



General Assembly

Sixty-third session

First Committee

16th meeting

Thursday, 23 October 2008, 10 a.m.
New York

Official Records

Chairperson: Mr. Marco Antonia Suazo (Honduras)

In the absence of the Chairperson, Mr. Graça (Portugal), Vice-Chairperson, took the Chair.

The meeting was called to order at 10.30 a.m.

Agenda items 81 to 96 (continued)

Thematic discussion on item subjects and introduction and consideration of all draft resolutions submitted under disarmament and international security agenda items

The Acting Chairperson: This morning, the Committee will hold its thematic debate on disarmament machinery. We will begin with an informal exchange with a panel on disarmament machinery, followed by thematic statements. I would also like to inform delegates that prior to adjourning today, I will briefly suspend the meeting so that we may have the Certificate Awarding Ceremony for the Disarmament Fellows.

I would like to welcome our panellists here today: His Excellency Mr. Germain Mundarain Hernandez, President of the Conference on Disarmament; His Excellency Mr. Piet de Klerk, Chairman of the Disarmament Commission; Professor Adam Daniel Rotfeld, Chairman of the Advisory Board on Disarmament Matters; and Ms. Christiane Agboton Johnson, Deputy Director of the United Nations Institute for Disarmament Research (UNIDIR).

Before giving the floor to our panellists, I will first suspend the meeting in order to continue our discussion in an informal setting.

The meeting was suspended at 10.35 a.m. and resumed at 12.25 p.m. with the Chairperson in the Chair.

Ms. Moal-Makame (France) (*spoke in French*): I am speaking on behalf of the European Union. The candidate countries of Croatia and the former Yugoslav Republic of Macedonia, the countries of the stabilization and association process and potential candidate countries of Albania, Bosnia and Herzegovina, Montenegro and Serbia, as well as Ukraine and the Republic of Moldova, associate themselves with this statement.

The European Union firmly believes that a multilateral approach to security, disarmament and non-proliferation is the best way of maintaining international order. The European Union, as a strong supporter of effective multilateralism, considers the General Assembly and its First Committee, the Conference on Disarmament, the Disarmament Commission and the various international treaties and their organs and review processes to be mutually reinforcing.

In view of new threats to security, the disarmament machinery has an increasingly important role to play, and we should devote all possible efforts to preserving and, if possible, further strengthening it. Given its universal membership, the First Committee constitutes one of the most important forums for the discussion of non-proliferation and disarmament issues. We would like it to promote a common understanding of the current challenges to peace and

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security and to enable the international community to address them effectively in all the relevant bodies.

The European Union fully supports the activity of the Office for Disarmament Affairs in implementing, under the authority of Ambassador Sergio de Queiroz Duarte, High Representative for Disarmament Affairs, the mandates, decisions and relevant resolutions of the General Assembly.

The European Union stresses the importance of the Conference on Disarmament as the only multilateral forum available to the international community for disarmament negotiations. The European Union has stated that it can accept proposal CD/1840 as it stands, thus showing its goodwill and determination to overcome the current stalemate. The European Union has worked for the adoption of a programme of work for the Conference on Disarmament and will spare no effort to revitalize this singular forum so that it can resume negotiations and substantive work.

The European Union is encouraged by the informal discussions that took place during the 2008 session of the Conference on Disarmament and by the statements made by high-level personalities this year.

The European Union welcomes the momentum that has developed at the Conference on Disarmament since the establishment of the Six Presidents (P-6) platform at the beginning of 2006 and the continuation of the same approach by the P-6 in 2007. This momentum resulted, on 13 March 2008, in a proposal by the 2008 P-6 platform for a programme of work for the Conference on Disarmament, which is set out in document CD/1840.

The European Union has indicated that it could accept proposal CD/1840 as it stands. The Union would prefer a text with a stronger emphasis on the negotiation, without preconditions, of a non-discriminatory multilateral treaty banning the production of fissile materials for nuclear weapons or other explosive devices, but it considers this document to be a compromise that reflects concessions by all parties. The European Union has called on all delegations to show flexibility and join the consensus on document CD/1840 that is beginning to take shape.

The European Union wishes to take this opportunity to reiterate its desire to see the Conference

on Disarmament enlarged, in particular to include those of its member States that are not yet members of the Conference.

The Disarmament Commission is also a part of the disarmament machinery. We regret that an agreement could not be achieved during the three-year cycle that has just ended. We hope that the Commission will in future be able to resume its role in promoting the objectives set out in its mandate.

The existing machinery has produced significant obligations and commitments in the disarmament field. However, there are still some problems relating to its functioning, and the dynamics of today's international relations oblige us to resolve them. For machinery of this kind to function properly, political will, good faith and full compliance by States with their obligations and commitments are essential. The European Union will continue to work constructively to achieve these objectives.

Mr. Macedo Soares (Brazil) (*spoke in Spanish*): I have the honour of taking the floor on behalf of the Common Market of the South (MERCOSUR) and its associated States — Argentina, Bolivia, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, Venezuela and my country, Brazil.

MERCOSUR and its associated States consider that multilateralism represents the only path towards effective general and complete disarmament. We reiterate our commitment to the effectiveness of the multilateral disarmament mechanism established within the United Nations.

The first special session of the General Assembly on disarmament created a set of bodies with distinct but complementary functions in order to bolster the role of the Organization in the area of disarmament and non-proliferation. MERCOSUR and its associated States remain committed to the letter and spirit of those decisions. At the same time, we are willing to consider innovative arrangements to revitalize the work in all spheres of the mechanism that continue to ensure the representativeness and legitimacy of the decisions and to promote the attainment of concrete results.

The Disarmament Commission plays a fundamental role in the multilateral machinery as the sole deliberative body with universal participation in charge of a thorough consideration of pertinent issues of disarmament and non-proliferation. Our regional

group regrets that the Commission concluded its triennial cycle this year without substantive results.

MERCOSUR and its associated States reiterate that good faith and the necessary political will are indispensable conditions for the Commission to function properly. Taking into account that nine years have passed without substantive consensus results in that deliberative body, MERCOSUR and its associated States consider that this is the right moment to reflect on the possibility of identifying other ways of carrying out our work. In this context, we recall the wording of paragraph 118 (b) of General Assembly resolution S-10/2, according to which the Commission should make every effort to ensure that decisions on substantive issues be adopted by consensus, "in so far as possible".

In this General Assembly session, Member States should decide on the issues for the next triennial cycle. MERCOSUR and its associated States support Assembly decision 52/492, which established that the substantive agenda of the Disarmament Commission should comprise two items per year, including one on nuclear disarmament. It should also be recalled that, if there is a consensus, there is the possibility of including a third agenda item. Furthermore, we recall Assembly resolution 61/67, which directed the Disarmament Commission at its 2009 substantive session to prepare elements of a draft declaration of the 2010s as the fourth disarmament decade and to submit them for consideration by the General Assembly at its sixty-fourth session. We affirm our interest in continuing the consideration of issues in the area of conventional weapons, especially after the conclusion of work on the draft declaration.

With regard to the Conference on Disarmament, the sole multilateral negotiating body on disarmament and non-proliferation, MERCOSUR and its associated States reiterate their deep concern at the stagnation of its work. This situation has already persisted for too long. Our group recognizes the efforts of Ambassador Germán Mundaraín of the Bolivarian Republic of Venezuela as the outgoing President of the Conference on Disarmament.

At the same time, we call upon all parties to demonstrate greater flexibility and understanding for the adoption of the programme of work and for the revitalization of this unique negotiating forum. In this regard, we support the proposal formulated by the six

Presidents for the current year, contained in document CD/1840.

MERCOSUR and its associated States believe it important to begin negotiations, without delay and without preconditions, on a treaty banning the production of fissile material for nuclear weapons and other nuclear devices. In such negotiations, we will support the consideration of a universal verification regime. Likewise, our group urges the conclusion of a universal, unconditional and legally binding instrument on negative security assurances for non-nuclear-weapon States.

Furthermore, MERCOSUR and its associated States recognize the shared interest of humankind in the exploration and peaceful use of outer space. In that connection, we request the Conference on Disarmament to begin negotiations on a legally binding instrument to prevent an arms race in outer space.

Finally, MERCOSUR and its associated States encourage continued efforts to seek a consensus that will make it possible to adopt an agenda and establish a preparatory committee for the fourth special session of the General Assembly devoted to disarmament.

Mr. Ruddyard (Indonesia): It is my great privilege to speak on behalf of the Non-Aligned Movement (NAM).

The Non-Aligned Movement reaffirms the importance and relevance of the Disarmament Commission as the sole specialized deliberative body within the United Nations multilateral disarmament machinery. We continue to fully support the work of the Commission and regret that it was unable to reach agreement on recommendations concerning its two agenda items at the substantive sessions during its three-year cycle ending in April 2008. That was caused by the lack of political will and the inflexible positions of certain nuclear-weapon States, despite our group's constructive role and concrete proposals throughout the deliberations, especially in the Working Group on recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons.

With regard to the agenda for the next substantive cycle, beginning in 2009, the Non-Aligned Movement wishes to put forward the following preliminary positions.

First, the General Assembly has already established important guidelines that should be fully applied when deciding on the Disarmament Commission's 2009 agenda. Those guidelines are reflected in decision 52/492, entitled "Report of the Disarmament Commission", adopted on 8 September 1998, and in resolution 61/67, entitled "Declaration of a fourth disarmament decade", adopted on 6 December 2006.

Secondly, in paragraph (b) of its decision 52/492, the General Assembly decided, *inter alia*, that

"As of the 2000 substantive session, the substantive agenda of the Disarmament Commission should normally comprise two agenda items per year from the whole range of disarmament issues, including one on nuclear disarmament ...".

On the basis of that decision, which regulates the present structure and functions of the Commission, it is clear that one of the items on the Commission's 2009 agenda has to be on nuclear disarmament. The Non-Aligned Movement will not support any agenda for the Commission that is not consistent with the aforementioned decision.

Thirdly, in its resolution 61/67, the General Assembly

"Directs the Disarmament Commission, at its 2009 substantive session, to prepare elements of a draft declaration of the 2010s as the fourth disarmament decade and to submit them for consideration by the General Assembly at its sixty-fourth session."

Based on decision 52/492 and resolution 61/67, therefore, NAM is of the view that the agenda items for the next cycle of the Disarmament Commission should be the following: "Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons" and "Elements of a draft declaration of the 2010s as the fourth disarmament decade". It is the Movement's understanding that the elements of a draft declaration for the fourth disarmament decade will reflect various relevant issues in the field of disarmament, including that of small arms and light weapons.

NAM calls upon all United Nations Member States to display the political will and flexibility necessary, consistent with the relevant guidelines

already adopted by the General Assembly, to achieve agreement as soon as possible on the Commission's 2009 agenda during the next cycle.

With regard to the Conference on Disarmament, NAM reaffirms the importance of the Conference as the sole multilateral negotiating body on disarmament and reiterates its appeal to the Conference to agree on a balanced and comprehensive programme of work by, *inter alia*, establishing an *ad hoc* committee on nuclear disarmament as soon as possible and as its highest priority. We emphasize the need to begin negotiations on a phased programme aimed at the complete elimination of nuclear weapons within a specified time frame, including a nuclear weapons convention. We reaffirm the importance of the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

NAM reaffirms its support for the convening of a fourth special session of the General Assembly devoted to disarmament — SSOD-IV — and expresses once again its deep concern over the lack of consensus on the deliberations to consider the objectives and agenda of SSOD-IV. Appreciative of the role of the Chair of the Open-ended Working Group in 2007, selected from NAM, we recall the Movement's concrete proposals and consistent and constructive efforts to promote agreement among all United Nations Member States. We regret a certain State's lack of political will in obstructing consensus. We reaffirm the importance of satisfactorily concluding the work of the Open-ended Working Group on SSOD-IV at an early date, as mandated by the General Assembly, with a view to reaching agreement on the objectives and agenda of SSOD-IV, including the possibility of establishing its preparatory committee.

The Non-Aligned Movement continues to highlight the need to work towards the convening of SSOD-IV and reaffirms its strong support for such efforts, taking into account the constructive dialogues and active engagement that took place among Member States, including key delegations, within the Open-ended Working Group during the 2007 substantive session. Therefore, at this session, we are submitting a draft decision under agenda item 89 (o), as contained in document A/C.1/63/L.22, requesting the inclusion in the provisional agenda of the sixty-fourth session of

the General Assembly the item entitled “Convening the fourth special session of the General Assembly devoted to disarmament”.

Under this cluster, we will also submit a draft resolution entitled “United Nations regional centres for peace and disarmament”, under agenda item 90 (d), as contained in document A/C.1/63/L.24. The Non-Aligned Movement underlines that the United Nations regional centres for peace and disarmament have been instrumental in promoting understanding and cooperation among States in their respective regions in the fields of peace, disarmament and development. The General Assembly would continue its appeal to all Member States, as well as to international governmental and non-governmental organizations, to make voluntary contributions to the centres in order to strengthen, facilitate and implement their programmes and activities. In closing, the Non-Aligned Movement hopes that all delegations will be able to join us in supporting the draft resolution that my delegation has just introduced.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): Mr. Chairperson, on behalf of the Cooperation Council for the Arab States of the Gulf (GCC), I have the honour to extend to you our appreciation for your efforts during your chairmanship of the First Committee on disarmament and international security. I also pay tribute to the efforts made in the area of disarmament by the Secretary-General and by Mr. Sergio Duarte, High Representative for Disarmament Affairs. We support the statement made by the representative of Indonesia on behalf of the countries of the Non-Aligned Movement.

The GCC member States stress the importance of multilateralism and the central role of the United Nations in the maintenance of the disarmament machinery in view of the Organization’s importance in mitigating threats to peace and security throughout the world. Each component of this machinery has an important role to play. The Conference on Disarmament in Geneva is the venue where negotiations on disarmament and non-proliferation treaties take place; this Committee is the forum where guideline-defining disarmament resolutions are adopted; the Disarmament Commission provides the parliamentary venue where various problems in the field of disarmament are discussed and necessary recommendations proposed; and finally, there is the

special session of the General Assembly devoted to disarmament.

On that basis, the GCC member States have consistently worked to strengthen the disarmament machinery at several levels. This attitude has been reflected in their positive positions in the United Nations with regard to resolutions and decisions on disarmament, and in their organization and hosting of events to promote the training and participation of technical experts in the implementation of international instruments related to the disarmament of all kinds of weapons — nuclear, chemical, biological, bacteriological and toxin, and landmines — at the regional level.

The GCC member States attach special importance to those instruments, particularly when their implementation helps to strengthen human rights law and international humanitarian law, including the four Geneva Conventions of 1949 and their additional protocols.

The GCC member States have enacted the necessary national legislation to fulfil their international and national obligations in the area of disarmament and international security. They are also training professionals from the Gulf and raising media awareness on implementation and verification. They continuously coordinate among themselves to strengthen regional cooperation in the field of disarmament, including by tightening export controls and bolstering border control capacity in the region, cooperating with defence and security agencies, and taking into account environmental standards in the disarmament field through relevant environmental councils and bodies. In so doing, the GCC has become an effective regional organization whose role is complementary to that of the United Nations with respect to the maintenance of international peace and security pursuant to Chapter VIII of the United Nations Charter.

The GCC member States wish to strengthen the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the pillars on which it is based: non-proliferation, disarmament and the peaceful uses of nuclear energy. Since nuclear disarmament is one of the most important issues on the disarmament agenda, our States also support practical steps towards nuclear disarmament. The GCC member States call for a substantive and professional review at the 2010 NPT Review Conference, in accordance with internationally

agreed commitments on the basis of which the Treaty has been indefinitely extended and which the Arab States have joined, in return for making the Middle East a nuclear-weapon-free zone.

The GCC supports the basic principles and guidelines for the verification of existing nuclear-weapon-free zones, which is one of the most important contributions of the Disarmament Commission. The GCC member States are therefore convinced that Israel's accession to the NPT would contribute to preserving the credibility and multilateral character of the disarmament machinery and would build the confidence necessary to find many solutions to the problems of the Middle East. The GCC member States also support the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

The GCC member States stress the inalienable right of States parties to the NPT to acquire nuclear technology for peaceful purposes, under the relevant articles of the Treaty. The GCC leaders reiterated that right at their twenty-eighth summit, held in Doha in December 2007. They were briefed on preliminary research and studies carried out by the International Atomic Energy Agency, in cooperation with the secretariat of the GCC.

We also stress the importance of not politicizing the work of the Committee by raising issues that are outside its mandate and within the purview of other relevant organs of the United Nations. The GCC member States stress also the importance of resolving disputes over nuclear issues by peaceful means and of refraining from the use or the threat of use of force, in accordance with the purposes and principles of the Charter of the United Nations, and as stressed by the GCC summits.

The GCC member States stress the importance of confidence-building in the area of conventional weapons, while respecting the right of States to acquire, transfer and stockpile conventional weapons that enable them to defend themselves and protect their territory and sovereignty in accordance with international law.

The only secure guarantee against terrorists' acquiring weapons of mass destruction is the complete elimination of their stockpiles and a definitive halt to their manufacture.

Another challenge facing the disarmament machinery is the proliferation of small arms and light weapons. The GCC member States have enacted legislation that limits this problem drastically. Licences for the possession of arms are issued only after exhaustive scrutiny and are subject to stringent controls enforced by official bodies, pursuant to terms and conditions approved through the laws and regulations passed by GCC member States and in coordination meetings of GCC ministers of justice and the interior. The violation of these regulations has been criminalized, pursuant to relevant resolutions of the General Assembly. The GCC therefore calls for further efforts to ensure the success of the review conferences devoted to the problem of proliferation of small arms and light weapons.

While some may argue that it has not lived up to its full potential, the Disarmament Commission is an important pillar of the disarmament machinery. That having been said, this state of affairs has not been caused by a failure of the disarmament machinery; rather, it has resulted from a lack of the political will to advance the disarmament and non-proliferation agenda. The current stalemate in the work of the Commission reflects the political realities prevailing in the relations among United Nations Member States.

With regard to the 2009 substantive session of the Disarmament Commission, the Cooperation Council for the Arab States of the Gulf aligns itself with the position of the Movement of Non-Aligned Countries regarding the importance of both General Assembly decision 52/492, in which the Assembly decided to include in its agenda two substantive items, including one on nuclear disarmament; and General Assembly resolution 61/67, which directs the Disarmament Commission to prepare elements of a draft declaration of the 2010s as the fourth disarmament decade and to submit them for consideration by the General Assembly at its sixty-fourth session, as terms of reference.

The Chairperson (*spoke in Spanish*): I call on the Secretary of the Committee to make an announcement.

Mr. Sareva (Secretary of the Committee): Very briefly, we would ask those delegations currently in the possession of co-sponsorship lists and collecting signatures for additional co-sponsorships to kindly give those lists to the Secretariat at the table next to the

podium to ensure that there are no duplicate signatures. That would greatly simplify our collective work.

The Chairperson (*spoke in Spanish*): I shall now suspend the meeting for the Certificate Award Ceremony of the 2008 United Nations Programme of Fellowships on Disarmament.

The meeting was suspended at 12.55 p.m. and resumed at 1.05 p.m.

The Chairperson (*spoke in Spanish*): We have thus concluded our work for this morning.

The meeting rose at 1.10 p.m.