

# CONFERENCE ON DISARMAMENT

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## FINAL RECORD OF THE ONE THOUSAND AND THIRTY-EIGHTH PLENARY MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 24 August 2006, at 3.20 p.m.

President:

Mr. Anton PINTER

(Slovakia)

The PRESIDENT: I declare open the 1038th plenary meeting of the Conference on Disarmament.

At this plenary meeting we will continue the consideration of agenda item 7, entitled "Transparency in armaments". The next speaker on my list is Mr. Etensel, the distinguished representative of Turkey.

Mr. ETENSEL (Turkey): Mr. President, as this is the first time that my delegation is taking the floor under your presidency, allow me to congratulate you on your assumption of the presidency. I can assure you of my delegation's full support in your endeavours to wrap up the 2006 session of the Conference on Disarmament.

Before we move on to the wrap-up, there is an important issue of disarmament that we believe warrants the further attention of the Conference on Disarmament, the sole negotiating body for disarmament affairs. Like a number of speakers this morning and yesterday, I would like to make reference to man-portable air defence systems, namely MANPADS.

There are an estimated half a million MANPADS in the world today, many thousands of which are thought to be on the black market and, therefore, accessible to terrorists. MANPADS are attractive to terrorists because they are easy to use, highly portable and concealable.

A number of seminars on MANPADS have been organized recently, and they have contributed to a better understanding of the threat posed by MANPADS. I would like to express our appreciation to the organizers of such seminars, and we have also been informed that there will be another round of seminars. We look forward to participating in them as well.

The proliferation and unauthorized use of MANPADS pose indeed an imminent and acute threat to civil aviation and anti-terrorist operations. In the hands of trained terrorists, these weapons have unfortunately already caused substantial civilian casualties. Since installing effective countermeasures on civilian aircraft would be a time-consuming and costly process, these aircraft are likely to be vulnerable to MANPADS attacks in the foreseeable future.

Therefore, the international community must act decisively to improve stockpile security, airport security, aircraft protection, collection and destruction of old and surplus MANPADS and strengthen export controls in countries that import and manufacture MANPADS.

The threat emanating from the unauthorized proliferation and use of MANPADS is recognized by the international community. The two consecutive United Nations General Assembly resolutions on prevention of the illicit transfer of, unauthorized access to and use of MANPADS, co-sponsored by Turkey, Australia, Argentina, Kenya and Thailand, the OSCE principles for export controls of MANPADS and the Wassenaar Arrangement's "Elements for export controls of MANPADS" are a few examples.

In this context, Turkey fully supports the efforts of the international community, particularly in the United Nations, OSCE and the Wassenaar Arrangement, to establish stricter export controls and exchange of information to combat the proliferation of MANPADS.

(Mr. Etensel, Turkey)

Turkey is not a MANPADS-exporting country. However, MANPADS are included on the list of weapons and equipment whose production, export and import are subject to control and licensing, according to relevant national law.

The norms and regulations emanating from the documents of international organizations, which Turkey is a party to or participant of, are also being taken into consideration in applying control mechanisms on MANPADS. The lists developed by the United Nations, OSCE and the EU, as well as by the Wassenaar Arrangement, bring guidance to the issue of MANPADS export and import licences.

In accordance with its Wassenaar Arrangement commitments, Turkey has issued a comprehensive set of documentation in order to provide guidance to all military personnel in the field of information-gathering and control regarding MANPADS, physical security conditions, user training, record-keeping and counting, stockpiling, transportation and destruction.

Turkey maintains the view that monitoring and controlling the activities of producers, exporters, brokers, transporters, importers and end users of MANPADS are essential in eradicating the illicit trade in MANPADS. Hence, a comprehensive approach is needed encompassing not only export controls but also import and trans-shipment controls as well.

As a main co-sponsor of the United Nations General Assembly resolution to which I previously referred, Turkey believes that discussing MANPADS at the CD may indeed prove useful and fruitful.

At the same time, we share the understanding that MANPADS or any other new issue, so long as it is in line with the disarmament and arms control mandate of the CD, are not to be a substitute for the core issues on the CD agenda, which continue to maintain their priority.

The PRESIDENT: I thank the representative of Turkey for his statement and for the kind words addressed to the Chair. I now give the floor to the distinguished Ambassador of Pakistan, Mr. Masood Khan.

Mr. KHAN (Pakistan): Mr President, I congratulate you on the assumption of the presidency of the Conference on Disarmament. We are particularly grateful for the consultations you undertook prior to assuming your current responsibility. It is under your presidency that we will complete the CD's report. We are also grateful to you for the background information you gave yesterday about the role assigned to the CD to promote transparency in armaments.

We thank your immediate predecessor, Ambassador Ousmane Camara of Senegal, for his effective leadership of the CD. During his presidency, we had very productive discussions on negative security assurances, both formally and informally, and we held a very useful session on the format of the CD's report.

(Mr. Khan, Pakistan)

While we are of the view that the four core issues on the CD agenda require prior attention and work, the CD can contribute to the enhancement of transparency in armaments.

Mr. Roberto García Moritán, Argentina's Vice-Minister for Foreign Affairs, in his keynote address yesterday, gave us useful insights into the role of the United Nations Register on Conventional Arms. We agree that the objective of TIA is to enhance international transparency in arms transfers and holdings, to build confidence among States and to deal with potentially destabilizing regional arms build-ups. The Register and the United Nations Standardized Instrument for Reporting Military Expenditures have been successful in recording disclosures of arms transfers in seven categories. This has no doubt made it possible to work for enhanced transparency. Though these instruments are value-neutral and functional per se, the data extrapolated from them can be used as an early warning mechanism.

These instruments have worked well and they need to be made more effective. They have their limitations, too. First, they do not prevent the transfer of sophisticated technologies to conflict-prone regions or subregions; second, they cannot assure attention to arms control or disarmament in accordance with the principle of equal and undiminished security for all at the lowest level; and third, they cannot by themselves help rectify asymmetries in conventional weapons, which may well be the cause of insecurity and instability in some regions.

At best, TIA encourages restraint. By using it appropriately, some moral pressure can be brought to bear on the States responsible for destabilizing arms transfers.

The Register and the reporting instrument are not arms control or arms regulation instruments, although it is safe to assume that global transparency should lead to restraint in armaments.

These voluntary instruments aim to diminish misperceptions, avert miscalculations and build trust and confidence among States through greater openness in military matters. The Register particularly has been one of the most useful tools for nurturing trust, and it has helped nations make progress in these areas, but we have a long way to go.

Transparency is a means to an end, not an end itself. It provides nations with a mirror, not a cure for the afflictions that are revealed. Its optimum use will be possible only if it is used in combination with other tools.

Recent studies have shown that asymmetric conventional balances in conflict areas continue to drive military doctrines and spending. World military expenditure in 2005 is estimated to have reached US\$ 1.1 trillion. This represents 2.5 per cent of the world GDP. Precious resources are being diverted to military spending. SIPRI reports that there has been a sharp increase in defence spending in our own region, in one case surpassing 82 per cent since 1996. In the past several years, our defence expenditure in real terms has remained static.

When TIA gives evidence of a conventional arms race or build-up, our response should not be acquiescence or complacency, but one geared to restraint and CBM's at the regional and subregional levels. Pakistan is pursuing that goal.

(Mr. Khan, Pakistan)

In accordance with the United Nations Charter, States have the right to acquire weapons to defend themselves. At the same time, it is our obligation to make every effort to foster a favourable security environment. Inherent in the Charter are the embedded norms of restraint and proportionality. Unbridled acquisitions or sales of arms will not advance the cause of peace and security.

TIA is an important means of building confidence. However, confidence-building is not a function of transparency alone. The past reports of the Secretary-General establish that participation in the United Nations Arms Register has been low in regions of tension. A level of trust between States is necessary for transparency measures to succeed. Such measures must be accompanied by efforts to reduce tensions and use available mechanisms for the peaceful settlement of disputes through negotiations, dialogue and mediation.

Pakistan, fully convinced of the utility of the Register, has been regularly submitting the requisite data since its inception. We also maintain that the overall question of transparency in armaments is influenced by the security environment, threat perception and strategic balance. Acute adversarial relationships affect the level of transparency. Therefore, we need to approach the Conventional Arms Register not simply as a question of reporting on transfers but also as a means to develop a global norm towards greater transparency in military matters.

Thus the most significant confidence-building measure is the voluntary reduction in armaments by militarily advanced States with a view to achieving equal security for all.

Years ago, in 1991, at the time of the origin of the Register, the United Nations Secretary-General observed that “transparency ... is ... only feasible when countries participating in related measures find that it serves their national and international security interests”. The observation is valid even today.

We must heed the call of the United Nations General Assembly to the CD, made through resolution 60/226, to consider continuing its work on transparency in armaments. Pakistan supports the A-5 proposal for the CD’s programme of work, which includes the appointment of a Special Coordinator in order to seek the views of its members on the most appropriate way to deal with this question. But this should be done keeping in view the full ambit of the CD and its priorities.

The PRESIDENT: I thank the distinguished Ambassador of Pakistan for his statement and for the kind words addressed to the previous and current Chairs. I give the floor to the distinguished Ambassador of Poland, Mr. Zdzistaw Rapacki.

Mr. RAPACKI (Poland): Mr. President, as I am taking the floor for the first time, let me assure you of my delegation’s constant support for your activities. I am confident that under your able presidency we will bring the P-6 exercise to a successful conclusion.

(Mr. Rapacki, Poland)

Today's debate is yet another proof of the effectiveness of the focused structured debates on CD agenda items. Today we are going to address one of the issues, which - not being one of the core issues - is extremely important for international security and peace. Today's debate is also proof that the CD agenda is flexible enough to discuss many issues, not only those traditional ones.

Transparency in armaments is one of the key elements in constructing international security and peace. It is not by mistake that this issue has long since been a separate agenda item in the Conference on Disarmament. Transparency-building measures were and will be one of the key elements in constructing a positive environment conducive to disarmament at the regional and international levels.

Poland traditionally supports the United Nations General Assembly resolution on transparency in armaments. This resolution's main focus is support for the universalization and implementation of the United Nations Register of Conventional Arms, which Poland fully supports and participates in. Poland also supports its further strengthening, inter alia, by including a small-arms-and-light-weapons category. Poland also partakes in the United Nations system for standardized reporting on military expenditures, which constitutes an important measure towards transparency and confidence-building.

Building confidence among States in the conventional area can lead to the improvement of relations between States and furthermore to substantive reductions and far-going arms control and disarmament arrangements. Those of significance are the important achievements in Europe, under the Organization for Security and Cooperation in Europe. Difficult negotiations, which had already started during the cold war era, have resulted in a set of arrangements: the Treaty on Conventional Forces in Europe, the Vienna Document and the Open Skies Treaty. Those instruments have contributed tremendously to building confidence and overcoming the mistrust that has divided Europe. Those arrangements, concerning transparency, confidence-building measures and arms limitation measures, have also contributed to building the new Europe, in which military rivalry no longer plays a role.

Except for the traditional issues raised under the title "Transparency in armaments", we note with interest the proposals to discuss issues that are relatively new. The fact that they are new does not mean that they are not key to assuring international security and peace.

Man-portable anti-aircraft missile systems (MANPADS) clearly pose a threat to international security. Easy to use and readily available on the black market, MANPADS do pose an imminent and acute threat to military aircraft and civilian airliners. They are widely available and may be vulnerable to theft and possible transfer to terrorist groups through illicit arms markets. At present, they are not subject to stringent national export standards, nor do they have adequate physical security.

Poland supports activities to reduce the risk of terrorists acquiring MANPADS through illicit arms markets. There is a need to increase these efforts through multilateral forums and bilateral diplomacy and cooperation. This thinking was reflected in the 2003 G-8 Action Plan.

(Mr. Rapacki, Poland)

We actively support the actions being undertaken under the Wassenaar Arrangement (WA) and OSCE aimed at eliminating the risks posed by MANPADS. We also consider that there should be a serious reflection undertaken, not only at the regional level, but also in multilateral forums. Thus, we support and co-sponsor the United Nations General Assembly resolution on MANPADS. We will also support discussion on that issue in the Conference on Disarmament in the future.

Transparency in armaments is just one step, but one of critical importance, in achieving the important goal of sustainable arms control and disarmament. It is an important element of confidence-building among States. And as the CD - aside from its negotiating role - serves as an important venue for confidence-building among its member States, we believe that future debates on TIA will be constructive and useful.

The PRESIDENT: I thank the distinguished Ambassador of Poland for his statement and for his kind words. I now give the floor to the distinguished representative of Switzerland, Mr. Sascha Fuls.

Mr. FULS (Switzerland) (translated from French): First of all, Mr. President, since our delegation is taking the floor for the first time during your term, we would like to congratulate you on taking over this important responsibility during a key phase of the platform of the six Presidents for the year 2006.

For a long time now Switzerland has had a special interest in the question of transparency in armaments, being fully aware that greater transparency is a major factor for confidence and security among States. Consequently, Switzerland has supported the development of the transparency mechanisms both regionally and in the United Nations. Recently, it took part in the Group of Governmental Experts set up under First Committee resolution 60/226, which was entrusted with preparing a report on the operation of the United Nations Register of Conventional Arms. Today, our governmental expert, Mr. Halter, is in the conference room as part of our delegation, and we bid him welcome. Switzerland welcomes the consensus report adopted by this Group, and particularly the recommendations designed to enhance the relevance of the Register.

The extension of its scope to cover portable air defence systems (MANPADS), as proposed in 2003, earned Switzerland's full attention. Proposals for better monitoring of exports and imports of these arms which were discussed in the context of the work of the Group of Governmental Experts also seemed to us to be of special interest. As far as Switzerland is concerned, these developments are important because of the serious threat posed by the proliferation of these arms and the fact that non-State actors possess significant numbers of them. Attacks on aircraft leaving Mombasa in November 2002 or Baghdad in 2003 were examples of this. The potential human and economic impact of a successful attack is such that the need to curb this threat is vital for all States.

(Mr. Fuls, Switzerland)

Measures to halt the proliferation of these arms have now been adopted in certain multilateral forums. Switzerland, which is affected by this problem like all other States, gave full support to the various initiatives to this end which were prepared by the institutions in which it participates. It voted in favour of the Wassenaar Arrangement's decision, entitled "Elements for export controls of MANPADS". It also gave full support to the decision of the Organization for Security and Cooperation in Europe relating to the "OSCE principles for export controls of man-portable air defence systems". The resolve of that organization to develop a guide to best practice in relation to national MANPADS stock management and security procedures also enjoys full support from Switzerland. Finally, Switzerland has made financial contributions to several projects covering the destruction of excess stocks of MANPADS, particularly in the context of NATO's Partnership for Peace.

While Switzerland cannot but welcome the fact that certain multilateral bodies have decided to tackle this subject head-on, it nevertheless feels that the way in which it is progressing within the United Nations is not yet optimal. We believe that the United Nations has a central role to play on this subject. Whereas regional organizations are probably better placed to implement operational projects, the development of norms requiring universal application is fully within the remit of the United Nations. These norms should cover export controls over MANPADS, and particularly a ban on the transfer of these arms to non-State actors.

Consistency between the approaches adopted in various regions should also be among United Nations concerns. It is true that the First Committee of the General Assembly adopted a resolution covering MANPADS at the fifty-ninth and sixtieth sessions - resolutions 59/90 and 60/77, which were co-sponsored by Switzerland. Furthermore, the development of an arms trade treaty (ATT), a project which Switzerland supports, might also make it possible to adopt standards for the transfer of arms to non-State actors. But the resolutions adopted in the First Committee need to be backed up by other measures.

Effective treatment of the subject of MANPADS could have been carried out in the context of the United Nations Programme of Action to combat the illicit trade in small arms and light weapons. But that has not been the case, for several reasons. First, when the Programme of Action was adopted in 2001, the acute nature of the special threat posed by MANPADS did not enjoy the same recognition as it does today, and therefore this subject was not given all due attention. Secondly, that flaw could have been partly remedied during the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action which was held last June and July. That was, however, not the case, since the Conference was not able to agree on a final document. Thirdly, in respect of other small arms and light weapons, MANPADS constitute a specific category of arms which pose distinct challenges and require appropriate responses. This makes it necessary in particular to study the subject in depth and in all its complexity. But the framework of consultations for the Programme of Action we have had so far is not conducive to such in-depth consideration.

In Switzerland's view, therefore, the fact that the Conference on Disarmament is studying this subject is both welcome and necessary. A dialogue on this subject in the context of the CD might make it possible to discern the threat posed by these arms more clearly and help to identify



(Mr. Fuls, Switzerland)

measures to counter it. In-depth study of the subject is also necessary because of the rapid developments which occur in this regard, not just in the areas related to non-proliferation but also in fields related to civil aviation. We are grateful to the Australian delegation for the organization and the outcome of past and future seminars on the subject.

The PRESIDENT: I thank the representative of Switzerland for his statement and for the kind words addressed to the Chair. I now give the floor to the distinguished Ambassador of France, Mr. François Rivasseau.

Mr. RIVASSEAU (France) (translated from French): Mr. President, since I am taking the floor for the first time in an official plenary meeting since you took the Chair of our forum, allow me to congratulate you and assure you of the full support of my delegation.

Today we have been invited to speak on agenda item 7, entitled “Transparency in armaments”, in the context of the structured debate initiated at the beginning of our session this year. We are aware that the agreement on the adoption of the agenda and programme of activities was based on a wider agreement whereby every subject officially proposed by a delegation could be addressed and dealt with in the context of this structured debate. In that way France and Switzerland called for the subject of critical civilian infrastructure to be debated in the course of our work on agenda item 5 last June. Thus, we had a week of debates focused on this issue, which was the subject of a formal proposal; and this week, now we are dealing with agenda item 7, we are having a week of debate on MANPADS, because this is the only topic which has been the subject of a proposal under agenda item 7.

My country welcomes the proposal by Australia to work on the subject of portable anti-aircraft missiles or MANPADS, to use the English acronym. The question of the use of MANPADS against civilian aircraft is certainly a serious source of current concern. Recent events have highlighted the important risk posed by this irresponsible use to the safety of air transport, on which a large part of the activity of our modern societies is based. This risk affects not only one of the elements of State security but, even more so, the conditions of our collective security. For this reason France shares with the countries which are putting this subject forward the concern to strengthen and extend to as many countries as possible an awareness of the serious potential threat constituted by these MANPADS for civil aviation if they fall into the hands of terrorist groups.

This question has of course been considered in various places, whether in the G-8, the Wassenaar Arrangement, OSCE or APEC. In particular, a number of provisions concerning the control of transfers of this type of weapon have been developed and agreed upon. My country has played an active part in this work and, together with its partners in the European Union, applies a very restrictive export policy. However, does this mean that everything has been done, and that this subject is therefore of no interest for substantive work in the CD? My delegation is of the view that the response to this question requires in-depth consideration.

Following the seminar organized in Jerusalem last 5 and 6 April, and following the seminar organized by the Australian mission on 16 June on the subject of prevention of illicit transfers of and unauthorized access to MANPADS, we have been able to see the potential of

(Mr. Rivasseau, France)

this subject for our forum. It is in this spirit that we welcome the debate in which we are invited to engage on this subject today, a subject which, like the others that have been dealt with earlier this year, merits the full attention of the Conference.

Among the instruments available to us to deal with this problem, it is now for us to choose the one or ones which the Conference could address. In so doing, we will be guided by the principle of complementarity. The CD has a multilateral and universal mandate to decide on appropriate measures, that is, those which offer the maximum added value with respect to today's situation; and it is in that spirit that we are ready to work.

The PRESIDENT: I thank the distinguished Ambassador of France for his statement and for the kind words. I now give the floor to the distinguished Ambassador of the Netherlands, Mr. Johannes Landman.

Mr. LANDMAN (Netherlands): In recent years increasing attention in the international community has been paid in effect to MANPADS. This weapon is not only the most technologically advanced of all small arms and light weapons; within that category it is also the weapon that can cause most damage, in particular when used against civilian aircraft. In times of asymmetrical threats, that has proven to be a profound concern for all States. Attacks with MANPADS have taken place in all regions of the world and have typically been committed by armed non-State actors. For that reason, in the view of the Netherlands, the prevention of the illicit transfer of MANPADS forms an essential part of the prevention of terrorism in general. It is a security concern that we all share.

Last year's United Nations General Assembly resolution 60/77 on the prevention of the illicit transfer and unauthorized access to and use of MANPADS was adopted without a vote, and forms a good starting point to further address the illicit proliferation of MANPADS. The Netherlands believes that exchange of information and transparency measures form the basis for international cooperation and assistance.

Clearly, the best way to protect civilian aircraft from an indiscriminate attack by MANPADS is to halt the supply to unauthorized users. This, however, is a difficult task. The most important instrument to curtail the supply of MANPADS to unauthorized users is sound national legislation on the transfer of arms, as well as effective controls and enforcement of this legislation. However, exchange of information and transparency measures render added value to national measures. The Netherlands considers transparency a sine qua non for effectively combating illicit trade in all kinds of small arms and light weapons, including MANPADS. Clearly, full transparency on legal transactions creates the possibility of effectively identifying what is illegal.

There is a range of transparency measures that can contribute to the prevention of MANPADS ending up in unauthorized hands. One is the inclusion of the ban on transfers to non-State actors in Member States' national legislation, following the resolution I just mentioned. Another is contributing to the United Nations Register of Conventional Arms by actively providing precise information and consulting it when relevant.

(Mr. Landman, Netherlands)

As of 2004, Member States notify their imports and exports of MANPADS. Although this information is often not specified as to types and models, the fact that transfers are notified is already a step forward. Fewer States notify their national military holdings. However, more transparency on military holdings would contribute to a better registration of MANPADS. Moreover, the exchange of information on confiscated, seized and collected MANPADS currently does not take place. This would, however, help identify where the divergence from the licit to the illicit sphere has taken place. Such exchange of information would therefore contribute to combating illicit trade.

In sum, the issue of MANPADS is a multifaceted problem to which no simple, one-dimensional solution exists. As shown by the discussions on this matter during recent seminars, and for that matter by the contributions we have heard today, the sense of urgency to consider further national and international measures with respect to illicit MANPADS is high. The challenge facing us at this point is to work on enhancing cooperation and coordination on this subject in the different forums dealing with it. An essential first step all States can take in this regard is improving information exchange and transparency measures. Such measures are, in the view of my country, the necessary starting point to deal effectively with the security problem that the illicit use of MANPADS poses.

The PRESIDENT: I thank the distinguished Ambassador of the Netherlands for his statement, and I now give the floor to the distinguished representative of Israel, Mr. Itzchaki.

Mr. ITZCHAKI (Israel): Mr. President, at the outset, as this is the first time I'm taking the floor in this distinguished forum, allow me to congratulate you on assuming your position as President of the Conference on Disarmament and to assure you of our support and cooperation in exercising your duties.

Allow me also to express our condolences to the Russian Federation in view of the tragic loss of lives that occurred earlier this week.

For some time now our delegation has expressed its view that the CD's agenda must reflect and address the existing challenges to international peace and security. Therefore, the issue of "Transparency in armaments", in the context of conventional arms, is today as relevant to the CD as much as it was during the years 1992-1994. It has become all too relevant in view of the excessive accumulation of arms in the hands of terrorists and terrorist groups, for which their destabilizing effect is well known.

Israel views TIA as one of the means to build confidence in different regions. It is an important element that can foster existing arms control arrangements and can enhance confidence in different regions. It is an instrument in the large parcel of means to be considered as confidence-building measures. In this regard, CBMs can be effective only if agreed upon by all member States in a given region, and only if they are based on mutual understanding that they are intended to enhance the common security of all parties, rather than be used as a means to expose vulnerability or to diminish one party's security interests. Transparency in armaments is no different - it is not an end in itself, but it is rather another important element in building confidence and peace.

(Mr. Itzhaki, Israel)

We warmly welcome the presentation made yesterday by His Excellency Ambassador Moritán, Secretary of Foreign Affairs of Argentina, in his capacity as the Chairman of both GGEs that were mandated by the United Nations General Assembly to carry out a review of the United Nations Register on Conventional Arms. On a general note, we share the views expressed yesterday by the Ambassador of Germany and today by the United Kingdom that initiatives such as that should be encouraged and can significantly contribute to the work of the CD.

Israel views the United Nations Register as an important achievement by the international community to enhance confidence and security. Israel has constantly presented its annual report to the United Nations Register since it was first incepted. Israel over the years has also participated actively in the work of the GGE and contributed to ongoing operation of the United Nations Register. We do believe that efforts towards universal reporting to this important instrument would enhance global peace and security. We would also like to express our appreciation for efforts made to achieve this end.

One of the significant achievements of the Register's GGE work in 2003 is the inclusion of man-portable air defence systems, MANPADS, as a subcategory under category 7 dealing with missiles. The inclusion of MANPADS in the Register was made as an exception, as this type of weapon system is attractive to terrorist groups while on the other hand it is a legitimate means of defence for States.

The problem of the illicit proliferation and use of MANPADS encompasses a variety of issues, such as the control and monitoring of these types of weapon, preventing transfers to non-State actors, in particular terrorists, airport security, aircraft protection, scientific cooperation, the collection and destruction of old and surplus missiles, safeguarding storage facilities, technological improvements to prevent unauthorized use, etc.

The terrorist attack in Mombasa in November 2002, where terrorists fired man-portable air defence systems (MANPADS) at an Israeli civilian aircraft carrying more than 100 passengers, highlights the risk of MANPADS falling into the hands of terrorists. Although MANPADS are widely recognized as a legitimate means of defence for States, they are attractive to terrorist organizations and could have a devastating impact if used against civil aviation. MANPADS are easily obtained and operated, relatively cheap, and have a massive potential impact. They can therefore be easily identified as weapon of mass effect in view of their unique characteristics. The threat those weapons pose to civil aviation is unquestioned.

The international community should therefore apply special treatment to the issue of MANPADS. As mentioned before, the United Nations Register has already acknowledged MANPADS as a unique type of weapon system by adding it as a subcategory to the reporting requirements. Moreover, the United Nations First Committee resolution on MANPADS, 60/77, introduced by Australia, underlines the need to apply measures to ensure that these weapons are not directly or indirectly transferred to terrorists or other non-State actors. Moreover, the

(Mr. Itzhaki, Israel)

Wassenaar Arrangement took due consideration of this threat by adopting in 2003 the “Elements for export controls of man-portable air defence systems”, which serve as a solid basis for conducting practical measures to ensure the prevention of their diversion into the wrong hands. But our task must not stop with these developments. The significance of this issue requires us to do more. We believe that the CD could provide an appropriate framework for this action.

For its part, the Government of Israel has incorporated the Wassenaar guidelines on the transfer of MANPADS into its export control regulations. To our knowledge, Israel is the first if not the only non-member State of the Wassenaar Arrangement that has done so, demonstrating the fact that the universal application of the “Elements” is possible and feasible, thus reducing the threat of MANPADS in the hands of terrorists.

In addition, as a contribution to the ongoing efforts to address this threat, our Government hosted a meeting in Jerusalem last April with more than 30 experts from different regions of the world. This expert meeting underlined the complexity of the problem on one hand, yet on the other, the need to enhance international efforts to address this problem. We intend to continue to work together with other interested States in order to find methods to enhance the implementation of existing international instruments and standards relating to MANPADS.

MANPADS are closely related to other relevant weapons categories such as missiles or small arms and light weapons. At the same time, we highlight the advantages in giving special treatment to MANPADS in view of the unique characteristics of this type of weapon system.

It seems that whether dealt with separately or in the framework of other weapons categories, the common understanding is that a multifaceted or multilayered approach is needed to effectively address the security challenges of MANPADS.

During the meeting last April in Jerusalem, the potential advantages and disadvantages of using different international frameworks to deal with the problem were discussed, among them the Convention on Certain Conventional Weapons, United Nations Security Council resolutions 1373 and 1540 (as these resolutions are closely related to the issue of terrorism and are therefore relevant to the MANPADS threat), different consultation groups on missiles, and United Nations General Assembly resolutions 59/90 and 60/77.

In conclusion, “It is not the sword that kills but rather the hand in which it is used”. Illicit transfers of arms in particular to terrorists and terrorist groups have become a growing threat to security and stability. The scope of the concern deserves a larger approach that would include provisions for preventing other types of weaponry, such as short-range missiles, falling into the hands of terrorists. We cannot remain complacent with the achievements already at hand, but we should find ways, including through measures of transparency, to prevent illicit flows of arms. The responsibility lies on our shoulders, particularly if we are to effectively support and implement ongoing efforts, including those United Nations Security Council resolutions aimed at preventing illicit transfers of arms to terrorists. It is our common task and our common goal.

The PRESIDENT: I thank the representative of Israel for his statement and for the kind words addressed to the Chair, and I now give the floor to the distinguished representative of Algeria, Mr. Hamza Khelif.

Mr. KHELIF (Algeria) (translated from Arabic): Mr. President, I wish to congratulate you on taking the Chair and assure you of the full support of my country's delegation, which will help you to complete our tasks successfully, especially in view of the fact that you are taking the Chair at a time when our annual report is to be adopted. I take this opportunity to thank the Ambassador of Senegal for his excellent work and the outstanding leadership he displayed during his term of office. I do not wish to let the opportunity pass to join previous speakers who conveyed their condolences to the Russian Federation in connection with the disaster which that country has suffered.

The item included in today's agenda is of the utmost importance. I would even say it is the cornerstone of all the subjects that we have discussed during this year. We cannot speak of nuclear disarmament, negative security assurances or the question of the prohibition of the production of fissile material, or of how to halt the arms race in outer space, without having clear transparency measures. Such measures will have the virtue of establishing the necessary trust between States and enhancing security and stability in the world, and the question of transparency is closely linked to the question of monitoring, as the distinguished Ambassador of Italy said yesterday in his statement.

We have taken note of what was said by the Vice-Minister for Foreign Affairs of Argentina yesterday in his statement, as well as the words of the representative of the United States of America, to the effect that the United Nations Register of Conventional Arms covers 97 per cent of transfers of conventional arms, a percentage which prompts optimism. Nevertheless, we do not know what is the average and what is the volume of this average in relation to global production of conventional weapons.

Concerning the issue of transparency, the missing link among the tools that are currently available internationally remains transparency in nuclear weapons. There is a register for conventional arms, which is the Register of the Secretary-General of the United Nations, and chemical weapons have a particular framework, which is the Organization for the Prohibition of Chemical Weapons and article VII of the Convention on Chemical Weapons, which obliges States parties to furnish annual reports. As for biological weapons, they are covered in the reports on confidence-building measures that were approved by the States parties in the context of the NPT review conferences, and we continue to believe they must be enhanced by means of a verification protocol. What remain are nuclear weapons, alone among all weapons of mass destruction in being subject to a partial right of possession by a small number of States. These weapons continue to lack a specific framework which can supply elements of transparency. Therefore, we hope that the Conference on Disarmament will begin to deal with this matter on the basis of the content of the five Ambassadors' proposal.

The PRESIDENT: I thank the distinguished representative of Algeria for his statement and for the kind words addressed to the previous and current Chairs. I now give the floor to the distinguished representative of the Syrian Arab Republic, Mr. Hussein Ali.

Mr. ALI (Syrian Arab Republic) (translated from Arabic): Mr. President, at the outset allow me to congratulate you on taking the Chair of the Conference on Disarmament and to reaffirm that you can count on the full cooperation of the delegation of my country in order that you should meet with success in your endeavours. Allow me also to express thanks to your predecessor, the Ambassador of Senegal, for the multifaceted and effective manner in which he occupied the Chair of the Conference on Disarmament. I would also like to express my condolences to the delegation of the Russian Federation, and through it and to the Russian people, in connection with the disaster caused by the crash of an aircraft with Russian passengers.

Today we are discussing item 7 on the agenda of the Conference on Disarmament, relating to transparency in armaments, thus concluding our structured debates on the items on the agenda of the Conference on Disarmament. Allow me to reiterate the position of the Syrian Arab Republic in relation to this issue, which we have addressed throughout this meeting.

First, the Syrian Arab Republic expressed its readiness to join a broad consensus in relation to the programme of work of the Conference on Disarmament, on the basis of the five Ambassadors' initiative, which includes, inter alia, the appointment of a coordinator in relation to the matter of transparency in armaments. Any measures to build transparency in armaments must, in order to be effective, take into account the right of States to self-defence, as provided for under the United Nations Charter.

Secondly, the only possibility of achieving progress in our work is to adopt a comprehensive and balanced programme of work that will address on an equal footing the four core issues that are on the agenda, that is to say, nuclear disarmament, negative security assurances, the treaty on the prohibition of the production of fissile material and prevention of the arms race in outer space.

Thirdly, any attempt to push certain issues to the forefront at the expense of others will be destined to fail, and trying to ignore the security concerns of the great majority of member States of the Conference on Disarmament, which subscribed to a broad consensus of views in relation to the five Ambassadors' initiative - any attempt to ignore these security concerns of these States will lead to continuation of the stalemate afflicting the Conference on Disarmament. In this context, my country's delegation wishes to reaffirm once again its rejection of the idea of beginning negotiations on a treaty for the cessation of the production of fissile material outside the framework of the discussions on the comprehensive and balanced agenda of the Conference on Disarmament.

Fourthly, we consider that the attempts by certain delegations to add new issues to the tasks of the Conference do not serve the interests of the Conference on Disarmament or help it to make progress on those tasks. In that regard, we reaffirm our opposition to the introduction of any issues that are not already on the agenda, for the following reasons. To date the Conference has not achieved any worthwhile progress in relation to the four core issues it is addressing.

(Mr. Ali, Syrian Arab Republic)

Considering the importance of these issues for international security and peace, the Conference must continue focusing on them. The items that are not on the agenda and that have been raised during these structured discussions, including today's session, are dealt with in other forums and the Conference on Disarmament is not the appropriate forum to discuss them. Consequently, we reaffirm our opposition to the consideration or inclusion of the issue of portable air defence systems (MANPADS) and the issue of the security of critical infrastructure.

The first issue, portable air defence systems, can be dealt with through the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, while the security of critical infrastructure can be discussed in the International Civil Defence Organisation, and hence we do not see that they have any place in the Conference on Disarmament.

During this Conference, including today's meeting, we have heard delegations express concern for international security and peace and the lives of human beings. These are no more than beautiful words, if they are compared with the facts, because some of these delegations represent States which, though they may not be accessories to war crimes, they have helped Israel to commit such war crimes in its recent aggression against the people of Lebanon. These States - since we are talking about transparency - displayed total transparency in supplying Israel with cluster bombs and depleted-uranium bombs, as well as other bombs and projectiles for which experts have not yet been able to determine what type of incendiary and deadly substances they contain. With full transparency, these States supplied Israel with these munitions, which were used on a large scale against Lebanese citizens, and other States allowed the aircraft transporting these weapons to land at their airports to refuel, which is also a violation of international humanitarian law. These acts facilitate the commission of the crime, and should therefore be regarded as complicity in the crime.

At a time when Israel was persisting in killing civilians and destroying infrastructure in Lebanon, these States provided Israel with political cover to enable it to continue its aggression, and prevented the Security Council from shouldering its responsibilities by adopting a ceasefire resolution. Worse, these States went even further, since they prevented the Security Council from condemning Israel's bombing of the United Nations base in southern Lebanon and the killing of four United Nations staff. These States, together with others, remind us every day of their tremendous concern for human rights, but opposed the resolution of the Human Rights Council at its second special session which condemned the crimes and violations committed by Israel against Lebanese civilians.

In this regard, allow me to refer to some of the facts reported by certain international organizations, including the United Nations and non-governmental organizations such as Human Rights Watch. These organizations alleged that Israel committed war crimes in Lebanon by deciding to attack civilian targets and engaging in the large-scale destruction of infrastructure and civilian homes, factories, humanitarian convoys, hospitals and services such as water distribution and power generation facilities. All these actions were no mistake, but were carried out deliberately and constituted an integral and inseparable part of Israeli military strategy.



(Mr. Ali, Syrian Arab Republic)

The Israeli air attacks killed over 1,100 Lebanese, of whom over 95 per cent were civilians and over half children. The attacks produced over 4,000 wounded and displaced around a million persons from their homes. This in addition to destroying over 30 critical civilian facilities such as airports, clinics, power plants, etc. The European Union report claimed that the Israeli attacks destroyed 30,000 homes.

The United Nations revealed that Israel used cluster bombs against 170 villages and sites in southern Lebanon. The Chief of Operations in the United Nations Mine Action Coordination Centre in south Lebanon, Mr. Gilbert, said that Israel had undoubtedly launched these shells deliberately into populated areas in violation of international law, and that the charges dispersed by the shells which had not exploded each constituted death traps for civilians, leading to the death of 8 persons and injuries to about 30 more in the first days after the ceasefire. The United Nations has so far identified over 30 sites that are still full of unexploded cluster bombs, and has stated that the clearing operation will take at least a year because the bombs were designed to kill individuals over the largest possible area and inflict permanent injuries.

There is much information supplied by non-governmental organizations on large-scale violations committed by Israel against Lebanese civilians with, I am sorry to say, political cover provided by certain Members of the United Nations represented here in the Conference on Disarmament, States which, as I said, remind us every day of their great commitment to international peace and security. I invite these delegations, and all delegations in this room, to visit the web pages of Human Rights Watch if they wish to obtain additional information on these crimes.

The PRESIDENT: I thank the distinguished representative of the Syrian Arab Republic for his statement and for his kind words addressed to the previous and current Chairs. I recognize the representative of Israel, wishing to use his right of reply.

Mr. ITZCHAKI (Israel): Having listened to the previous speaker, I do not intend to take much time of the Conference on Disarmament. It is just to say that it is a bit odd to hear the expressions of defence coming from a State that is known to provide terrorist groups like the Hezbollah with weapons. These were clearly reflected in the reports of the United Nations Security Council, including the failure to implement their resolution 1559 and now recently standing in the way of implementing resolution 1701 that clearly puts an embargo on the transfer of arms to the Hezbollah, and a State that is supporting terrorism. Somehow it is a bit odd that they should lecture us. It was not our intention here to divert the true intention of this Conference to deal with the issue of transparency in armaments and to deal with threats to civil aviation, but unfortunately one delegation decided to divert the attention and to derail the focus of this Conference. We will not give our hands to that.

The PRESIDENT: I thank the distinguished representative of Israel for his statement. I see the distinguished representative of the Syrian Arab Republic using the right of reply. You have the floor.

Mr. ALI (Syrian Arab Republic) (translated from Arabic): We do not hide our political support for the Lebanese national resistance against the Israeli occupation of Lebanese territories, since this is a matter which has backing in international law. There is resistance because there is occupation, and so we do not conceal that support. If Israel describes national resistance as terrorism, let us remember that the Nazis accused all those who opposed them of being terrorists or pinned similar names on them. We provide political support for the Lebanese national resistance and the Palestinian national resistance against Israeli occupation.

On the resolutions and the non-implementation of Security Council resolutions, resolution 1559 (2004) contains a paragraph concerning the Syrian Arab Republic and, as the Secretary-General of the United Nations has confirmed, the Syrian Arab Republic has implemented that paragraph, and has complied with everything related to resolution 1559 (2004). On resolution 1701 (2006), which orders an end to hostilities in south Lebanon, this has nothing to do with the Syrian Arab Republic, since it relates to an issue between Israel and Lebanon.

Now that the Israeli delegation is displaying its concern to implement international resolutions, I must point out that there are at least 40 Security Council resolutions and hundreds of resolutions of the General Assembly and other international organizations relating to Israel, of which not a single one has been implemented to date.

Consequently, anyone who violates international law daily has no right to lecture to others. There is no crime referred to in the four Geneva Conventions that Israel has not committed. Nor has it failed to commit any of those in international law or international humanitarian law, and this in the sight and hearing of the whole world. Consequently, it would be preferable for them to refer to their policies and to their positions, because words will never change reality.

I should like to conclude my reply by quoting an editorial in Yedioth Ahronoth, an Israeli newspaper, in which the journalist Yael Gwurtz referred to public concern at what was happening in Lebanon, and said that the events in Lebanon distracted attention from what was happening in Gaza, and that the Israeli army had killed 163 Palestinians during the month of July, that is, during the Israeli war against Lebanon, including 78 civilians, 36 of whom were children, as well as 20 women. The Israeli journalist adds in the newspaper Yedioth Ahronoth: “Everything that is happening in Lebanon is happening in Gaza, the air force is using all its forces in bombing raids, and the artillery has launched over 12,000 shells, in Gaza, in occupied Palestine, where more than 14 commando incursions have been conducted”. The Israeli journalist adds: “We have kidnapped government ministers and yesterday we kidnapped the Chairman of the Legislative Assembly, we have asphyxiated Palestinian citizens with clouds of smoke and blood, using hunger and the fear of the spread of disease, and what has been achieved?” Consequently, the claim that Israel is exercising the right to self-defence or responding to terrorist acts is a feeble and empty claim.

The PRESIDENT: I thank the distinguished representative of the Syrian Arab Republic for his statement. This concludes the list of speakers for today. Do I see any delegation wishing to take the floor at this stage? That does not seem to be the case.

(The President)

I would now like to draw your attention to the request from Timor-Leste for participation in the work of the Conference during this session, which is before you in document CD/WP.541/Add.4. In accordance with the established practice, I invite you to take a decision on this request without having considered it in an informal meeting. May I take it that the Conference decides to invite Timor-Leste to participate in our work in accordance with the rules of procedure?

It was so decided.

The PRESIDENT: Since we have not received any requests to convene an informal plenary meeting on transparency in armaments, may I ask if at this stage any delegation would like to address such a request to the Chair? That does not seem to be the case.

This concludes the focused structured debate on agenda item 7, entitled “Transparency in armaments”. The next plenary meeting will be held on Thursday, 31 August, at 10 a.m. in this conference room. As indicated in the outline of proposed activities, at that meeting the Conference will hold a general debate. In addition, at the informal plenary meeting that will follow, I will introduce the draft report of the Conference on Disarmament to the United Nations General Assembly at its sixty-first session.

The meeting rose at 4.35 p.m.