

# CONFERENCE ON DISARMAMENT

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## FINAL RECORD OF THE ONE THOUSAND AND NINETY-FOURTH PLENARY MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 28 February 2008, at 10.15 a.m.

President:

Mr. Ahmet ÜZÜMCÜ

(Turkey)

The PRESIDENT: I declare open the 1094th plenary meeting of the Conference on Disarmament.

I have the following speakers for today's plenary meeting: Ambassador Faysal Khabbaz Hamoui of the Syrian Arab Republic on behalf of the Group of 21 on PAROS, Ambassador Rao of India and the Slovenian representative, Mr. Jerman, who is again going to speak on PAROS.

I now give the floor to the distinguished Permanent Representative of Syria.

Mr. HAMOUI (Syrian Arab Republic): I have the honour to deliver the following statement on behalf of the Group of 21.

“1. The role of space technology in our day-to-day life has become pervasive. Never before have information, intelligence, communication, banking, economic transactions, navigation, and even political and strategic decision-making been so dependent on space-based technologies, which are themselves witnessing rapid growth.

“2. The Group reiterates that outer space and other celestial bodies are the common heritage of mankind and must be used, explored and utilized for the benefit and interest of all mankind in a spirit of cooperation. The Group reaffirms that the exploration and use of outer space and other celestial bodies shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development.

“3. The Group stresses that the growing use of outer space increases the need for greater transparency, confidence-building measures and better information on the part of the international community. The Group believes that all States with major space capabilities have a special responsibility to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties, in the interest of maintaining international peace and security and promoting international cooperation.

“4. The Group recognizes that prevention of an arms race in outer space would avert a grave danger for international peace and security. The Group emphasizes the necessity of further measures with appropriate and effective provision for verification to prevent an arms race in outer space in all its aspects.

“5. The Group emphasizes the importance and urgency of preventing an arms race in outer space. In this regard, the Group is deeply concerned over the negative implications of the development and deployment of anti-ballistic-missile defence systems and the pursuit of advanced military technologies capable of being deployed in outer space which have, inter alia, contributed to the further erosion of an international climate conducive to the promotion of disarmament and strengthening of international security.

(Mr. Hamoui, Syrian Arab Republic)

“6. The Group of 21 stresses that all countries bear a responsibility to refrain from activities that could jeopardize the collective goal of maintaining outer space free from weapons of mass destruction and all other forms of weaponization so as to ensure that its benefits are available to all.

“7. The Group considers that the multilateral disarmament agreements provide the mechanism for States parties to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of, the provisions of the agreements, and that such consultations and cooperation may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with the Charter.

“8. The prevention of an arms race in outer space has assumed greater urgency because of legitimate concerns that existing legal instruments are inadequate to deter the further militarization of outer space or prevent its weaponization. The Group further reaffirms its recognition that the legal regime applicable to outer space does not in and of itself guarantee the prevention of an arms race in outer space. For that purpose, the Group stresses the need to consolidate and reinforce that regime and enhance its effectiveness.

“9. In this regard, the Group reaffirms that the Conference on Disarmament is the sole multilateral disarmament negotiation forum of the international community, which has the primary role in substantive negotiations on priority questions of disarmament. The Group considers that it is time to start negotiation in the Conference on Disarmament on matters related to the ‘Prevention of an arms race in outer space’.

“10. In addition, United Nations General Assembly resolution 62/20 on ‘Prevention of an arms race in outer space’ further made the following observations with regard to the Conference on Disarmament:

- The CD should complete the examination and updating of the mandate contained in its decision of 13 February 1992 and establish an ad hoc committee during the 2008 session
- The CD has the primary role in the negotiation of a multilateral agreement or agreements on the prevention of an arms race in outer space in all its aspects

“11. The Group, while stressing the priority of the negotiation of legally binding instruments on strengthening the international legal regime on outer space, recognizes that global and inclusive transparency and confidence-building measures, arrived at through broad international consultations, could be important complementary measures.

(Mr. Hamoui, Syrian Arab Republic)

“12. In this regard, the Group welcomes the joint Russian-Chinese initiative of a draft treaty on the ‘Prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects’ (PPWT) presented by the Minister of Foreign Affairs of the Russian Federation in the Conference on Disarmament on 12 February 2008. This initiative is a constructive contribution to the work of the Conference and is a good basis for further discussion toward adopting an international binding instrument.”

The PRESIDENT: I thank Ambassador Hamoui of the Syrian Arab Republic for the statement he made on behalf of the Group of 21. I now give the floor to the distinguished Permanent Representative of India, Ambassador Rao.

Mr. RAO (India): Mr. President, it gives me great pleasure to extend our warm congratulations to you on your assumption of the presidency. I would also like to extend our thanks to your predecessor, Ambassador Labidi of Tunisia, for the able manner in which he conducted the business of the Conference. We also associate ourselves with the statements made on behalf of the G-21.

It is an honour and privilege for me to make my first statement in the Conference representing my country. The magnificent frescoes of José María Sert have a timeless quality and evoke in me the same sense of awe as when I first entered this chamber as a member of my delegation more than a decade ago. These frescoes underline the message that to move the wheel of disarmament on and forward, we require to exert no less than the men and women that adorn these walls.

This chamber has also been compared to a hall of trick mirrors in which nothing is what it seems to be. It is my fervent hope that in the weeks and months ahead we are able to replace these with mirrors that truly reflect each other’s interests and concerns, so that the reality of our collective interests becomes the basis of our work here. Our success will be measured by our ability to negotiate forward-looking agreements that are global and non-discriminatory, thus enhancing global security.

It is in this spirit that India attaches high importance to the CD as the single multilateral negotiating forum, whose mandate is drawn from the consensus of SSOD-1. Since its decisions impact on the national security of member States, it is logical that the CD should conduct its work and adopt its decisions by consensus. In doing so, we should abide by the well-established rules of procedure, which have served the Conference well.

We are deeply conscious of the fact that the Conference has been unable to commence substantive work for nearly a decade. During this period, India has joined other delegations to explore various proposals to advance the CD’s work. Despite commendable efforts, the momentum that was created last year to move the CD out of its long-standing stalemate did not advance far enough so as to command consensus.

(Mr. Rao, India)

We remain committed to participating constructively in ongoing discussions so that the Conference can commence substantive work by reaching consensus on a programme of work that takes into account the interests of all its stakeholders. We believe that any decision on a programme of work must be consistent with the rules of procedure, preferably on the basis of a clear and integrated text. We also believe in the significance of common understandings on fundamentals and clarity on mandates to ensure the smooth and successful conduct of negotiations.

India has consistently maintained its principal position: it attaches the highest priority to the goal of nuclear disarmament, both as a national position, which has enjoyed strong and consistent domestic support, as well as as a member of the Non-Aligned Movement and here in the CD, as a member of the G-21. A holistic framework, seeking negotiations for a time-bound commitment to the complete elimination of the nuclear weapons to usher in a world free of nuclear weapons and rooted in non-violence, was presented by India's Prime Minister, Rajiv Gandhi, to the United Nations in 1988.

India has made several proposals in the CD on nuclear disarmament and has joined G-21 positions on the subject, including in CD/1570 and 1571. The General Assembly approved, as in previous years, a resolution sponsored by India on a convention on the prohibition of the use or threat of use of nuclear weapons, which calls upon the CD to commence negotiations on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances.

India has also sponsored a resolution on "Reducing nuclear danger" to highlight the risks posed by the hair-trigger posture of nuclear weapons and the related unintentional, unauthorized or accidental use of nuclear weapons leading to a nuclear war with catastrophic consequences. Last year, India submitted a working paper on nuclear disarmament in CD/1816.

Over the years, several international groups and NGOs have lent their voice in favour of nuclear disarmament. The goal of a world free of nuclear weapons has now received the support of eminent personalities like Henry Kissinger, George Shultz, William Perry and Sam Nunn - all knowledgeable and experienced in this field. This Conference cannot be oblivious to the shifting currents of informed opinion, which are now moving ever stronger in favour of nuclear disarmament.

As the sole multilateral negotiating forum on disarmament, there is a heavy responsibility on the Conference on Disarmament to make progress on nuclear disarmament. The first priority is binding commitments, accompanied by the negotiation of specific steps that would reduce and finally eliminate the nuclear threat globally, in a verifiable and irreversible manner, where no State would claim exclusive security based on its possession of nuclear weapons.

India would suggest the enunciation of concrete steps towards achieving the goal of nuclear disarmament based on the following elements:

(Mr. Rao, India)

- Reaffirmation of the unequivocal commitment of all nuclear-weapon States to the goal of the complete elimination of nuclear weapons
- Reduction of the salience of nuclear weapons in security doctrines
- Taking into account the global reach and menace of nuclear weapons, adoption of measures by nuclear-weapon States to reduce nuclear danger, including the risks of accidental nuclear war, de-alerting of nuclear weapons to prevent unintentional and accidental use of nuclear weapons
- Negotiation of a global agreement among nuclear-weapon States on “no first use” of nuclear weapons
- Negotiation of a universal and legally binding agreement on non-use of nuclear weapons against non-nuclear-weapon States
- Negotiation of a convention on the complete prohibition of the use or threat of use of nuclear weapons
- Negotiation of a nuclear weapons convention prohibiting the development, production, stockpiling and use of nuclear weapons and on their destruction, leading to the global, non-discriminatory and verifiable elimination of nuclear weapons with a specified time frame

We recognize that these are complex issues on which divergences of approach persist amongst member States. We propose that the Conference consider the appointment of a special coordinator to assist in carrying out consultations on specific measures or a set of measures that have the potential of commanding consensus, which can form the basis of a mandate for a possible ad hoc committee on nuclear disarmament. We further recognize that consensus will not be easy, but that should not deter us from taking the first steps towards meaningfully addressing the priority issue of nuclear disarmament.

India supports the establishment of an ad hoc committee on FMCT as part of the CD’s programme of work. In 1993, India joined as one of the original co-sponsors of United Nations General Assembly resolution 48/75 L, which envisaged FMCT as a significant contribution to nuclear non-proliferation in all its aspects. That remains India’s position. The international consensus on FMCT in 1993 reflected, with clarity, the common understanding of the basic objective of the treaty and enabled India to join that consensus and on that basis, support negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. It is obvious that the treaty would have to meet India’s national security interests.

India supports the establishment of an ad hoc committee on NSAs to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. We believe that the negotiation of

(Mr. Rao, India)

such an instrument will complement other measures to reduce the saliency of nuclear weapons in security doctrines and improve the international climate for promoting nuclear disarmament and non-proliferation in all its aspects. As part of its credible minimum nuclear deterrent, India has espoused a policy of no first use and non-use against non-nuclear-weapon States and is prepared to convert these undertakings into multilateral legal arrangements.

Over the last four decades, India has consistently underlined the developmental dimensions of the use of outer space for the benefit of its people. Today, India is ranked among the advanced spacefaring nations in the world. Space-based connectivity and navigation are now critical to our economic development and a factor of national security importance. We are deeply conscious of the need to strengthen the present international legal framework to ensure the safety and security of space assets and to prevent the placement of weapons in outer space.

In this regard, we welcome the tabling of the draft treaty by the Foreign Minister of the Russian Federation on prevention of placement of weapons in outer space, along with China, as a further contribution to filling the existing gaps in the international legal regime. We agree with Russia that the CD is the appropriate forum to take forward discussions on this issue.

There is no legal regime governing the possession and use of missiles. The complexity of this issue arises mainly due to the untenable claims made by some States to exclusive rights to the possession of advanced weapon systems and their continued modernization. Any initiative to address these concerns in a sustainable and comprehensive manner should be through the inclusive process based on the principle of equal and legitimate security. Discussions are under way at the United Nations General Assembly on the issue of missiles in all their aspects. We hope that they lead to the adoption of a multilateral, universal and non-discriminatory approach to missiles as a contribution to international peace and security.

While we share the disappointment of delegations with regard to delay in getting down to substantive work, we should not be overly pessimistic about the future of the Conference. Here I would like to quote from the farewell statement of Ambassador Arundhati Ghose, under whom I served, who said the following in September 1997.

“Many apprehensions have been voiced of late about the future of this forum; there has been much doom and gloom about the CD’s apparent imminent collapse. I do not agree with this assessment. The CD is not an organization with programmes and projects. It is a forum ready to be used when there is need for it and when we, the members, wish to do so. It was set up by us to negotiate multilateral treaties which, while responding to the needs of international security, safeguarded vital national security interests as well. Agreement to negotiate such treaties is reached, I believe, when views coincide on the bases and the objectives of a treaty.”

In conclusion, let me reiterate the commitment of my delegation to contribute to all efforts for making this Conference productive and worthy of the immense trust and hope that the international community has placed on it.

The PRESIDENT: I thank the Permanent Representative of India, Ambassador Rao, for his comprehensive statement and for the kind words he addressed to the Chair. I now give the floor to the distinguished representative of Slovenia, Mr. Jerman, to deliver a statement on behalf of the European Union.

Mr. JERMAN (Slovenia): Mr. President, I have the honour to take the floor on behalf of the European Union. As it is the first time that I take the floor under your presidency, I would like to begin by congratulating you on the assumption of the post of President of the Conference on Disarmament.

The EU and its member States recognize ever-growing dependence on outer space for their economic and industrial progress and development, as well as for ensuring their security. Hence, the long-standing position of the EU member States in the CD which favours the enhancement of multilateral framework concerning the preservation of security in outer space. The EU thanks Foreign Minister Lavrov for having presented, on behalf of the Russian Federation and the People's Republic of China, the proposal for a draft PPWT.

In that context, the EU member States emphasize that further substantive discussion concerning space issues will take place when the proposed programme of work of the CD is agreed. The EU urges all remaining CD members to join consensus.

Concerning the draft PPWT, some EU member States have had the opportunity to provide informally their preliminary views to the Russian Federation. While the EU identifies itself with the overall goal of preserving outer space as an area free from armed conflict, further reflection and work is required on the elements for an effective international treaty. For example, it remains a difficult challenge to achieve consensus on the definitions needed for a legally binding instrument. As a matter of principle, an effective and robust verification system must be an integral part of any future treaty concerned with space security. The EU considers it is not sufficient only to refer to a possible future additional protocol.

The EU appreciates Russian efforts to enhance international space security and to put the subject on the international agenda. Considering the current state of affairs in the CD and of the above elements, the EU wishes to focus on a pragmatic and incremental approach, which will contribute to the strengthening of space security and create an atmosphere of confidence and transparency. To that end, the EU is working on a set of transparency and confidence-building measures which it plans to present at the CD for discussion. Such transparency and confidence-building measures could be an important stepping stone in this area, as was announced in the EU reply to United Nations General Assembly resolution 61/75, entitled "Transparency and confidence-building measures in outer space activities".

Naturally, any additional measures should be complementary to the existing legal framework.



The PRESIDENT: I thank the representative of Slovenia, Mr. Jerman, for the statement he made on behalf of the European Union and for the kind words addressed to the Chair.

I have no more speakers on my list. Does any delegation wish to take the floor at this stage? That does not seem to be the case.

I have a few announcements to make. The schedule for the high-level segment of next week is as follows. The Conference will convene in a formal plenary meeting on Monday, 3 March at 4 p.m., at which the Minister of Foreign Affairs of Argentina will make a statement. On Tuesday, 4 March, the Conference will meet in the morning at 10 a.m. sharp for statements to be delivered from dignitaries of the Netherlands, Kazakhstan, Romania, Iran, Slovakia, Colombia and Norway. The same day, in the afternoon, we will convene at 3 p.m. for addresses from Deputy Ministers from Turkey, Japan, Ukraine and the Republic of Korea. Finally, on Wednesday, 5 March, at 12 o'clock, the Conference will be addressed by the State Secretary of Sweden.

Please be informed that the UNOG security services have planned strengthened security arrangements for next week. As such, before entering the Council chamber, delegates will be asked to proceed via a metal detector that will be put in place for that occasion. Therefore, I would like to appeal to all delegates to arrive earlier so that we can start our meetings on time. I would also like to remind you that in addition to meetings scheduled for the high-level segment, informal meetings chaired by agenda item coordinators will be held on Thursday, 6 March, both in the morning and in the afternoon.

This concludes our business for today. As indicated, the next formal plenary meeting of the Conference will be held on Monday, 3 March, at 4 p.m. in this chamber.

The meeting rose at 10.45 a.m.