

CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE ONE THOUSAND AND SEVENTY-EIGHTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 16 August 2007, at 10.20 a.m.

President: Mr. Jürg STREULI (Switzerland)

The PRESIDENT (spoke in French): I declare open the 1078th plenary meeting of the Conference on Disarmament.

Switzerland's term in the Chair is coming to an end. I have hesitated somewhat to make a final statement on this occasion. I am doing so nonetheless, while being aware of the fact that the system of rotation for Presidents is not of great significance in the final analysis. Each term is a stage in a process of dialogue and negotiation which continues throughout the Conference session and even beyond. The process of adoption of our proposal continues and must continue until consensus has been arrived at. If necessary, it will have to be resumed at the beginning of next year. We must therefore find a way of ensuring the continuity of our work from one Conference session to the next. It is difficult to imagine that all our efforts this year, all the progress and all the achievements of the 2007 session might not be taken up again in one way or another in 2008.

I pointed out in my introduction at the beginning of the third part of our session that we have very little time left, and that we must accept the fact that the closer we come to a consensus, the more the decision-making process becomes slow and complex. The few weeks that have elapsed since I made that observation have borne me out fully. I have had many bilateral consultations - this week almost continuously. Have these consultations helped us to make progress in our work? That is the question. When we do not expect spectacular positions to be adopted and we content ourselves with a slow, step-by-step process, I can say yes. But there are still a few countries which cannot yet support the Presidential draft decision or are still awaiting instructions from their capitals.

I have also received a proposal for a slight amendment of the text of the complementary Presidential statement, while keeping the text of document L.1 unchanged and incorporating that statement in the Presidential draft decision. My consultations have revealed that these suggestions could meet with broad approval, but I was eventually obliged to conclude that, even if they represent a major step towards consensus, these amendments do not for the time being change the situation with respect to acceptance of the Presidential proposal by members of the Conference. It is for that reason that I prefer not to introduce these proposals at present, but this does not mean that they will disappear from our future discussions.

Another positive point should be noted. With the Presidential reports on parts 1 and 2, and soon on part 3, and with the distribution today of the progress reports of the seven coordinators addressed to the President (document CD/1827, dated 16 August), we have been able to reflect the main thrust of our work this year in the official documentation of the Conference. That constitutes a good basis for our future activities.

Before giving the floor to any delegations which might wish to speak in a general way, I would like to conclude my statement by asking whether there are any countries whose position has shifted latterly. Would any delegations wish, at this stage, to inform the Conference of a change in their position concerning documents CD/2007/L.1, CD/2007/CRP.5 and CD/2007/CRP.6? If not, I will conclude that in order to reach consensus, we simply need more time.

(The President)

It is now my duty, a rather sad duty, to say goodbye today to one of our most active and committed members. You will have guessed that I am speaking about Ambassador Paul Meyer, the Permanent Representative of Canada.

Paul Meyer joined us in July 2003 as Ambassador to the United Nations Office and Ambassador for disarmament affairs in Geneva, then as Permanent Representative of Canada to the United Nations Office at Geneva. As the representative of a country with an impressive record arising from fierce commitment to multilateral disarmament and non-proliferation, Paul Meyer has constantly participated in an energetic and determined way in the efforts made to break the deadlock facing the Conference and enable it to resume substantive work.

Over more than four years, through his personality, Paul Meyer left his imprint on the discussions in the Conference on Disarmament and also the proceedings of other Conferences relating to disarmament, such as those held in connection with the Treaty on the Non-Proliferation of Nuclear Weapons or the proceedings of the First Committee of the United Nations General Assembly. Whenever Paul took the floor, as he did often, one could expect a courageous, constructive, well-thought-through statement based on a thorough knowledge of the subjects under consideration. These were statements that reflected not only the positions of his Government but also his personal dedication to the noble cause of disarmament. Paul, we would like to thank you for your contribution and cooperation within the Conference and we wish you a safe journey home to Ottawa and much success in your future activities, which, I hope, will not take you too far away from disarmament issues.

It is now my pleasure to give the floor to the distinguished representative of Canada, Mr. Paul Meyer.

Mr. MEYER (Canada): Mr. President, thank you for those extremely warm words. And indeed it is very much with mixed emotions that I take the floor this morning to say farewell to this Conference and its members after four years in Geneva and to share some personal reflections on its condition. On the one hand, this is a forum which has witnessed some very valuable dedicated discussion of major issues of non-proliferation, arms control and disarmament. On the other hand, it is a body that has failed to fulfil its primordial *raison d'être* throughout my entire stay and for six years previous to my arrival.

The first speech to the CD I read upon taking up my duties here in early September 2003 was one by a distinguished former colleague, Ambassador Prasad Kariyawasam of Sri Lanka. Towards the end of this speech, delivered on 28 August 2003, the Ambassador stated: "We, representing the international community, cannot, and shall not await political circumstances to become more propitious to start work in the CD. We have waited for far too long. Let's turn a corner now and agree on a balanced programme with a realistic ambition and answer the call of our conscience." I think many will agree that this sentiment could equally well apply to our current situation four years later.

This is not to say that there hasn't been movement in the CD over this period. I personally can attest to having moved around quite a bit in this august chamber with each sessional rotation and having been able to admire the murals of Maître Sert from several vantage points.

(Mr. Meyer, Canada)

I have never claimed to understand the iconography here beyond the fact that it involves clusters of figures straining to accomplish something with little visible results - which may not be a totally inappropriate image for this room. But above our heads there seems to be a symbol of solidarity and fraternity, open to interpretation of course, regional group coordinators and the presidency agreeing on something perhaps, or maybe an "all for one and one for all" pledge on behalf of L.1 - an aspirational metaphor to some extent.

It is useful to remind ourselves that the aspirations of our citizens for peace and security underlay the establishment of this forum and our attendance here. The aim to divest ourselves of the worse weapons of mass destruction, to provide some security assurances to those States which have already forsworn such arms, to try to preserve a vital environment from becoming yet another arena for military conflict: these are goals widely held by the global community and explain the considerable investment made in sustaining us here. Alas, we have to acknowledge that the return on that investment has been virtually nil. If the CD was a business, it would have been declared insolvent long ago and shut down.

But this is not the time to rehearse the weaknesses of this forum and its dysfunctional consensus rule that sacrifices the commitments of the many to the preferences of the few. It is however incumbent on all those States represented here and those that are serious about making progress on the core issues before this Conference, to consider what is to be done when the collective will to agree a programme of work is stymied. It would appear only logical that in a situation where there is an insurmountable conflict between a given forum and the substance to be addressed by it, that the latter should not be sacrificed to the former. In other words, if despite the best efforts of many in this hall, we are unable to agree on a way to resume work, we should look to other forums or processes for carrying this work forward.

I have frequently heard concerns voiced that if some or all of the issues on our agenda were taken out of the clutches of the CD it would be the death of this body. While leaving aside the issue of whether a body which has failed to deliver on its primary function for 10 years in a row doesn't deserve to be put down or at least put on ice, it is also a questionable premise. If we take the example of the CCW, it was not terminated by the sheer fact that via the Ottawa process a group of States decided to achieve something more than it had been able to accomplish with the issue of anti-personnel landmines. I suspect the CCW will continue to exist even if later this year another process overtakes it on the road to addressing the issue of cluster munitions that cause unacceptable humanitarian consequences. The chief point is that if States are serious about accomplishing something in the field of multilateral arms control, they will find the appropriate diplomatic vehicle for so doing. Only those whose motivations are open to question will cite the limitations of any particular forum for justifying inaction on the underlying issues.

Earlier this year under the skilled leadership of the P-6 we briefly glimpsed what it would be like to be part of a serious, active forum again. With an operational tempo of using 7 out of our 10 possible sessions a week and a veritable outpouring of substantive papers and interventions on our core topics, it was an exhilarating if challenging period. For a few weeks, and I think I can speak for most colleagues here, there was a return of energy to this chamber and

(Mr. Meyer, Canada)

a sense for many diplomats with disarmament responsibilities that they were finally earning their keep. Regrettably, since the end of March we have lost that momentum, dissipated in a series of indeterminable policy reviews in a couple of capitals, prevarications, procedural objections and enigmatic pronouncements. I hope that you will be able in the little time left this year to regain that sense of energy and purpose. Whatever the case, I urge you not to give up on this vital enterprise in which the current and future well-being of our societies is so closely bound up.

The deficiencies of this institution have nothing to do with the calibre of the diplomats assigned to it and I have greatly valued the colleagues who have laboured alongside me during my own time here. Let me acknowledge as well the dedicated and professional contributions made by the Secretary-General, Mr. Ordzhonikidze, his deputy Tim Caughley, and all the secretariat staff, and finally, the consistent high standards of our interpreters who managed, at least at the linguistic level, to ensure clarity and mutual understanding in this Council.

On the point of my departure to return to the Foreign Ministry in Ottawa, I can assure you that I will continue to follow developments here with great interest, perhaps an even greater sense of relief, mingled though with affection for all associated with the CD and a fervent hope for a brighter future for the disarmament community.

The PRESIDENT (spoke in French): I thank Paul Meyer for his farewell statement, which will be in our minds for some time. It is worth rereading and we must reflect on what he said. So I thank him very much and I also greet his wife Judy, who is honouring us with her presence today in this room. So, once again, our best wishes for your future posting in Ottawa. I now call on the next speaker on the speakers' list, Mrs. Mariela Fogante, the representative of Argentina.

Ms. FOGANTE (Argentina) (spoke in Spanish): Mr. President, allow me to express on behalf of the Argentine delegation our appreciation for your work as President of this Conference and the efforts you have made together with the other Presidents for the year 2007 to identify a way for this disarmament forum to resume its substantive work. Allow me also, through you, to thank the authorities and the secretariat of the Conference for the efforts made along these lines. On this occasion my delegation would like to take the floor to inform the members of the Conference on Disarmament of the holding of the regional seminar on "Current initiatives in the field of conventional weapons - prospects for Latin America and the Caribbean", which was held in the city of Buenos Aires on 30 and 31 July of this year. The event was organized by the Argentine Republic, in cooperation with the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland, in the context of the General Assembly resolutions on this issue. The seminar was inaugurated by the Minister for Foreign Affairs, Ambassador Roberto García Moritán, and was attended by the representatives of 25 countries of Latin America and the Caribbean, representatives of the United Nations Office for Disarmament Affairs and members of non-governmental organizations which are working at the national, regional and worldwide level to follow up the initiatives which were the subject of the agenda of the meeting. Concerning the agenda, first of all, the discussion dealt with

(Ms. Fogante, Argentina)

the concept of confidence-building measures and focused particularly on the question of transparency in armaments, through an analysis of the United Nations Register of Conventional Arms and the Inter-American Convention on Transparency in Conventional Weapons Acquisitions, trying to identify positive synergies between these two instruments.

Secondly, particular importance was attached to the process initiated by United Nations General Assembly resolution 61/89, entitled "Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms." In this context there were exchanges of views among the States concerning the future work of the group of experts which was set up by the resolution that I have just referred to, and in this process the contributions made by non-governmental organizations with a view to facilitating understanding on this question were recognized. Lastly, issues related to small arms and light weapons were reviewed, both at the regional and at the worldwide level. Concerning this subject, the participants took the opportunity to analyse the situation concerning the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and to express their views on initiatives launched with the aim of strengthening it. A copy of the conclusions of the co-chairs of the various panels has been given to the Office for Disarmament Affairs.

Argentina, which is convinced of the importance of opening up forums for dialogue and cooperation, emphasizes the importance of this type of meeting to exchange views on the different initiatives that already exist in the area of conventional weapons and thus to promote their implementation and continuing improvement. They definitely help to identify possible areas for cooperation and mutual understanding among the countries of the region. Lastly, allow me to express on behalf of the delegation of Argentina best wishes for success in the future work on which Ambassador Meyer of Canada will embark in Ottawa.

The PRESIDENT (spoke in French): I thank the distinguished representative of Argentina for her statement and for the kind words that she addressed to the Chair. We have now come to the end of the speakers' list. Does any delegation wish to take the floor at this stage? I give the floor to the distinguished representative of China.

Mr. CHENG (China) (spoke in Chinese): At the outset, Mr. President, allow me to congratulate you on your assumption of the presidency of the Conference on Disarmament and to express my appreciation for the concerted efforts that you have made during your presidency to bring forward the work of the Conference and, in particular, for your patience, wisdom and leadership in this process. I also share the assessment that you have just made on the current situation in the Conference on Disarmament.

Over the past year, all parties in the Conference on Disarmament, including six Presidents and all the coordinators, have made unremitting and valuable exploratory efforts with a view

(Mr. Cheng, China)

to revitalizing the work of the Conference. The proposal by the six Presidents and the related Presidential declaration have laid excellent foundations for the future work of the Conference and they may provide means of breaking the deadlock in its work. Of course, we are also aware that the above documents still do not offer a programme that is capable of receiving unanimous support, hence the need for further efforts.

The Chinese delegation has all along taken an active part in the relevant consultations. In concert with all other member States we hope to see an early end to the deadlock so that substantive work can start on matters of common concern. We also support the important efforts that have been made to this end by the parties concerned. At the same time, I would like here to recall the ideas put forward by the Chinese delegation on 19 June regarding document L.1 and its complementary statement, namely, that the complementary statement, by being made an integral part of L.1, will become more rational and lucid. There is also room for improvement in the wording of paragraph 3 of the statement. The Chinese delegation will continue to participate in a constructive manner in future consultations. We also hope that all other countries will maintain their patience and confidence and, in a spirit of mutual consideration, will continue to give full attention to the still unresolved concerns of certain countries. It is important that we work together for a consensus solution.

The PRESIDENT (spoke in French): I thank the representative of China for his statement and the kind words he addressed to the Chair. Are there any other delegations that wish to take the floor at this stage? I call on the distinguished Ambassador of Pakistan, Ambassador Khan.

Mr. KHAN (Pakistan): I shall begin by placing on record our delegation's appreciation for the outstanding contribution made by Ambassador Paul Meyer to the work of the Conference on Disarmament and disarmament diplomacy in general. We differed on several points, but in several sittings he enlightened us with professionalism, knowledge and commitment. We wish him success in his next assignment.

Mr. President, we would also like to thank you for the resolute efforts you have made during your presidency to move the CD towards consensus. We pay tribute to your leadership, your patience and your perseverance.

We appreciate the work done by all CD Presidents to evolve consensus around the Presidential draft decision and the draft complementary Presidential statement.

We are immensely grateful to China for urging the CD to work with the member States which have concerns on these texts.

Pakistan has serious and substantive concerns. Since May this year, Pakistan has been ready to table its amendments to the Presidential draft decision. We have refrained from doing so to allow for the completion of our own interdepartmental policy review and to make room for more consultations in the CD.

(Mr. Khan, Pakistan)

Our policy on the FMT has been deliberated and decided at the highest level in Pakistan. The National Command Authority (NCA), the apex body responsible for the formulation and development of our strategic policy and systems, met on 2 August and addressed, inter alia, the issues being discussed at the Conference on Disarmament. I quote an extract from a press release issued on 2 August:

“The NCA reviewed the current status of negotiations on disarmament issues in the Conference on Disarmament in Geneva, including regarding the proposed FMCT. The NCA reiterated Pakistan’s position in favour of a non-discriminatory multilateral and internationally and effectively verifiable treaty, taking into consideration the security concerns of all States.”

The full text of the press release is available on our mission’s website.

Recent developments in the nuclear field will have implications for strategic stability in South Asia. The strategic restraint regime, which we have been seeking since 1998, will increasingly become elusive. Pakistan therefore is pursuing a brief that is firmly anchored in its core national security interests.

At the heart of the problems in the CD are the competing security interests of the CD members. Given the security concerns of all member States, we are in favour of CD decisions that are comprehensive, balanced and relevant to the work of the Conference on Disarmament.

Pakistan wants the CD to be agile and engaged. For our part we have been trying to promote this objective. The CD should not chase a mirage, but work towards a substantive outcome.

Difficult questions notwithstanding, we are ready to work with all members of the CD to see how we can move forward.

The PRESIDENT (spoke in French): I thank the representative of Pakistan for his statement and his kind words addressed to the Chair. I now call on the distinguished representative of New Zealand.

Mr. MACKAY (New Zealand): Mr. President, could I echo the thanks expressed by other colleagues to you for the work that you have put into the presidency in an endeavour to bring the Conference on Disarmament to a point where we can commence our substantive work?

I think that the farewell statement that Ambassador Meyer gave set very much the scene for the CD in the way in which we need to look at issues relating to a work programme. Ambassador Khan of Pakistan said that sometimes there had been issues and matters on which there had been disagreements, and he had disagreed with Ambassador Meyer, and inevitably

(Mr. MacKay, New Zealand)

that is the nature of the business that we are engaged in, but I think that all of us, or certainly just about all of us, if we are honest when we read Ambassador Meyer's statement would have to acknowledge the legitimacy of the points that he makes, and the good humour with which he presented that statement, more in sorrow than in anger, I think, does provide a reality check for us in terms of the way in which we approach our future work, assuming that we do have future work, and of course, that is the issue that we continue to face in the CD.

I should like to thank our distinguished colleagues from China and Pakistan for their statements with regard to their national positions, and certainly, as our distinguished colleague from China said, there is clearly a requirement for us to maintain confidence and patience. There are obviously also limits to just how far one can maintain confidence. I think it is fair to say that the level of confidence in any successful outcome does diminish over time. I think that is a natural consequence of a process continuing without producing a result, and I think that there is increasingly a crisis of confidence within the CD in terms of its ability to get down to work and increasingly a crisis of confidence as to whether we are going to be able to resolve the issues surrounding L.1.

It is very clear that L.1 does command a groundswell of support, but there are several countries that continue to have difficulties with it. Clearly, we do need, as has been suggested, to have full regard to the concerns of those countries that do have concerns regarding it, but there is also, as Ambassador Meyer said in his farewell statement, the matter of the collective good, and that ultimately, I think, is what drives all of us here as members of the CD. So we very much hope that those countries that do have difficulties still with L.1 will be able to bring us quite quickly to a point where we can actually commence work. We have got closer to that point this year than we have for a long time in the past, but so far, not quite enough.

I should also like to thank our distinguished colleague from Pakistan for the statement that he has circulated in writing this morning, and certainly we will be taking up the invitation that he has extended to us to look at the full text of the press release issued by his authorities with regard to the work of the Conference on Disarmament. I was very encouraged in fact by the extract from that statement that he quotes in his statement here in the CD, because certainly, in the second sentence of that, where it refers to Pakistan's position in favour of a non-discriminatory multilateral and internationally verifiable treaty, that position is entirely the same as my country's position. The difference is, I think, that we do not regard it as necessary to negotiate the outcome in advance of actually beginning the negotiations, and we do not consider it necessary to stipulate the parameters of the outcome of the negotiations until we have actually had the negotiations, and I think that that is something that obviously needs to be reflected on further. I was also very pleased to see the reference there to the fact that Pakistan's position will take into account the security of all States, because I assume that also includes the security of non-nuclear-weapons States, of those States that have not chosen to arm themselves with nuclear weapons and who clearly have a very demonstrable national interest - and I would suggest that this is the collective interest of the whole - to begin work on an FMCT as a matter of nuclear disarmament. I do not think it is possible to overstress that point: that an FMCT is an instrument of nuclear disarmament, and that is the basis on which certainly my own country approaches this issue and the basis I know on which other States that have not chosen to arm themselves with nuclear weapons also address this issue.

(Mr. MacKay, New Zealand)

So, assuming then that all of those security concerns can be weighed - those of the non-nuclear-weapon States, those States that have chosen to possess nuclear weapons - if we can take all of those things into account, I have no doubt that we can quite quickly begin our work on an FMCT and move forward progress in this body and on this fundamental matter of nuclear disarmament.

So, as I say once again, I would like to thank our distinguished colleagues from China and Pakistan for the statements they have given this morning. I think reading the details of those statements there is in fact a lot to give us confidence, but we will also need to move quite quickly or I think that the confidence that we do have left will be dissipated and unfortunately, the rather grim situation that Ambassador Meyer has described in the past may also be our legacy in the future. Obviously, in that situation we will have to take some quite serious decisions regarding these matters.

I thank you very much, Mr. President. I thank you once again for the work that you have done, and I think too that, if I may say so, the progress that we have made this year, the distance that we have come this year, is also an attestation to the effectiveness of the P-6 process. I know that the P-6 this year actually started their preparatory work very early, and I think that that has shown in the way in which our work was conducted. As you yourself said, each presidency is a stage in a process and there is a need to ensure continuity, and certainly our delegation looks very much forward to the incoming P-6 to operate cohesively as a group in the way that the P-6 has this year, so as to ensure that continuity and to serve their collective best interests.

The PRESIDENT (spoke in French): I thank the distinguished representative of New Zealand for his statement and for the kind words he addressed to the Chair. Are there any other delegations which wish to take the floor at this stage? No. Therefore, all that remains for me now is to leave my seat and to thank all of those who have assisted me. Today, 25 June, I should like to extend warm thanks to my colleagues in the team of six Presidents (P-6). The close cooperation between this year's six Presidents has once again proved extremely useful and I can only recommend to the Presidents in 2008 that they continue along the same lines. Regular consultations among the six Presidents are most useful to the current President in establishing his positions, particularly since several regional groups are represented within the P-6 team. I should like to wish my successor, my colleague from Syria, every success, and I assure him of my full support as he works to carry out his task. Many thanks also to the coordinators, who have continued to support the Chair despite a degree of impatience as well as frustration and disappointment at not having been able to be more active in the present state of our work. At least their very significant work this year has now been duly reflected in the official Conference documents.

I would also like to thank our Secretary-General, Mr. Ordzhonikidze, for his support and advice, which are the result of long experience, but also for the great interest he has always shown in disarmament questions. Obviously my thanks also go to Tim Caughley and his entire

(The President)

secretariat team, who are the indispensable partners of each President, as well as the interpreters, who perform a difficult task which requires, in addition to perfect command of languages, great concentration and understanding of the subjects dealt with.

A final word to thank the members of the delegations who have been patient and consented to the Conference being, in these last few weeks, not in a debating phase and still less in a negotiating phase within the plenary, but rather in a bilateral consultation phase. In the last few weeks I have preferred to hold consultations with certain delegations, so that the results are less visible, but I hope that I have nonetheless been able to move the work of the Conference forward, even if this progress is less significant than initially hoped for.

With these words I conclude the plenary meeting, but I would like to make one final point: the next plenary meeting of the Conference on Disarmament will be held on Tuesday, 21 August 2007, in this room at 10 a.m., under the presidency of the Syrian Arab Republic. On that occasion the High Representative for Disarmament Affairs, Mr. Sergio Duarte, will be present.

If no other delegation wishes to take the floor, I declare this meeting closed.

The meeting rose at 11 a.m.