear weapons translate to a rough average of two countries per decade. Their total stockpile is about 12,000 megatons of explosion, that is, about 12 billion tons of TNT, while the collective yield and destructive capacity of these nuclear weapons equal about one million Hiroshima bombs. Expert studies have revealed that if those huge nuclear arsenals, or even a fraction thereof, were to be unleashed in warfare, human civilization as we know it today will be totally annihilated through the combined effects of blast, heat and radiation, with the latter, i.e. radiation, spreading to thousands of kilometres away, killing millions in its wake. Even if there were human survivors, those living, it is said, will be envious of the dead, while the global ecosystem will be thrown into a nuclear winter of desolation and the dark ages of primitivity, among the horrifying consequences of a nuclear war. This is a clear indication that nuclear weapons have no justifiable military utility.

Surely, the Nigerian delegation will be shirking its responsibility by allowing itself to be hoodwinked into believing that a world fraught with such a terrible possibility of a nuclear Armageddon, under a menacing sword of Damocles dangling over all mankind, is a safe or peaceful world. Worse still, the relentless qualitative technological sophistication, development, production and stockpiling of nuclear warheads and their delivery systems, as well as the unabashed reliance by the nuclear-weapon States on these arsenals in their national security strategies and war-fighting doctrines, all dictate that the international community must not relent on according priority attention to the issue of nuclear disarmament and the total elimination of nuclear weapons.

The 1968 Non-Proliferation Treaty (NPT) and the 1996 Comprehensive Test-Ban Treaty (CTBT) are indeed good steps in this direction. Nigeria calls for the effective implementation of, and symmetrical compliance with, the NPT, as well as the early entry into force of the CTBT. Meanwhile, until the CTBT enters into force, all countries should observe the moratorium on nuclear testing. It is obvious that nuclear non-proliferation and nuclear disarmament, as two sides of the same coin, are mutually reinforcing, with decisive commitment and responsibility devolving on the nuclear Powers to pursue nuclear disarmament in good faith. Above all, it stands to reason that having achieved the objectives of securing multilateral agreement on the prohibition of biological and chemical weapons through the 1972 Biological and Toxin Weapons Convention (BWC) and the 1993 Chemical Weapons Convention (CWC), the next logical step for the Conference is to focus on the key priority of a convention prohibiting nuclear weapons, which, according to United Nations General Assembly resolution 57/56, pose

(Mr. Owoseni, Nigeria)

the greatest threat to mankind and to the survival of civilization, as the most lethal of the weapons of mass destruction. While recognizing the difficulty of achieving such an agreement, we believe that nothing is impossible, and the Conference must not fight shy of its responsibility to crack the hard nut.

Closely linked to nuclear disarmament is the issue of negative security assurances, which has bedevilled the Conference for many years, without progress in securing a legally binding, effective international agreement to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Nigerian delegation is of the firm belief that nuclear non-proliferation can only be meaningfully sustained if the non-nuclear-weapon States that have renounced the development or possession of nuclear weapons, through the relevant international instruments or regional treaties, are themselves assured, under similar, legally binding commitments, that their independence, territorial integrity and sovereignty will be safeguarded against the use or threat of use of nuclear weapons. By transforming the disparate assurances declared by the nuclear Powers into a unified, legally binding obligation, the nuclear Powers will not only be fulfilling their own disarmament obligations under article VI of the NPT, and thus demonstrating their effective commitment to nuclear non-proliferation, which they voluntarily undertook at the 2000 Review Conference, but also reinforcing the NPT regime itself against avoidable future setbacks.

Madam President, the Nigerian delegation notes your efforts on the issue of illicit trade in small arms and light weapons in this forum and elsewhere. We particularly commend your distinct leadership contributions as Chairperson of the First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, which took place in New York from 7 to 11 July 2003. Nigeria was one of the 15 vice-chairpersons of the meeting and we participated actively as Chair of the African Group. The United Nations Secretary-General, Mr. Kofi Annan, in his message to the meeting, rightly called small arms and light weapons a “global scourge” which must be curbed, because it is killing an average of one million people each year, accounting for about 60 deaths every hour, while 90 per cent of the victims are women and children. We thus agree with the statement by His Excellency Mr. Kim Traavik, State Secretary of Foreign Affairs of Norway, to the Conference last week, on 2 September 2003, in this regard, when he said: “In terms of the number of lives they take ... “small arms are clearly weapons of mass destruction. This represents a challenge to human security”. Considering that these conventional weapons are the primary means of prosecuting local armed conflicts in various regions of the world, most especially in sub-Saharan Africa, the political, social and economic costs and consequences are quite enormous.

Apart from the huge human tolls, the wider consequences of small arms proliferation deserve our full attention in terms of its ability to fuel conflicts, threaten peace and humanitarian assistance, undermine respect for the law and constrain development. So also is the relationship between illicit trafficking in small arms on the one hand and transboundary and organized crimes, terrorism and illicit exploitation of mineral resources in conflict situations on the other. The African States, whether or not experiencing internal armed conflicts, are being subjected to the havoc of illicit trade in these small arms and light weapons. Is it not astonishing, we may ask, that assorted sophisticated arms not manufactured in Africa easily find their way into the

(Mr. Owoseni, Nigeria)

hands of rebels in conflict situations, whether in Angola, the Democratic Republic of the Congo, Sierra Leone, Côte d'Ivoire or Liberia, while these rebels also act in tandem or as partners of foreign mineral resources exploiters on the one hand and emergent terrorists on the other? It is thus imperative that efforts at combating terrorism and ensuring international peace and security must focus on curbing the illicit trafficking in these weapons, through strengthened international cooperation. We hope that at the fifty-eighth United Nations General Assembly session, the report of the Group of Governmental Experts established by the Secretary-General will lead to appropriate negotiation of a legally binding international agreement to enable States to identify and trace small arms and light weapons, with a view to curbing their proliferation and illicit trafficking. We believe that this can be effectively accomplished if responsibility is placed on manufacturers and suppliers of these weapons. Nigeria will work with other delegations at the fifty-eighth session in this connection, granted the great interest that the Economic Community of West African States (ECOWAS) and the African Union attach to this important issue for the peace, security and stability of our peoples on the continent.

As I conclude this statement, the Nigerian delegation cannot but note with delight the presence of the 2003 United Nations Disarmament Programme Fellows in our midst, representing young diplomats and government officials from various parts of the world. In 1978, during the first special session of the United Nations devoted to disarmament (SSOD-I) in New York, when the United Nations Fellowship Programme on Disarmament was created, the initiative, spearheaded by Nigeria, in concert with other countries, was led by our then Permanent Representative to the United Nations Office in Geneva, Ambassador Olu Adeniji, who is today Nigeria's Honourable Minister of Foreign Affairs, and who has a keen interest in disarmament matters. In addition, a Nigerian served as the first Coordinator of the Programme for several years. Thus, the Fellowship Programme can continue to count on the ardent support of Nigeria in the years ahead.

Similarly, Nigeria will continue to support other efforts aimed at facilitating progress in disarmament, including programmes to promote public awareness of the United Nations and the vibrant participation of non-governmental organizations and civil society in disarmament forums, including the Conference on Disarmament, because of their positive impact.

In its 25 years, the Fellowship Programme has succeeded in training a large reservoir of experienced officials from United Nations Member States, many of whom are holding positions of responsibility in the field of disarmament in their countries and multilateral missions abroad. It is a tribute to the foresight of United Nations Member States at SSOD-I that the Fellowship Programme remains a robust legacy of that first special session, which also established the Conference on Disarmament, of course.

Twenty-one years ago, in 1982, when some of us participated in the Fellowship Programme, together with the distinguished Conference Ambassador Rajmah Hussain of Malaysia in that group, the world was at the height of the ravaging cold war and attendant East/West tension, among others. Of course, the world has changed since then, in many respects. Happily, the cold war has ended, and ideological polarization has abated. But a lot also has not changed much, while others have even assumed new garbs, creating unforeseen problems. Fear, insecurity, underdevelopment and pandemic diseases have not decreased.

(Mr. Owoseni, Nigeria)

Terrorism, the proliferation of weapons of mass destruction and new conflict situations are mushrooming, challenging our collective enterprises. Scarce resources otherwise needed for socio-economic development are still being devoted to huge military spending. Above all, we are still being confronted with the menace of nuclear armaments and the accelerating military-industrial-technological complex perfecting new generations of more devastating weapons systems. While we must fashion new tools to cope with new realities and challenges, we must also be careful not to discard old tools, some of which served us well in the past. Whatever mechanisms are employed must, however, be anchored on multilateral solutions under a collective architecture of undiminished security for all nations. This is the imperative facing the Conference in the future, in order to remain vital and relevant in the years ahead.

In conclusion, I leave the Conference members with the immortal words of Robert Cecil (1865-1958) over the entrance of the Conference on Disarmament Council Chamber: “Here is a great work for peace in which all can participate” - “The Nations must disarm or perish” - “Be just and fear not”. Let this be our watchword, as we look towards substantive work in the Conference in 2004.

The PRESIDENT: I thank the distinguished representative of Nigeria for his very important statement, and also for the kind words addressed to the Chair. I now invite the distinguished representative of France, Ambassador Rivasseau, speaking on behalf of the States members of the Proliferation Security Initiative (PSI), to take the floor.

Mr. RIVASSEAU (France): Madam President, I have the honour to take the floor on behalf of the delegations of Australia, France, Germany, Italy, Japan, the Netherlands, Poland, Portugal, Spain, the United Kingdom and the United States, to share with you the results of last week’s meeting of the Proliferation Security Initiative in Paris. I would be grateful if the secretariat of the Conference could circulate a document reflecting these results during this plenary meeting.

The PRESIDENT: I thank Ambassador Rivasseau for his intervention, and I thank him for his report to the Conference on their effort. I would now like to invite the distinguished representative of Belarus, Mr. Vladimir Malevich, to take the floor.

Mr. MALEVICH (Belarus) (translated from Russian): Madam President, as I am taking the floor for the first time in this distinguished forum during your term of office, I should like first of all to congratulate you and wish you success in this post and assure you of support for your efforts on the part of the delegation of Belarus.

I am happy to inform you that on 3 September 2003, after complying with domestic procedures, the Republic of Belarus sent to the depositary all the necessary instruments for accession to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. In accordance with the Constitution of the Republic of Belarus, the foreign policy of our State is guided by the principle of the non-use of force or threat of force. Since 1995 Belarus has voluntarily introduced and strictly complied with a moratorium on the export of anti-personnel mines. We believe that the use of anti-personnel mines in conditions of war presents a danger for the life and health of civilians,

(Mr. Malevich, Belarus)

especially children, which persists for many years after the conclusion of the armed conflict, because mine clearance involves substantial financial costs. My Government considers accession to the Ottawa treaty to be a contribution by our republic to the complete prohibition of this type of weapon, and to the strengthening of trust and good-neighbourly relations between States. In acceding to the Convention, Belarus, the possessor of the seventh largest arsenal of mines in the world, which it inherited from the USSR, is counting on international assistance, particularly from the sponsoring States, as provided for in this important document, for the purpose of destroying the existing stockpiles of anti-personnel mines within the period of four years stipulated in the Convention.

Madam President, I would like to take this opportunity to express my full personal endorsement of the kind words you addressed to Ambassador Lint, our regular neighbour at this table, which he fully deserved. Since Belarus's accession to the Ottawa Convention has coincided with a turning point in Ambassador Lint's career, he could consider this as a modest recompense for his tireless efforts to make this important international instrument a truly universal one. I sincerely wish him every success in his future activities.

The PRESIDENT: I thank the distinguished representative of Belarus for his very important statement, and also thank him for concurring with the President in her words to Ambassador Lint. I would now like to invite Ambassador Lint, the distinguished representative of Belgium, to take the floor.

Mr. LINT (Belgium) (translated from French): Madam President, first of all I wish to thank you for your kind words concerning me, and also to congratulate you on the way in which you are chairing the Conference on Disarmament, and also to assure you of my full cooperation. I am convinced that your personal commitment and your dynamism will enable us to make progress on the difficult path leading to a compromise concerning our work programme.

It is with mixed feelings that I am taking the floor for the last time at the Conference on Disarmament. We are all aware of our difficulties in this forum. Nevertheless, I should like to begin on a positive note.

Thanks to the machinery of the Convention on the Prohibition of Anti-Personnel Mines, which I chaired for a year, the world is working together in seeking out a substantive solution to the threat caused by anti-personnel mines. Rarely has a disarmament-related message from the international community been so clear and consistent: the world will no longer tolerate these cowardly and deadly weapons. Our action proves that the multilateral approach is the only solution in the field of disarmament and humanitarian action, because it is through cooperation between States and with civil society that we can provide a permanent solution to the human suffering caused by these weapons. I can confirm that this approach is alive and well and that the ball is in the court of those States which are still outside the Convention. We all bear the responsibility of finding a solution to this humanitarian problem, and those who are directly involved in this problem are in duty bound to be part and parcel of the process. Since the fourth assembly of States parties last year, the Gambia, the Central African Republic, Cyprus, Sao Tome and Principe, Timor-Leste, Lithuania and Guyana have joined us.

(Mr. Lint, Belgium)

By virtue of its accession on 3 September last, which was just announced by my friend and neighbour on the right, Belarus has become the 136th State to join the Convention and the 40th member State of the Conference. I take this opportunity to congratulate those eight States and in particular Belarus. I am also pleased that certain States represented in this assembly and some outside it have taken meaningful steps to join those who have already accepted the Convention. On 19 March 2002 the Greek parliament approved the Convention. On 12 March 2003, the Turkish National Assembly adopted a law on accession to the Convention, and on 3 May 2003 the Greek and Turkish ministers for foreign affairs confirmed their commitment to lodge their instruments simultaneously with the United Nations Secretary-General. On 20 June 2003 the parliament of Serbia and Montenegro passed legislation to accede to the Convention. On 22 July the President of Burundi signed his country's instrument of ratification. On 10 August the Council of Ministers of the Sudan decided to ratify the Convention. I encourage these five States to deposit their instruments before the fifth Assembly of the States parties, which will be held next week in Bangkok.

Apart from the 136 States which have accepted the Convention, 10 States have signed but not yet ratified it. I encourage the four signatory States which are members of the Conference on Disarmament - Ethiopia, Indonesia, Poland and Ukraine - to take steps to ratify it as early as possible. Twenty-one members of this assembly are still outside the Convention. Thirteen of them are considered to be producers of these inhumane weapons. I ask them to impose a unilateral moratorium on their exports and their production. I also encourage them to accede to the Convention as early as possible, because no argument concerning national security can outweigh that of humanitarian security.

The annual assembly in Bangkok will be attended by more than 600 representatives of States parties and those which are not yet parties. I take this opportunity to invite you all to participate in this important event, which is taking place one year before the first review conference of the Convention.

Madam President, when I was in your seat in June 2000, I declared at the beginning of my term that it was a time for urgency and transparency. I also said that I did not believe the international community could accept that, for the second year in succession, an institution endowed with so many skills and talents should not manage to agree on a work programme which committed it only to do its work. I must confess that I was mistaken, because the international community seems to have accepted this failure for the last six years. Yet efforts and initiatives have not been lacking in the course of the four years I have spent in this forum. At the end of my term as President, drawing on the proposals made by my colleague and friend Ambassador Dembri of Algeria, I submitted a work programme contained in document CD/1620 which took account of the positive results of the Non-proliferation Treaty Review Conference. Ambassador Amorim of Brazil, who was associated with all my efforts, worked on this text and in August 2000 submitted document CD/1624, better known since that time as the Amorim proposal.

(Mr. Lint, Belgium)

No progress was possible during the year 2001 on the basis of that text. In the year 2002 we were languishing when five ambassadors who had taken on responsibilities as President, and who were from different horizons with different sensibilities, agreed to work together in order to draft a work programme which would take up all the elements desired by the members of the institution. Apart from the innovative transregional nature of the initiative, we also introduced an element to allow for the evolution and revision of the draft. Some members, clearly understanding this, took our original 2002 proposal further in a text set out in document CD/1693, which received support from a large majority of members in plenary.

Seeing that the Conference was becoming bogged down again at the beginning of the second session this year, I officially proposed on 26 June, on behalf of the five ambassadors, a slight revision to the text which took account of the concerns expressed by certain delegations. On 7 August, in plenary, Ambassador Hu of China told us that he could accept this proposal. He was followed by Ambassador Skotnikov of the Russian Federation, and other signs of support have come to us from many countries and groups. It is for that reason that we decided to submit our proposal officially in a revised CD/1693 document. That document was distributed to you this morning with reference CD/1693/Rev.1. In the course of the last few weeks I have heard a few perplexed comments about the usefulness of making this revised version official in an ad hoc document. I would reply that our approach is logical because it has always been part of a constructive and evolving context. While this text does continue to cause problems for some, it is up to them to submit improvements in the spirit of flexibility which characterizes the multilateral world. The five ambassadors have created a new approach which makes it possible to go beyond the artificial and outmoded splits of the groups in the Conference. Even though three of the five ambassadors have already left this assembly to take on other responsibilities, the trademark will remain because our initiative was placed at the service of the Conference solely to enable it to begin its work.

As I leave this assembly, I should like to say that it was a pleasure and an honour for me to work with such competent and talented diplomats and with such a dedicated and well-organized secretariat.

The PRESIDENT: I thank the distinguished representative of Belgium, Ambassador Jean Lint, for his very important statement. I now invite the distinguished representative of Algeria, Ambassador Mohamed Dembri, to take the floor.

Mr. DEMBRI (Algeria) (translated from French): It is with great emotion that I have just heard the statement by my colleague and friend Jean Lint, who will be leaving us. For me he has been a companion on the journey we have been accomplishing here. Together we have of course tried to trace the paths of creativity within the Conference on Disarmament, and we will view his departure with great regret, because he has been a key element in the machinery of this Conference. At any rate, I am grateful for all he has done. This also enables me to say that it seems as if a dirty bomb has fallen on the group of five ambassadors, because I am apparently the only one left. I hope that this trend will not continue, but I also know that to replace the ambassadors who have left us, the new colleagues from Colombia and Chile - whom I welcome - are also here to take over, and that my friend Ambassador Johan Molander of Sweden is also available for new adventures in the sphere of concerted and collective creativity. Lastly, I would

(Mr. Dembri, Algeria)

also like to perform a duty of courtesy, since this is the first statement I have made since my return, to welcome the Ambassador of France, François Rivasseau, who was already known to us here and who has also marked this Conference with his special imprint and displayed great knowledge of situations and also demonstrated his ability to forecast the future

Today we are completing the 2003 session of the Conference on Disarmament. This year again, and for the seventh year in succession, this body has not been able to agree on a work programme. This was not for lack of resolve or initiatives. But we must acknowledge that the situation is not yet ripe and that we will have to resume our discussions next year with a view to adopting a work programme as soon as possible in accordance with our mandate. In fact it is highly damaging to the Conference on Disarmament that it is going through a series of blank years which have significantly tarnished its image, and that consequently it has not been able to meet the expectations of the international community to free our planet from the horrors of nuclear apocalypse and other risks of annihilation and devastation. As the sole multilateral negotiating body in the area of disarmament, the Conference is without any doubt the natural repository of the expectations of the international community, and has a duty to respond to those expectations by adopting a general and comprehensive programme of work on the basis of the Decalogue adopted in 1978, which continues to be a foundation for our thinking and a model for action for us all. This forum must also endow itself with the means of addressing the new realities which have emerged from the post- cold-war period and discharging a real commitment, the dividends of a world which we all wish to see henceforth reconciled with itself. This effort is required of each of us. Here it is all the more necessary and urgent as the world is facing threats which have never been more pressing, because they are fraught with real concerns. These threats are of many kinds. They relate in particular to risks of nuclear proliferation, both horizontal and vertical, international terrorism and the use of biological and chemical weapons. These concerns are compounded by the development of new generations of arsenals such as "dirty bombs" and other destructive devices. The adoption of new nuclear stances has also made possible the pre-emptive use of nuclear weapons, thus going beyond all the horizons of deterrence and the non-first use of weapons of mass destruction.

In April 1999 a military alliance asserted that nuclear weapons continued to be a component of its military structure, thus undermining all the commitments entered into in the NPT and paradoxically fanning the risks not only of a proliferation of nuclear weapons but also the risk of a proliferation of nuclear States, because never have military security agreements been in such jeopardy. We know what happened to the ABM Treaty, the cornerstone of international security. We know that the Convention on Biological Weapons still lacks a verification protocol, even though a working group has considered the subject at great length. We also know that after a slight drop in military expenditure during the years immediately following the end of the cold war, we are now witnessing a marked increase.

These recent developments contradict and jeopardize the hopes that stemmed from the end of the cold war, and they constitute questions to which we must find responses in the framework of multilateralism, which alone can offer all of us here the guarantees that we require taking into account the interests and concerns of all and the international community's collective security needs. Any joint reaction to these developments on our part necessarily involves the conclusion of binding multilateral treaties, the strengthening of verification instruments and the

(Mr. Dembri, Algeria)

irreversibility of the commitments shouldered. In this connection, and in the framework of nuclear disarmament, we have recorded unequivocal commitments entered into by the nuclear countries during the sixth NPT Review Conference to proceed to “the progressive destruction of their nuclear arsenals” - commitments which, however, have remained ineffective, since these countries have taken no action along these lines to date, on the eve of the seventh NPT Review Conference.

As the cornerstone of the international non-proliferation and nuclear disarmament regime, the NPT sets out a framework of standards and commitments which should enjoy maximum credibility. They constitute an achievement which must be bolstered by tangible and irreversible commitments on the part of the nuclear States. In this respect, the nuclear-weapon States have very precise obligations, and responsibilities, including those that should make it possible to strengthen the Treaty and give full effect to the provisions of article VI, on nuclear disarmament. They must acknowledge that the status they enjoy has not been given to them for ever. That is why these countries are urged to discharge the commitments they assumed at the last NPT review conference to eliminate their nuclear arsenals completely, using as a basis the 13 Practical Steps adopted at the same Conference. This request in itself is not excessive. As you all know here, dear colleagues, it is surrounded by the aura of the legitimacy conferred by international justice. How can we forget that in July 1996, the advisory opinion of the International Court of Justice stressed that States have an obligation “to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control”? A first step in that direction would definitely be the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, enthusiastically adopted in 1996 and unfortunately still awaiting implementation.

As for a treaty on fissile material, it would be the corollary of a treaty on nuclear disarmament, or even a significant spin-off from it if it were to fully incorporate the idea of accumulated stockpiles. Along these lines, the concept of internationally recognized nuclear-weapon-free zones, created on the basis of freely agreed arrangements and designed to strengthen regional and international peace and security, is fully consistent with the spirit and the letter of the NPT. Several regions of the world have chosen to establish such nuclear-weapon-free zones, as demonstrated by the treaties of Tlatelolco, Rarotonga and Bangkok and the treaty of Pelindaba, which are considered to be major steps forward towards achievement of the goal of nuclear disarmament. These agreements, if they are to achieve their full scope and to be totally effective, must be supplemented by treaties of this same type in the Middle East, as well as south Asia, because these two regions of the world are constantly exposed to risks of destabilization and conflagration.

Turning to the nuclear-weapon-free zone in the Middle East, its implementation is still blocked by a refusal on the part of the State of Israel, the only country in the region not to have acceded to the NPT, thus constituting a threat to the entire region. This country continues to refuse to comply with the resolutions of the United Nations Security Council and the General Assembly on the establishment of such a zone in the region, and shows no readiness to place its nuclear facilities under IAEA supervision, thus giving rise to a source of concern and worry for the entire region. Is there a hidden clause granting derogations and exemptions to this country, whereas fingers are pointed at the countries of the Middle East and even countries

(Mr. Dembri, Algeria)

beyond this area, to which media coverage imputes sinister designs? In that regard, my delegation wishes to pay tribute to the statement made in this very room by the Minister for Foreign Affairs of Sweden, who has been alone up to now in the Conference, the only senior figure to break this law of silence. We therefore call on all countries which remain outside the NPT to become parties to this instrument as non-nuclear-weapon States, and we welcome the recent decision taken by Cuba to accede to it.

My country, like a very large majority of other countries, accepted in good faith the indefinite extension of the NPT in 1995. Through this action, these countries demonstrated great maturity and a sense of responsibility in giving up indefinitely the idea of developing or acquiring nuclear technology other than that which is intended for peaceful purposes and the priority development of agriculture and health. In return for this renunciation, which forms part of a relationship of trust, the nuclear States were to discharge one of their fundamental obligations contained in the Treaty, namely to provide security assurances to the non-nuclear States, precisely in return for their having voluntarily renounced the military use of nuclear energy. Here too, this commitment has yet to be implemented. This is why my country regards as unjustified the delay in the establishment of a negotiating committee on this subject in the Conference on Disarmament.

Concerning outer space, we believe that this space is the common heritage of mankind and should be preserved as such. We have several very serious proposals on the general shape which a treaty on PAROS could take. Above and beyond the initiatives proposed in the Conference on Disarmament, the Russia-Chinese proposal, which my country has considered very carefully, also provides a very appropriate framework for a treaty prohibiting the arms race in outer space and granting legal recognition only to activities related to its peaceful uses.

All these questions which I have just touched upon need to be dealt with in our forum, the Conference on Disarmament. We will all agree here that there has been no lack of proposals for a programme of work. Each of these proposals has given us food for thought by providing its own added value. In this way they form a sort of continuum which has become the collective memory of the Conference and constitutes a source which we necessarily draw upon to draft other proposals for a work programme that will be acceptable to all and for all. This is the context for the proposal made by the five ambassadors - Jean Lint of Belgium, Vega of Chile, Camilo Reyes of Colombia, Henrik Salander of Sweden and myself - which I officially presented in this same room on behalf of my colleagues on 23 January 2003, with the symbol CD/1693.

My travelling companion Ambassador Jean Lint has just accurately described how this proposal evolved and why it now enjoys wide support among the member States of the Conference. He reminded us of what we pointed out at the very outset, that this text remained open to all comments, all suggestions, all amendments. We also strongly encouraged delegations to provide us with any possible amendments in writing. Thus we received a written amendment from the delegation of China concerning the mandate on PAROS.

(Mr. Dembri, Algeria)

On 26 June 2003, on behalf of the five ambassadors, Ambassador Lint officially presented an amendment to our initial proposal, recorded today, covering the same subject and proposing to China a compromise wording which China has accepted. This proposed amendment has also received a large number of expressions of support, and this has led us to place it on record. This latest text which we are submitting to you also remains open to all suggestions and all amendments.

The intersessional period will definitely allow us to carry out the consultations required to gather the opinions of all the delegations on this subject. However, thanks to the very favourable reactions we have seen from certain P-5 countries, we can glimpse an opportunity for a broad convergence of views, if this spirit and this political will prevail. The positive views expressed by Russia and China and the position of the United Kingdom promoting consensus are decisive and fully marked milestones in our forum.

Concerning consultations, my delegation would encourage the United States and France to formulate in writing the amendments that they foresee.

To my American colleagues I would like to express the hope that we can regain the creative momentum and spirit of cooperation displayed during his assignment here in Geneva by our distinguished colleague, Ambassador Eric Javits, whom I remember not only with great emotion but also with gratitude for the efforts that he made together with his colleagues.

Concerning France in this respect, the statement made last week by Ambassador François Rivasseau was of particular interest to my delegation. With a lofty vantage point which transforms the obnoxious miasmas of opportunistic or circumstantial analysis, he reminded us, in an oratorical flourish which demonstrates his assiduous frequentation of the Enlightenment (*Aufklärung*), the diachronic links between the commitments of the past and the challenges of today and the responsibilities which are specific to us in the present weft of tangible action - responsibilities which are at once collective and individual. We will concur with him in relation to multilateralism, which he encompasses with an eloquent plea in its defence. We will concur with him in relation to the perception of new threats. Noted. But it is difficult for us to accept that a nuclear State should assert the absolute necessity to meet its own security needs without addressing the obligation to ensure security for all. This dialectical link compels France to join and - why not -? assume the leadership of the movement in the implementation of security guarantees for non-nuclear States on the basis of the principle of undiminished security for all. This is an ethical duty and it must be respected.

I must admit that I found in the very subtle subtext of the statement by my colleague Rivasseau the fine sense of anticipation and understatement. By stating that his country might commit itself in relation to the "cut-off" with reference to the Shannon mandate and to PAROS, the Ambassador allows us to glimpse the possibility of approving two of the four mandates contained in the proposal made by the five ambassadors. This is a possible reading, and he will join me in acknowledging that the meaning of a work of art escapes the control of

(Mr. Dembri, Algeria)

its author once it is made public. In this, we, the non-nuclear States, see a good start - we who always quote one of the greatest diplomats of the Quai d'Orsay, who wrote at that dramatic time when the fate of his country was at stake: "Où notre gloire, où notre texte ... Et pour parer encore aux fastes de la scène, en quelle cour de despote nous faudra-t-il chercher caution de nos grands commensaux?" I am citing this from memory, and I hope that I have not forgotten any word in the meantime. Mr. Rivasseau will recognize the author of these lines.

Madam President, I will conclude my statement by congratulating you on the efforts that you have constantly made during your term to move our work forward and bring points of view closer together for this purpose. We have particularly appreciated your skills when it came to preparing the annual report of the Conference. In this connection, my delegation will be available for the consultations you plan to conduct in the intersessional period. We are of the view that the Presidents of the Conference should be involved on an ongoing basis in our discussions so as to bring about the swift adoption of a work programme.

On the completion of this 2003 session of the Conference on Disarmament, I would like to echo the wishes that you expressed yourself, Madam, in the very first days of your term, when you called on us "not to let 2004 be another blank year" for the Conference, and I also hope that the year will open the proposal of the five ambassadors to consensus.

We also hope that during the next year the proposal on participation by non-governmental organizations in the work of the Conference put forward by our distinguished colleague from Ireland, Ambassador Mary Whelan, in her capacity as President of the Conference, will be favourably received by all the delegations so as to allow these organizations to contribute to our discussions. We are absolutely convinced that they have sound expertise in this field.

The PRESIDENT: I thank the distinguished representative of Algeria, Ambassador Dembri, for his important statement and also for the kind words addressed to the Chair. I now invite the distinguished representative of the Islamic Republic of Iran, Mr. Eslamizad, to take the floor. It is my understanding that he is taking the floor to exercise the right of reply.

Mr. ESLAMIZAD (Islamic Republic of Iran): In the course of the previous meeting of the Conference, references were made to my country, and I feel obliged to say a few words in exercise of my delegation's right of reply.

As you well know, the question of the nuclear programme of the Islamic Republic of Iran is on the agenda of the current meeting of the IAEA's Board of Governors. As underlined by the IAEA Director General, "Iran has shown increased cooperation in providing information to the Agency and allowing access to its facilities", and we believe in doing so we have gone far beyond our existing obligations.

Iran has also informed IAEA of its being prepared to enter negotiations with the Agency on the additional protocol. This has also been duly reflected in the most recent report by the IAEA Director General.

(Mr. Eslamizad, Islamic Republic of Iran)

The report by Mr. ElBaradei is very explicit in subjecting any conclusion on the Iranian nuclear programme to further exchanges with Iran and an analysis of the results of data collection and samplings carried out by IAEA.

The decision to allay concerns about my country's peaceful nuclear programme through the utmost transparency and full cooperation with IAEA has been taken at the highest level and will be carried out up to the end. We believe in principle 9 of the NPT 1995 Review and Extension Conference decision on "Principles and objectives", which reads as follows:

"The International Atomic Energy Agency is the competent authority responsible to verify and assure, in accordance with the statute of the Agency and the Agency's safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Nothing should be done to undermine the authority of the International Atomic Energy Agency in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the Agency to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate."

What we very much doubt is the constructive effects of raising any such concerns out of its proper forum, and what we are certain about is that resort to political pressure would certainly have its negative impacts and that the Conference on Disarmament is not the right place to deal with IAEA affairs.

The Conference on Disarmament is to negotiate treaties on disarmament. Today, for reasons very much known to all of us, we are wrapping up another session of the Conference with no substantial work done. Let us hope that during the next session we will have more substantial work to do rather than such statements to respond to.

The PRESIDENT: I thank the distinguished representative of the Islamic Republic of Iran for presenting his point of view. Allow me only to stress that it is my understanding that we are all looking for a very peaceful and smooth resolution of the problem through very constructive dialogue, and I believe that we are all able to carry this forward to reach a smooth and peaceful resolution.

This concludes my list of speakers for today. Does any delegation wish to take the floor at this point? Then allow me to make concluding remarks at the end of the 2003 annual session.

Today, the Conference concludes its 2003 annual session, and my sincere appreciation goes to all delegations for their constructive attitude, which facilitated the consensus adoption of the annual report. I indeed thank you all very much. Nevertheless, as yet we have been unable to deliver the breaking news awaited by the international community. In fact, so many events taking place in today's world are on the contrary taking us backwards, away from the aim of

(The President)

this Conference. The current dynamics of the world are not necessarily favourable to global peace. It is, however, also true that the Conference and its predecessors have made headlines many times in their history. All past accomplishments, including the BWC, the NPT and the CWC, are now of fundamental importance to international peace and security. The significant advantage of those multilateral instruments is their far-reaching impact, both in terms of universality and time frame. Without them, the global security landscape would be far more dangerous than at present, and the ability of the international community to deal with the various current security-related problems would be very limited. The long distance we have covered up to now encourages us to make further tireless efforts on the multilateral track, no matter how painstaking the path before us may be.

Last week when Foreign Minister Kawaguchi addressed the Conference, I appreciated her having voiced so elegantly the political will of the country of the presidency to promote disarmament and peace, by various means, including multilateral instruments. I also thank Mr. Kim Traavik, the State Secretary of Norway, who sent a similar message. I am convinced that such political will of member States is essential to ultimately make possible the current goal towards which we are currently striving in this Conference. It is important for all States to revitalize their political interest in the promotion of multilateral disarmament. It is my hope that a greater number of foreign dignitaries from capitals will address the Conference next year.

The problem facing the Conference remains the same as one year ago - how to find a balance between different priorities in its programme of work. With the support of a wide range of delegations, the five ambassadors' proposal is a realistic option to strike such a delicate balance. Encouraging signs have recently been witnessed surrounding this proposal. These developments will indeed provide the presidency with a useful starting point for intersessional consultations.

At the same time, I would like to draw the attention of delegations to paragraph 15 bis (now paragraph 16) in the annual report, which refers to the discussions on the issue of linkages and the comprehensive approach. I believe that this debate illustrates the core of the current impasse. As a multilateral body, the essential nature of any agreement to be reached at the Conference would be a balance between different interests. I would like to ask all States to consider, during this coming period of reflection, not only their own priorities but also how to balance their priorities with others.

Another notable development this year was, as stated in paragraph 22 bis (now paragraph 24), the discussions held on the so-called "new issues" that could be relevant to the current international security environment. It is a legitimate point of argument that new issues of collective interest may be identified under the new security environment, undoubtedly significantly different from the one during the cold war period. This question deserves further discussion without detracting attention from traditional issues.

(The President)

This year, a number of delegations have made use of plenary meetings to focus on the substance of certain subjects. Interactions took place on a limited scale, following those statements. Next year, such substantive discussions should be further encouraged, because the Conference should primarily concentrate on substance. It must be recognized that, even in the absence of, and pending agreement on, a programme of work, the Conference can still engage in substantive discussions that could serve the overall purpose of international peace and security. The utilization of plenary meetings, as seen this year, is one way to achieve this aim; a more systematic way might merit consideration.

During the intersessional period, I intend to continue my consultations, in close coordination with the incoming President, on ways to resolve the current stalemate in accordance with the mandate provided by the annual report. In carrying out this task, the most valuable asset will be the accumulation of past efforts made by various ambassadors, including my predecessors, over the past few years, as well as other efforts made by various countries to seek common ground. I call for continued cooperation from all delegations in our effort to create better, more solid ground for the Conference to conduct a meaningful session next year.

In conclusion, allow me to stress that I could not have conducted my task as President without the valuable support and assistance extended to me by the secretariat. I thank Mr. Sergei Ordzhonikidze, Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations; Mr. Enrique Román-Morey, Deputy Secretary-General of the Conference and Mr. Jerzy Zaleski, Political Officer. On behalf of us all, I also wish to thank the interpreters for their highly professional services.

Before adjourning the meeting, I would like to inform the Conference that, following the decision by Kazakhstan not to assume the presidency of the Conference, and as provided for in rule 9 of the rules of procedure, the representatives of the following member States will preside over the Conference in 2004: Kenya, from 1 January to 15 February; Malaysia, from 16 February to 14 March; Mexico, from 15 March to 23 May; Mongolia, from 24 May to 20 June; Morocco, from 21 June to 15 August; and Myanmar, from 16 August to 31 December 2004.

This concludes our business for today, as well as the 2003 session of the Conference on Disarmament.

The next plenary meeting of the Conference will be held on Tuesday, 20 January 2004, at 10 a.m.

The meeting rose at 11.40 a.m.