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First Committee

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Official Records

Chair: Mr. Van Oosterom (Netherlands)

The meeting was called to order at 10 a.m.

Agenda items 88 to 105 (continued)

Action on all draft resolutions and decisions submitted under disarmament and international security agenda items

The Chair: This morning we will be guided by the procedure I explained yesterday, and I trust that delegations all have a copy of the circulated ground rules for reference.

We will first hear from delegations that had requested the floor for an explanation of vote or position after the vote on cluster 3, “Outer space (Disarmament Aspects)” and which did not get the opportunity to speak by the time we adjourned yesterday. The three delegations waiting to take the floor in this regard, as announced by the Secretary at the end of the meeting yesterday, are Japan, India and Switzerland. Thereafter the Committee will take up the draft resolutions and decisions listed in informal paper No. 3, which has been circulated among delegations and which contains the remaining drafts on informal paper No. 2, as well as new draft proposals that are ready for action today.

Mr. Sano (Japan): First I should like to express my sincere condolences and deep sympathy to the bereaved families of the 224 victims of the Russian air accident over Sinai on 31 October.

I am taking the floor to explain Japan’s vote on draft resolution A/C.1/70/L.47, entitled “No first placement of weapons in outer space”, upon which Japan abstained. Japan supports and has worked tirelessly to preserve

the long-term safety, sustainability, security and stability of outer space. In this regard, it is important to develop initiatives to ensure confidence and mutual trust between space actors, in particular through transparency and confidence-building measures.

From this perspective, Japan supports the development of an international code of conduct for outer space activities. We therefore voted in favour of draft resolution A/C.1/70/L.3, entitled “Prevention of an arms race in outer space”, and became a sponsor of draft resolution A/C.1/70/L.48, entitled “Transparency and confidence-building measures in outer space activities”.

With regard to draft resolution A/C.1/70/L.47, entitled “No first placement of weapons in outer space”, it is necessary to explore how the international community can preserve and enhance the long-term safety, sustainability, security and stability of outer space. It could be achieved in various ways. However, my delegation had concerns about the concept of “not to be the first to place weapons”. Supporting this draft resolution could have the effect of leading States that had never even thought about placing weapons in the first place to consider being the second or third to place them. Therefore, such a declaration could even facilitate an arms race in outer space by encouraging such States to start developing offensive counter-space capabilities so that they will not be left behind.

Lastly, Japan is seriously concerned about the actual, not abstract, development and deployment of anti-satellite weapons capabilities, including terrestrially based ones. The international community should thus address this issue as a priority.

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Mr. Varma (India): I should like to join other delegations in conveying our deep condolences to the Russian Federation on the tragic loss of life and the loss of the airliner over Egypt.

India would like to explain its vote on draft resolution A/C.1/70/L.47, entitled “No first placement of weapons in outer space”. We voted in favour of this draft resolution. As a major space-faring nation, India has vital development and security interests in space. The draft resolution states that the legal regime applicable to outer space needs to be consolidated and reinforced. India supports that objective, and the strengthening of the international legal regime to protect and preserve access to space for all, and to prevent, without exceptions, the weaponization of outer space.

We support the substantive consideration of the prevention of an arms race in outer space in the Conference on Disarmament along with other proposals that have been introduced. While not a substitute for legally binding instruments, transparency and confidence-building measures in outer space activities can play a useful and complementary role. Discussions on a draft international code of conduct for outer space activities should be inclusive both in process and substance to ensure a product of universal acceptance and anchored in the United Nations.

We see the “no first placement of weapons in outer space” proposal as an interim step only and not a substitute for concluding substantive legal measures to ensure the prevention of an arms race in outer space, which should continue to be a priority for the international community.

Mr. Masmajan (Switzerland) (*spoke in French*): First, I should like to extend our deep condolences to the Russian Federation on the tragic plane crash that occurred a few days ago.

I am taking the floor in order to explain why my delegation abstained in the voting on draft resolution A/C.1/70/L.47, entitled “No first placement of weapons in outer space”. Space systems have become a critical infrastructure for most Members of the United Nations. In this context, Switzerland supports the drafting of one or several legally binding instruments to prevent an arms race in outer space. While we await the negotiation of one or several legally binding instruments, political and confidence-building measures have an important role to play. A resolution calling for the no first

placement of weapons in outer space could represent a positive, constructive political signal in that regard.

Regarding draft resolution A/C.1/70/L.47, we commend the fact that it integrates the fact that the long-term preservation of outer space requires not only not placing weapons there but also, more broadly, ensuring that it does not become an arena for conflict. Nonetheless, we are still concerned by the fact that the no first placement of weapons in outer space is just one part of a much broader spectrum of necessary measures needed to preserve outer space. Developing ground-based systems that can attack or harm space facilities, including tests of such systems, are also, in our opinion, a serious source of concern that is sometimes perhaps more urgent than the placement of weapons in outer space.

Switzerland will continue closely to follow the evolution of this draft resolution. Switzerland remains available, with the sponsors, to look at the conceptual ideas we have regarding this text and how we can best ensure that it evolves so that it has broader support.

Mr. Robotjazi (Islamic Republic of Iran): At the outset, my delegation would like to express its condolences to the delegation of the Russian Federation over the tragic loss of life of their fellow citizens in the plane crash last week.

The Islamic Republic of Iran considers the provisions of draft resolution A/C.1/70/L.47, entitled “No first placement of weapons in outer space”, to be in line with the objective of the prevention of an arms race in outer space. We commend the Russian Federation for its role and efforts in promoting this objective in the United Nations. Pursuant to article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, the placement of any nuclear weapons or other kinds of weapons of mass destruction in outer space is prohibited.

We note that the draft resolution, in its second preambular paragraph, underlines the importance of the existing legal regime prohibiting the placement of nuclear weapons or other kinds of weapons of mass destruction in outer space. We also note the fact that the draft resolution, in its fifth preambular paragraph, reaffirms the paramount importance of strict compliance with such a prohibition.

Although the placement of other weapons in outer space is not expressly prohibited under international law, we believe such placement would be in contravention of the established global principle of the use of outer space exclusively for peaceful purposes. We attach importance to paragraph 5 of the draft resolution, which calls upon all States to uphold that principle and to commit to refraining from placing weapons in outer space pending the conclusion of an international agreement to prevent an arms race in outer space in all its aspects.

For these reasons, my delegation voted in favour of draft resolution A/C.1/70/L.47.

The Chair: We have now heard from the last speaker in explanation of vote after the vote on cluster 3, “Outer space (disarmament aspects)”, carried over from yesterday.

Before we proceed, let me acknowledge that all of us have a great sense of frustration with regard to draft resolutions on which programme budget implications might be issued. I believe it is important for us to address these concerns effectively. I have therefore requested the High Representative for Disarmament Affairs personally to sort out the situation, together with others concerned in the Secretariat, and to update the Committee later today, so we will get back to that issue.

The Committee will now turn to informal paper No. 3, beginning with cluster 4, “Conventional weapons”. We will use the same four-step process for decision-making that we followed yesterday and the day before. We shall start with step one.

I now give the floor to delegations wishing to make general statements or to introduce draft resolutions under cluster 4, “Conventional weapons”.

I call on the representative of Mali, who will introduce draft resolution A/C.1/70/L.6.

Mr. Doucouré (Mali) (*spoke in French*): At the outset, my delegation would like to convey its condolences to the Russian Government and express its deep sympathy to the families of the 224 passengers who died in the plane crash in Egypt on 31 October.

The delegation of Mali has the distinct honour of introducing the annual draft resolution contained in document A/C.1/70/L.6, entitled “Assistance to States for curbing the illicit traffic in small arms and light

weapons and collecting them”, on behalf of the 15 States members of the Economic Community of West African States (ECOWAS), namely, Benin, Burkina Faso, Cabo Verde, Côte d’Ivoire, the Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, the Niger, Nigeria, Senegal, Sierra Leone, Togo and my country, Mali.

In terms of form, apart from the necessary technical updates, the draft resolution uses exactly the same terms as those adopted by consensus last year. In that regard, the States members of ECOWAS very much hope that the tradition of adopting the draft resolution “Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them” will prevail again this year.

In its essence, the draft resolution calls upon the international community to provide technical and financial support to strengthen the capacity of civil-society organizations to take action to help to combat the illicit trade in small arms and light weapons. It also encourages the international community to support the implementation of the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, which we would recall came into force on 29 September 2009.

In terms of substance, the draft resolution seeks to strengthen stability in the West African region by improving regional security, strengthening regional initiatives and efforts to reduce the proliferation and illicit traffic in small arms and light weapons. Beyond the West African subregion, the draft resolution reflects the resolve of many countries throughout the world to combat the illicit trafficking and collection of small arms and light weapons, which now have the sorry reputation of being some of the most fearsome weapons of mass destruction.

I take this opportunity, on behalf of the States members of ECOWAS, to thank all those countries that have been kind enough to sponsor the draft resolution that my country has the honour of introducing. At the same time, I encourage those that have not yet done so to lend their support to the draft.

In its national capacity, the delegation of Mali is worried by the near-paralysis of the multilateral mechanisms of the international community to address disarmament matters — in particular the Disarmament Commission and the Conference on Disarmament — because of divergent national interests. That situation is likely to compromise the

implementation of one of the crucial principles of our Organization, namely, the maintenance of international peace and security.

In terms of partnership in the fight against small arms and light weapons, I commend the European Union for its financial support for the project “European Union support to ECOWAS regional peace, security and stability mandate”, which seeks to combat the scourge.

In Mali, the national commission to combat the proliferation of light weapons is currently implementing a national action plan 2014-2018, the overall aim of which is to restore peace and social cohesion by effectively controlling the traffic in weapons. Drafted in partnership with the United Nations Regional Centre for Peace and Disarmament in Africa, with the financial support of Germany, for which I am grateful, the plan is divided into four parts: first, the effective implementation of national, regional and international instruments on small arms and light weapons; secondly, awareness-raising campaigns on the voluntary disarmament of civilians and the collection of small arms and light weapons from non-State entities; thirdly, the improvement and management of State and non-State stockpiles of weapons and ammunition in line with ECOWAS standards, the International Small Arms Control Standards, and the International Ammunition Technical Guidelines; and fourthly, the harmonization of existing national legal instruments on small arms and light weapons, pursuant to the ECOWAS Convention.

In conclusion, the Mali delegation reiterates the thanks of all States members of ECOWAS to the sponsors, other States Members of the United Nations and all technical and financial partners for their ongoing support for the implementation of the annual draft resolution entitled “Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them”.

The Chair: We have heard the last speaker on step one under cluster 4, “Conventional weapons”.

The Committee will now hear delegations wishing to explain their vote or position before we take action on the draft resolutions listed under cluster 4, “Conventional weapons”.

Mrs. Del Sol Dominguez (Cuba) (*spoke in Spanish*): My delegation would like to explain its vote before the voting under cluster 4. Our explanation of vote refers to draft resolution A/C.1/70/L.54. The Cuban

delegation will abstain in the voting on draft resolution A/C.1/70/L.54, entitled “The Arms Trade Treaty”, for of the following considerations.

First, the adoption of the Treaty was forced through by a premature vote in the General Assembly, given that we did not have the full agreement of all delegations. That is how some of the resolutions of this Committee and of the General Assembly have been ignored, despite the fact they explicitly identified consensus as one of the core principles for negotiation and adoption of the Treaty.

Second, the Treaty is characterized by its many ambiguities and inconsistencies in the definition of legal provisions, which has undermined its effectiveness and efficacy.

Third, the Treaty is an unbalanced instrument that favours weapon-exporting countries, because it establishes privileges that undermine the legitimate interests of other States, including in terms of international defence and security.

Fourth, the parameters established within the Treaty whereby exporting countries assess the approval or denial of transfers of weapons are subjective in nature and can therefore be easily manipulated and used for political purposes. That hampers the right of States to acquire and possess weapons for their legitimate defence, recognized in Article 51 of the Charter of the United Nations.

Fifth, the Treaty legitimizes the international transfer of arms to organizations and individuals without the consent of the Government of the recipient State, despite the fact that such transfers constitute a flagrant violation of the principles of non-interference in the internal affairs, political independence and territorial integrity of States, as enshrined in the Charter. In addition, no treaty on the arms trade can be effective if it allows transfers of arms to unauthorized, non-State actors, which are the principal source of the illicit trafficking of arms.

Sixth, the draft resolution welcomes the entry into force of the Treaty and the decisions taken at the First Conference of States Parties, overlooking the fact that not all States Members of the Organization share the same position with regard to the Treaty.

Seventh, paragraph 6 of the draft resolution seeks to establish complementarities between the Arms Trade Treaty and other instruments on conventional

arms, overlooking the independent nature of each legal instrument.

Ms. Sekkouri Alaoui (Morocco) (*spoke in French*): Morocco wishes to explain its vote on draft resolution A/C.1/70/L.50, entitled “Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction”. Morocco contributed actively to the preparatory process of the Ottawa Convention and has decided to vote in favour of draft resolution A/C.1/70/L.50, as it has done with similar resolutions since 2014, to reiterate its support for the eminent humanitarian goals of the Convention, in particular the protection of civilians from harm caused by anti-personnel mines. Morocco’s ratification in March 2002 of Amended Protocol II of the Convention on Certain Conventional Weapons and its regular submissions since 2003 of a national report on the implementation of the provisions of the Protocol reflect the accession of the Kingdom to the universal desire to eliminate anti-personnel mines.

In this context, Morocco implements the provisions of the Ottawa Convention on demining, stockpile destruction, training and awareness-raising, and assistance to victims of anti-personnel mines. In that regard, we note, first, the outstanding mine-clearance efforts of the Royal Armed Forces, which have allowed for the recovery and destruction of thousands of anti-personnel mines, anti-tank mines and unexploded ordnances; secondly, the care by the Moroccan authorities for the victims and their medical, social and economic rehabilitation; and thirdly, the support of Morocco for the countries of the region in the area of mine clearance and the ongoing dialogue with non-governmental organizations to implement the goals of the Convention.

Since 2006, the Kingdom has submitted a voluntary report pursuant to article 7 of the Convention. It is also in this spirit that Morocco regularly participates in meetings of States parties and in the review conferences of the Convention. The accession of the Kingdom of Morocco to the Ottawa Convention is a strategic goal linked to the security imperatives of territorial integrity.

Mr. Toro-Carnevali (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We would like first to convey our deepest condolences to the delegation of the Russian Federation in connection with the victims of the terrible air crash that occurred on 31 October.

We wish to explain our vote with regard to draft resolution A/C.1/70/L.54, entitled “The Arms Trade Treaty”. Venezuela is fully committed to preventing, combating and eradicating the illicit trade in conventional weapons and has always been of the firm belief that the best way to achieve these objectives is through a robust multilateral regime embodied in a balanced, objective and non-discriminatory treaty.

We nonetheless believe that the spirit of the negotiations of the Arms Trade Treaty, in particular the imposition of artificial time frames for its adoption, prevented the holding of in-depth discussions that, in our opinion, would have allowed us to reach a genuine and authentic consensus based on inclusive multilateralism. Our country believes that the Arms Trade Treaty as it stands still lacks the necessary balance in its nature and scope that we would have wished to see. In the opinion of my delegation, the draft resolution does not address the serious problems of the overproduction and stockpiling of conventional weapons by the major producers and exporters of weapons of this nature. It does not acknowledge the right of every State to acquire, produce, export, import and stockpile conventional weapons for its legitimate defence and security. By including parameters that are susceptible to political manipulation, it ignores the major risk posed by transfers of conventional weapons to non-State actors, thereby opening a major legal gap in the Treaty.

For these reasons, my country abstained in the voting on the Treaty at the General Assembly some years ago and finds itself compelled today to abstain in the voting on draft resolution A/C.1/70/L.54.

Mr. Nguyen Doan Minh (Viet Nam): I should like to explain Viet Nam’s vote on draft resolution A/C.1/70/L.49/Rev.1, entitled “Implementation of the Convention on Cluster Munitions”. We will abstain in the voting on the draft resolution and would like to make some comments in this regard, as follows.

Viet Nam reiterates its consistent support for comprehensive disarmament and non-proliferation, with high priority given to the general and complete elimination of weapons of mass destruction. We advocate the humanitarian aim of the Convention on Cluster Munitions to end unacceptable harm to innocent civilians caused by cluster munitions. It is noteworthy that humanitarian and development aspects are taken into account in the Convention. Nevertheless, a number

of important obligations under the Convention remain of concern to us.

The Convention still lists its proportional responsibility for victim assistance and remnant clearance first in affected countries, most of which are developing countries. Another difficulty is the ability to meet the clearance obligation under article 4 of the Convention. Given the condition of Viet Nam, the time limit for remnant clearance set by the Convention should be extended in order to clear the 6.6 million hectares of contaminated land in our country.

Viet Nam has yet to join the Convention on Cluster Munitions. However, we have been implementing relevant obligations under the Convention in terms of clearance and destruction of cluster munitions, remnants and victim assistance. For many years, Viet Nam has carried out many policies, guidelines and actions to address the post-war consequences of bombs and mines, most notably the adoption of a comprehensive national action plan for the 2010-2025 period and the recent establishment of a national steering company on bombs and mines, which is directly chaired by the Prime Minister, as well as the establishment of the Viet Nam National Mine Action Centre. We plan to carry out 52 projects on post-war bomb and mine clearance in the 12 most affected provinces for the next five years, from 2016 to 2020. At the same time, we are committed politically and practically to improving the livelihood of victims by providing treatment and assisting them with their social and economic reintegration into society.

We wish to take this opportunity to express our deep gratitude and full appreciation to all international partners who have rendered invaluable support to Viet Nam in this noble humanitarian endeavour. Such cooperation and assistance will facilitate the process of reviewing and considering the Convention.

Mr. Sargsyan (Armenia): May I start by expressing Armenia's deep condolences to the Russian Federation and our colleagues from the Russian delegation in the Committee, and our deep condolences and sympathies on the tragic aircraft crash on the flight from Sharm el-Sheikh to St. Petersburg last week.

I should like to provide Armenia's explanation of vote on draft resolution A/C.1/70/L.54, entitled "The Arms Trade Treaty". Armenia has consistently supported efforts to have a negotiated, comprehensive, international instrument that would regulate trade in conventional arms and prevent and eradicate

their divergence into illicit markets and their use for illegitimate purposes. We strongly believe that, in order to become an effective, inclusive and viable international instrument, the Arms Trade Treaty should have been adopted by consensus so as to bring on board all major players and thereby be inclusive and effective. Armenia had and still has significant concerns regarding the preamble and principal sections.

Relating to negotiation priorities, the Armenian side has advocated the need to include balanced and non-restrictive references to the principles of international law and, in particular, the inclusion of equal rights and the self-determination of peoples in accordance with Article 1, paragraph 2 of the Charter of the United Nations. The key objective of the Treaty — the encouragement and enforcement of regulation of the conventional arms trade through a strong national control system — should have been upheld more strongly. We have serious concerns that the Treaty in its current shape contains loopholes for political speculation that would hinder the exercise of the sovereign right to self-defence and/or prevent countries from legitimate access to relevant technologies.

Having said that, we will remain a staunch advocate for a robust legally binding conventional arms-control regime, be it at the regional or international level. Armenia upholds its initial reservation with regard to the Treaty and will abstain in the voting on draft resolution A/C.1/70/L.54, entitled "The Arms Trade Treaty". Armenia's position concerning the Arms Trade Treaty is also applicable to all other draft resolutions of the Committee containing a reference to the Treaty. Not willing to repeat its position on every other occasion or to break consensus, Armenia therefore dissociates itself from such paragraphs in other draft resolutions that contain a reference to the Arms Trade Treaty.

Mr. Arancibia Fernández (Plurinational State of Bolivia) (*spoke in Spanish*): My delegation joins in the condolences extended to the delegation of the Russian Federation in the light of the terrible air accident that occurred on 31 October.

We wish to explain the vote of the Plurinational State of Bolivia on draft resolution A/C.1/70/L.54, entitled "The Arms Trade Treaty". We note that, unfortunately, there was no due consensus throughout the negotiations on the draft resolution, and for this reason we believe that the draft resolution contains many gaps and regrettable errors. For this reason, given

that the Plurinational State of Bolivia is a completely pacifist State, we wish to make it clear that the current draft, were it to be adopted, would jeopardize world peace and security. For this reason, we will abstain in the voting on draft resolution A/C.1/70/L.54.

Mr. Yermakov (Russian Federation) (*spoke in Russian*): Once again, I thank delegations very much for the condolences and words of sympathy that members have conveyed to Russia and the Russian people in connection with our tragic airliner crash.

The Russian Federation would like to explain its position on draft resolution A/C.1/70/L.49/Rev.1. We share concern about the humanitarian impact of the arbitrary use of cluster munitions. We are in favour of developing international cooperation in order to prevent that from occurring, and of course we are in favour of providing assistance to civilian victims. The Russian Federation stringently upholds the standards of international humanitarian law in all its aspects pertaining to cluster munitions. The Russian Federation participated actively in preparing the protocol to the Convention on Cluster Munitions, which was to provide specific, feasible and implementable limits to the production, transfer and use of cluster munitions. The protocol should have covered all countries that develop, produce, transfer and use cluster munitions, but it was blocked by the supporters of the Oslo Convention. What is happening now regarding the Oslo Convention is the result of extremely unconstructive actions by a group of States resolved to undermine it. Therefore, of course, the Russian Federation will vote against draft resolution A/C.1/70/L.49/Rev.1.

We note that the Oslo Convention was drafted without the participation of the main producers of cluster munitions. It does not substantively address the real problems pertaining to the use of cluster munitions and violates the norms of international humanitarian law. We need only consider the document itself. The Oslo Convention merely declares a ban on cluster munitions but in actual fact is a cynical attempt to repartition the market for cluster munitions. Many Western European States use new and allegedly more humane ones that are not even included in the category of cluster munitions. What kind of ban are the participants in the Oslo Convention talking about?

In our opinion, this is a typical example of double standards. Of course, we cannot in any way agree with such an approach. If we were to draw attention to some

of the details, we would see that the draft resolution does not even name the countries that have talked about documented proof of the use of cluster munitions. Are they simply ignoring that? I should like to point out that such a list of such countries was even provided to the Review Conference of the Parties to the Convention, held recently in Dubrovnik, as well as to the First Committee.

Fundamentally speaking, we are categorically against solving problems with the Convention by producing some kind of alternative negotiations under the pretext of a lack of consensus. If there is no agreement, then we intensify negotiations. Without achieving agreement on arms control, no agreement will be possible. The Oslo Convention is, on the whole, a very poor example of how to reach agreement on arms control. All the problems within the Oslo Convention that have already been mentioned here by many representatives are clear proof that a step has been taken in the wrong direction.

Even more dangerous is the fact that some people are actually trying to present the Oslo Convention as a kind of ideal solution to arms control that should be used in other areas. Can members imagine what chaos would occur in other areas if we were to act without the agreement or consent of the main producers or owners of different types of weapons? We all need to reach agreement together and, above all, to uphold the norms of international humanitarian law.

Mr. Jiménez (Nicaragua) (*spoke in Spanish*): My delegation would like to explain its vote on draft resolution A/C.1/70/L.54, entitled “The Arms Trade Treaty”. My country is committed to preventing, fighting and eradicating the illicit trafficking in arms. We are committed to doing so for the well-being of our people by ensuring that we stamp out the illicit trafficking of arms, and we have incorporated the relevant provisions of international conventions into our national legislation through special law No. 510 to control and regulate firearms, munitions, explosives and other related materiel. We are entering a new phase that includes a rigorous plan to control and register firearms in the possession of civilians and the decommissioning of weapons of war. We are aware of the humanitarian impact of this scourge, particularly in our region of Central America.

That is why, throughout the negotiations on the Arms Trade Treaty, we were committed to the creation

of a genuinely multilateral regime that would reflect in a balanced and objective manner the opinions of all member States. That would be the only way to draft a solid and effective treaty. We have always said that any other path would leave the Treaty vulnerable to political abuse because it would not have the necessary credibility, which would represent a squandered opportunity to achieve the universality necessary to ensure the legitimacy of the Treaty. Nevertheless, my delegation will abstain in the voting on the basis of the following considerations.

The Treaty makes no mention of the prohibition of the transfer of weapons to non-State actors. This gap is very dangerous in our view because it does not prevent such actors from acquiring such weapons. The operative part of the Treaty contains no clear reaffirmation of the sovereign right of States to acquire, manufacture, export, import or stockpile conventional weapons for their own legitimate defence and security needs, nor is there a prohibition on the transfer of weapons to States that threaten to use force to commit the crime of regime change in other States. The Treaty does not use clearly defined terminology that allows State parties to comply with their obligations with the greatest degree of predictability. The text uses many terms that are difficult objectively to define and do not contain the necessary definitions.

We note with grave concern a strong bias in favour of exporting countries over importing countries, which could affect the national security of States parties. There is no reference to the excessive production and growing stockpiles of conventional weapons by the principal exporters and producers of weapons, which should be included as a fundamental element of the Treaty. We continue to believe that every effort must be made to ensure that the manufacture and stockpiling of weapons by producer States in particular comes under international scrutiny.

That is why my delegation will abstain in the voting on draft resolution A/C.1/70/L.54, on the Arms Trade Treaty, without prejudice to the fact that the Government of Nicaragua will pursue the necessary studies and analyses to take any necessary decision for its own legitimate defence interests.

The Chair: We have heard the last speaker on step two, explanation of vote before the voting.

The Committee will now proceed to take action on the draft resolutions listed under cluster 4, “Conventional weapons”.

We will first take action on draft resolution A/C.1/70/L.6, entitled “Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them”.

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft resolution A/C.1/70/L.6 was just introduced by the representative of Mali on behalf of the Economic Community of West African States. The sponsors of the draft resolution are listed in documents A/C.1/70/L.6 and A/C.1/70/CRP.4/Rev.5.

The Chair: The sponsors of draft resolution A/C.1/70/L.6 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/70/L.6 was adopted.

The Chair: The Committee will now proceed to take action on draft resolution A/C.1/70/L.16, entitled “Problems arising from the accumulation of conventional ammunition stockpiles in surplus”.

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft resolution A/C.1/70/L.16 was introduced by the representative of France, also on behalf of Germany, at the Committee’s 16th meeting, on 26 October. The sponsors of the draft resolution are listed in documents A/C.1/70/L.16 and A/C.1/70/CRP.4/Rev.5.

The Chair: The sponsors of draft resolution A/C.1/70/L.16 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/70/L.16 was adopted.

The Chair: The Committee will now proceed to take action on draft resolution A/C.1/70/L.24, entitled “Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects”.

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft resolution A/C.1/70/L.24 was introduced by the representative of Poland at the Committee's 14th meeting, on 22 October. The sponsor of the draft resolution is named in document A/C.1/70/L.24.

In addition, the following statement is made in accordance with rule 153 of the rules of procedure of the General Assembly. Under the terms of paragraphs 13 and 14 of the draft resolution the General Assembly requests the Secretary-General to render the assistance necessary and to provide such services as may be required for annual conferences and expert meetings of the High Contracting Parties to the Convention and of the High Contracting Parties to Amended Protocol II and Protocol V, as well as for any continuation of the work after the meetings; and also requests the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, to continue to inform the General Assembly periodically, by electronic means, of ratifications and acceptances of and accessions to the Convention, its amended article I and the Protocols.

The Secretary-General wishes to draw the attention of Member States to the fact that the respective cost estimates for servicing the three conferences of the high contracting parties, to be held from 9 to 13 November 2015, have been prepared by the Secretariat and approved by the Sixteenth Annual Conference of the High Contracting Parties to Amended Protocol II, held in Geneva on 12 November 2014 by the Eighth Conference of the High Contracting Parties to Protocol V, held in Geneva on 10 and 11 November 2014, and by the Meeting of the High Contracting Parties to the Convention held in Geneva on 13 and 14 November 2014.

The Secretary-General also wishes to draw the attention of Member States to the fact that the costs of the Seventeenth Annual Conference of the High Contracting Parties to Amended Protocol II, Ninth Conference of the High Contracting Parties to Protocol V, and the 2015 Meeting of the High Contracting Parties to the Convention would be borne by the high contracting parties and States not parties to the Convention participating in the meetings in accordance with the United Nations scale of assessment adjusted appropriately. Consequently, the request that the Secretary-General render the assistance necessary and provide services to the Seventeenth Annual Conference of the High Contracting Parties to Amended Protocol II, the Ninth Conference of the High Contracting

Parties to Protocol V, and the 2015 Meeting of the High Contracting Parties to the Convention would not entail any financial implications for the regular budget of the United Nations.

Following the established practice, the Secretariat will prepare cost estimates for any continuation of the work after the conferences for the approval of the High Contracting Parties.

It is recalled that all activities related to international conventions or treaties that under their respective legal arrangements ought to be financed by the States may be taken by the Secretariat only when sufficient funding is received in advance. Accordingly the adoption of draft resolution A/C.1/70/L.24 would not give rise to any financial implications under the programme budget for the biennium 2014-2015.

The Chair: The sponsor of draft resolution A/C.1/70/L.24 has expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/70/L.24 was adopted.

The Chair: The Committee will now proceed to take action on draft resolution A/C.1/70/L.49/Rev.1, entitled "Implementation of the Convention on Cluster Munitions".

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft resolution A/C.1/70/L.49/Rev.1 was introduced by the representative of Croatia at the Committee's 16th meeting, on 26 October. The sponsors of the draft resolution are listed in documents A/C.1/70/L.49/Rev.1 and A/C.1/70/CRP.4/Rev.5.

In addition, the following statement is made in accordance with rule 153 of the rules of procedure of the General Assembly.

Under the terms of paragraph 7 of draft resolution A/C.1/70/L.49/Rev.1, the General Assembly would request the Secretary-General to continue to convene the Meetings of States Parties of the Convention on Cluster Munitions and continue to render the necessary assistance and to provide such services as may be necessary to fulfil the tasks entrusted to him by the Convention and the relevant decisions of the First Review Conference.

It should be recalled that at the First Review Conference of the Convention, held in Dubrovnik, Croatia, from 7 to 11 September 2015, States parties decided that the Meeting of the States Parties shall continue to be convened by the Secretary-General. In accordance with article 14 of the Convention, the cost of the Meeting of the States Parties, review conferences and amendment conferences shall be borne by the States parties and States not parties to the Convention participating therein, in accordance with the United Nations scale of assessment adjusted appropriately. Preliminary cost estimates for servicing the sixth Meeting of the States Parties were prepared by the Secretariat and approved by the States parties at their First Review Conference.

It is recalled that all activities related to international conventions or treaties that, under their respective legal arrangements, ought to be financed outside the regular budget of the United Nations, may be undertaken by the Secretariat only when sufficient funding is received, in advance, from States parties and States not parties participating at the meetings. Accordingly, the adoption of draft resolution A/C.1/70/L.49/Rev.1 would not give rise to any financial implications under the proposed programme budget for the biennium 2016-2017.

The Chair: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cameroon, Canada, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Eritrea, Ethiopia, Fiji, France, Gabon, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Lao People's Democratic Republic, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico,

Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Republic of Moldova, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of), Zambia

Against:

Russian Federation, Zimbabwe

Abstaining:

Algeria, Argentina, Armenia, Bahrain, Belarus, Brazil, China, Cyprus, Egypt, Estonia, Finland, Greece, India, Iran (Islamic Republic of), Israel, Kuwait, Kyrgyzstan, Latvia, Myanmar, Nepal, Oman, Pakistan, Poland, Qatar, Republic of Korea, Romania, Rwanda, Saudi Arabia, Serbia, Syrian Arab Republic, Tajikistan, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, United States of America, Uzbekistan, Viet Nam, Yemen

Draft resolution A/C.1/70/L.49/Rev.1 was adopted by 130 votes to 2, with 40 abstentions.

[Subsequently, the delegation of Morocco informed the Secretariat that it had intended to abstain.]

The Chair: The Committee will now proceed to take action on draft resolution A/C.1/70/L.50, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft resolution A/C.1/70/L.50 was introduced by the representative of Belgium, on behalf also of Chile and Mozambique, at the Committee's 18th meeting, on 27 October. The sponsors of the draft resolution are listed in document A/C.1/70/L.50. In addition, the following statement is made in accordance with rule 153 of the rules of procedure of the General Assembly.

By paragraph 9 of draft resolution A/C.1/70/L.50, the General Assembly would request the Secretary-General, in accordance with article 11, paragraph 1, of the Convention, to undertake the preparations necessary to convene the Fifteenth Meeting of the States Parties to the Convention and, on behalf of the States parties and in accordance with article 11, paragraph 4, of the Convention, to invite States not parties to the Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations, to attend the fifteenth Meeting of the States Parties as observers.

In accordance with article 14 of the Convention, the cost of the Fifteenth Meeting of the States Parties would be borne by the States parties and States not parties to the Convention participating therein, in accordance with the United Nations scale of assessments, adjusted appropriately. Preliminary cost estimates for servicing the 2016 Fifteenth Meeting of the States Parties will be prepared by the Secretariat and approved by the States parties at their Fourteenth Meeting of the States Parties, to be held in Geneva during the week of 30 November to 4 December 2015.

It is recalled that all activities related to international conventions or treaties that, under their respective legal arrangements, ought to be financed outside the regular budget of the United Nations may be undertaken by the Secretariat only when sufficient funding is received, in advance, from States parties and States not parties participating at the meetings. Accordingly, the adoption of draft resolution A/C.1/70/L.50 would not give rise to any financial implications under the proposed programme budget for the biennium 2016-2017.

The Chair: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the

Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Bolivia (Plurinational State of), Cuba, Democratic People's Republic of Korea, Egypt, India, Iran (Islamic Republic of), Israel, Lebanon, Myanmar, Nepal, Pakistan, Republic of Korea, Russian Federation, Saudi Arabia, Syrian Arab Republic, Tajikistan, United States of America, Uzbekistan, Viet Nam

Draft resolution A/C.1/70/L.50 was adopted by 159 votes to none, with 19 abstentions.

The Chair: The Committee will now proceed to take action on draft resolution A/C.1/70/L.54, entitled "The Arms Trade Treaty".

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft resolution A/C.1/70/L.54 was introduced by the representative of Nigeria on behalf also of Mexico at the Committee's 18th meeting, on 27 October. The sponsors of the draft resolution are listed in documents A/C.1/70/L.54 and A/C.1/70/CRP.4/Rev.5. In addition, Ukraine has become a sponsor of the draft resolution.

The Chair: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Yemen, Zambia

Against:

None

Abstaining:

Armenia, Azerbaijan, Belarus, Bolivia (Plurinational State of), Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Fiji, India, Indonesia, Iran (Islamic Republic of), Kuwait, Lao People's Democratic Republic, Nicaragua, Oman, Qatar, Russian Federation, Saudi Arabia, Sri Lanka, Sudan, Syrian Arab Republic, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe

Draft resolution A/C.1/70/L.54 was adopted by 150 votes to none, with 26 abstentions.

The Chair: I shall now give the floor to those representatives who wish to speak in explanation of vote or position.

Mr. Varma (India): India would like to explain its abstention on draft resolution A/C.1/70/L.50. India supports the vision of a world free of anti-personnel landmines and is committed to their eventual elimination. The availability of militarily effective alternative technologies that can perform cost-effectively the legitimate defensive role of anti-personnel landmines will considerably facilitate the goal of the complete elimination of anti-personnel landmines.

India is a high contracting party to Amended Protocol II to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or To Have Indiscriminate Effects, which enshrines the approach of taking into account the legitimate defence requirements of States, especially those with long borders. India has fulfilled its obligations under Amended Protocol II, including, inter alia, stopping the production of non-detectable mines, as well as rendering all our anti-personnel mines detectable. India is observing a moratorium on the export and transfer of anti-personnel landmines.

We have taken a number of measures to address the humanitarian concerns arising from the use of anti-personnel landmines, in accordance with international humanitarian law. India remains committed to increased international cooperation and assistance for mine clearance and the rehabilitation of mine victims and is willing to contribute technical assistance and expertise to this end. India participated

as an observer in the Third Review Conference, held in Maputo in June 2014.

Let me turn now to our explanation of vote on draft resolution A/C.1/70/L.54, entitled “The Arms Trade Treaty”. India has strong and effective national export controls with respect to the export of defence items. During the negotiation of the Arms Trade Treaty, India raised concerns about the number of gaps that remained in the final text. It remains to be seen if the entry into force of the Treaty will have a meaningful impact on the ground. India continues to keep under review the Arms Trade Treaty from the perspective of our defence, security and foreign policy interests. We therefore abstained in the voting on draft resolution A/C.1/70/L.54.

Ms. Martinic (Argentina) (*spoke in Spanish*): First allow me to convey the condolences of my delegation to the Russian Federation in the light of the tragic loss of life that occurred on 31 October.

My delegation wishes to explain its abstention in the voting on draft resolution A/C.1/70/L.49/Rev.1, entitled “Implementation of the Convention on Cluster Munitions”. This legally binding instrument prohibits certain arms, and more specifically defines one excluded category developed by some countries. For that reason, the prohibition is discriminatory in nature and not total, and creates a technological and military imbalance among States parties. The Convention has more than 100 ratifications but covers only 10 per cent of the arsenals of cluster munitions throughout the world.

In article 21, joint military operations can be carried out with countries that use cluster munitions. This clause on interoperability dispenses with the notion of complicity, which arises when one party participates in a prohibited or banned act. Argentina continues to lobby for a complete prohibition without exception of these arms or their significant reduction on a non-discriminatory basis.

Against this backdrop and bearing in mind that we participated in the Oslo process with this vision, Argentina has participated as an observer in the various meetings of States parties. For the time being, we do not find ourselves in a position to be able to sign the Convention.

Mr. Fu Cong (China) (*spoke in Chinese*): The Chinese delegation would like to explain its vote on

draft resolution A/C.1/70/L.54. China attaches great importance to the issue of the regional instability and humanitarian issues resulting from the illicit trade in conventional weapons. China consistently supported and constructively participated in the negotiations on the Arms Trade Treaty (ATT), which it strove to advance.

China voted in favour of draft resolution A/C.1/70/L.54 so as to express its support for the purposes and objectives of the ATT. China is carefully studying acceding to the Treaty. However, we still have reservations about the manner in which the Treaty was adopted by a vote in the General Assembly. It is worth noting that the current security situation in certain regions has highlighted gaps in the Treaty. China would like to strengthen cooperation with all parties and jointly construct a normative and reasonable arms trade order.

Mr. Wood (United States of America): I should like to make two explanations of vote under this cluster. My delegation abstained in the voting on draft resolution A/C.1/70/L.49/Rev.1, entitled “Implementation of the Convention on Cluster Munitions”. The United States is not a party to the Convention and as such is not bound by its provisions. We consider the draft resolution — in particular those paragraphs calling for the Convention’s full and effective implementation — applicable only to those States parties to the Convention.

It strongly remains the United States’ view that, when used properly in accordance with international humanitarian law, cluster munitions with a low unexploded ordnance rate provide key advantages against certain types of legitimate military targets and can produce less collateral damage than high explosive unitary weapons. Although cluster munitions remain an integral part of United States force capabilities, the United States is committed to reducing the potential for unintended harm to civilians and civilian infrastructure caused by either the misuse of cluster munitions or the use of cluster munitions that generate a large amount of unexploded ordnance.

Under the Department of Defense’s 2008 cluster munitions policy, by the end of 2018 the Department of Defense will no longer employ cluster munitions with an unexploded ordnance (UXO) rate greater than 1 per cent. In addition, by United States law the United States does not transfer cluster munitions to other countries except those that meet the 1 per cent UXO rate.

We note the references to the principles of humanity and the dictates of public conscience which flow from the Martens Clause. While the United States believes that the principles of humanity and the dictates of public conscience can provide a relevant and important paradigm for discussing the moral or ethical issues related to warfare, the Martens Clause is not a rule of international law that prohibits any particular weapon, including cluster munitions. In general, the lawfulness of the use of a type of weapon under international law does not depend on an absence of authorization but instead depends upon whether the weapon is prohibited. The United States does not accept by this or any other standard that the Convention on Cluster Munitions represents an emerging norm or reflects customary international law that would prohibit the use of cluster munitions in armed conflict.

My delegation abstained in the voting on draft resolution A/C.1/70/L.50, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction". As many delegations are aware, last year the United States announced a number of important changes to United States anti-personnel-landmine policy. On 27 June 2014, the United States delegation at the Third Review Conference of the Ottawa Convention in Maputo, Mozambique, announced that the United States would not produce or otherwise acquire any anti-personnel munitions that are not compliant with the Ottawa Convention, including replacing munitions as they expire in coming years.

On 23 September 2014, the United States further announced that it was aligning its anti-personnel-landmine policy outside the Korean peninsula with the key requirements of the Ottawa Convention. This means that the United States will not use anti-personnel landmines outside the Korean peninsula; not assist, encourage or induce anyone outside the Korean peninsula to engage in activity prohibited by the Ottawa Convention; and undertakes to destroy anti-personnel-landmine stockpiles not required for the defence of the Republic of Korea.

These measures represent important further steps to advance the humanitarian aims of the Ottawa Convention and to bring United States practice into closer alignment with the international humanitarian movement embodied in the Ottawa Convention. Even as we take the steps announced last year, the unique circumstances on the Korean peninsula preclude us

from changing our landmine policy there at this time. As such we are not presently in a position to comply fully with and seek accession to the Ottawa Convention, and must continue to abstain on this draft resolution. However, we will continue our diligent efforts to pursue material and operational solutions that would be compliant with and ultimately allow us to accede to the Ottawa Convention while ensuring our ability to respond to contingencies on the Korean peninsula, and meet our alliance commitments to the Republic of Korea.

More broadly, the United States is the world's single largest financial supporter of humanitarian mine action, providing more than \$2.5 billion in aid in more than 90 countries for conventional weapons destruction programmes since 1993. The United States will continue to support this important work and remains committed to a continuing partnership with Ottawa States parties and non-governmental organizations in addressing the humanitarian impact of anti-personnel landmines.

Mr. Márquez (Ecuador) (*spoke in Spanish*): I should like to begin my statement by conveying our deep condolences to the delegation of the Russian Federation in the light of the loss of life of the victims of the recent air crash that brought down a Russian airliner.

For Ecuador, which was a supporter of the process for negotiating the Arms Trade Treaty, it was deeply regrettable to note that the text that was ultimately adopted by a vote in the General Assembly in April 2013 contains various shortcomings, in particular the imbalance between the rights and obligations of exporter and importer countries; the lack of a mention of core principles of international humanitarian law and its place in the Treaty; the absence of an express prohibition of the transfer of weapons to unauthorized non-State actors; the lack of an express reference to the crime of aggression; and the possibility that the articles related to these criteria could be used as a mechanism for exerting undue political process. For these reasons, the delegation of Ecuador abstained in the voting on the Arms Trade Treaty in 2013, and this morning in the voting on draft resolution A/C.1/70/L.54, entitled "The Arms Trade Treaty".

As we announced in explaining the vote of the delegation of Ecuador upon the adoption of the Treaty, the authorities of my country were studying and continue to study the text of the Treaty and its implications with a view to taking a definitive decision

on whether or not to accede to this instrument. While the Treaty entered into force on 24 December 2014 and the First Conference of States Parties has taken place, our analysis has been enriched by the ability to assess the manner in which the Arms Trade Treaty will be implemented in practice, and in particular whether it controls the deleterious effects of the arms trade and is not exploited as yet another instrument for inappropriate political control and interference in the internal affairs of other States.

Mr. Mattar (Egypt): At the outset, let me express our sincere condolences to the Russian delegation for the tragic loss of life in the flight crash last week, and assure them that the Egyptian authorities will exert all necessary efforts in the relevant investigations.

Egypt abstained in the voting on draft resolution A/C.1/70/L.50, entitled “Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction”, due to the unbalanced nature of this instrument, which was developed and concluded outside the framework of the United Nations. Egypt imposed a moratorium on its capacity to produce and export landmines in the 1980s, long before the conclusion of the Convention.

Egypt views the Convention as lacking balance between the humanitarian concerns relating to the production and use of anti-personnel landmines and their legitimate military use in border protection, particularly in countries with long borders and which face extraordinary security challenges. Furthermore, the Convention does not impose any legal responsibility on a State to remove anti-personnel mines they have placed in the territory of others, making it almost impossible for any State to meet the demining requirement on its own. This is particularly true in the case of Egypt, which still has millions of landmines on its territory placed by the warring States during the Second World War. This serious concern is further aggravated by an insufficient framework of international cooperation set up by the Convention, which is still limited in effect and highly dependent on the goodwill of donor States.

On draft resolution A/C.1/70/L.54, entitled “The Arms Trade Treaty”, as a matter of fundamental policy Egypt is well aware of the effect of the illicit traffic in weapons. We are fully committed to exerting all efforts to combat and eradicate the illicit trade in arms. Nevertheless, Egypt abstained in the voting on draft

resolution A/C.1/70/L.54 because the Treaty cannot be considered universal or inclusive. Therefore, we do not accept the text in paragraph 3, on which we had already voiced those reservations in consultations. In fact, the United Nations Conference on the Arms Trade Treaty was not able to achieve consensus. Egypt also regrets that its final conference was not able to reach agreement on a balanced text that is acceptable to all States.

Egypt expresses its reservation on the principle of adopting an important international instrument on disarmament through a vote. Neglecting the consensus principle is a negative precedent that undermines the basis upon which most international agreements on disarmament were developed. In this context, Egypt shares the following concerns. In the absence of definitions to important terms and concepts essential for the implementation of the Treaty, including end use and end users, we stress that providing information regarding end use or end users should be consistent with the laws and national security requirements of the receiving party.

Another important missing element is the criteria by which an exporter would determine the application of the Treaty. In this connection, we believe that the international community is meant to rely chiefly on the United Nations Register of Conventional Arms, which includes only seven categories of weapons, excluding small arms and light weapons. The inclusion of a clear reference to the crimes of aggression and foreign occupation as part of the assessment would have clarified the implementation process and the *raison d’être* of the Treaty should be regulating the arms trade, not restricting it.

Egypt believes that all countries should be held equally accountable to common benchmarks. Without agreed definitions or clear criteria, the implementation of the Treaty risks being subjective. It would depend on the national political considerations of exporting States. The efforts of the international community should continue to fill in the remaining gaps that the Arms Trade Treaty has left untouched. We continue to call for addressing the elements of overproduction and the ever-increasing stockpile of conventional weapons within major arms exporters and producers. We still believe that every effort must be exerted to bring production and stockpiles in major arms-producing States under international scrutiny.

International accountability is the only guarantee against the possible abuse of the existing imbalance between major arms producers and the rest of the world. We will be following closely further developments regarding the implementation of the Treaty in order to determine our final position.

Mr. Alokly (Libya) (*spoke in Arabic*): Allow me first to express our condolences to the delegation of the Russian Federation on the tragic loss of lives as a result of the plane crash.

My delegation would like to explain its vote on draft resolutions A/C.1/70/L.50 and A/C.1/70/L.24. On draft resolution A/C.1/70/L.50, entitled “Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction”, Libya is not a State party to the Convention and the interim Government is not in a position to ratify the Convention for the time being. However, Libya shares the international community’s humanitarian concerns with regard to anti-personnel landmines because of their tragic impact on human lives and the environment, which impedes development, particularly since Libya has suffered from mines and war remnants since the Second World War.

However, the Convention does not address the damage inflicted on States by the remnants of war and explosives resulting from occupation, or whose territories were the theatre of fighting between foreign countries. The Convention also does not establish a mechanism to assist affected countries suffering from mines placed by colonial States, or commit colonial States to removing, at their own expense, the mines they placed on the territories of other States. Despite all this and because of the serious impact of anti-personnel landmines, we have changed our voting pattern since the sixty-eighth session by abstaining on instead of voting in favour of the draft resolution.

With regard to draft resolution A/C.1/70/L.24, entitled “Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects”, Libya joined the consensus and shares the concern of most delegations with regard to the use of these weapons. However, the Convention and its Protocols do not give much consideration to national concerns related to defence requirements in the light of the absence of technologies or alternative weapons that fulfil the same purpose with controllable impacts. In

addition, the Protocols do not take into consideration the situation of States, including Libya, affected by the remnants of war and mines, and do not address the issue of mines dating back to the Second World War or the responsibility of the States that placed these mines to compensate the victims.

Mr. Kret (Poland): Let me first express condolences to the Russian Federation and to the families of the victims of the tragic plane crash in the Sinai.

I speak on behalf of the following countries: Greece, Estonia, Finland, Romania and my own country, Poland, to explain our abstention in the voting on draft resolution A/C.1/70/L.49/Rev.1, entitled “Implementation of the Convention on Cluster Munitions”. We support and will continue to support international efforts aimed at addressing the humanitarian, socioeconomic and security impact of conventional weapons, including cluster munitions, and halting their indiscriminate use, especially when they are directed at innocent and defenceless civilians.

We are convinced that respect for relevant international law is crucial to ensuring the protection of civilians in armed conflicts. In this context, we support the humanitarian goal of the Convention on Cluster Munitions. At the same time, we believe that humanitarian concerns must be balanced with States’ legitimate security concerns and military and defence needs.

We believe that the most competent and effective framework for addressing the issue of cluster munitions is the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW), since it includes both main producers, possessors and users as well as non-users. We supported the CCW negotiation process aimed at adopting a new CCW protocol on cluster munitions, and we remain disappointed by the failure of the Geneva discussions. However, as a High Contracting Party to the CCW and all its five additional protocols, we remain firmly committed to fulfilling all our obligations under a CCW umbrella. With the aforementioned reasons in mind, we abstained in the voting on the draft resolution.

Mr. Ibrahim (Syrian Arab Republic) (*spoke in Arabic*): My delegation would like first to express its condolences to the Government of the Russian

Federation and the people of the Russian Federation in connection with the tragic plane crash last week.

My delegation would like to explain its vote on draft resolution A/C.1/70/L.54, entitled “The Arms Trade Treaty”. Syria was and continues to be at the forefront of member States that tirelessly seek to regulate the arms trade because of the dangers that illicit arms trafficking poses to international peace and security. The best example in that regard is the tragic suffering of my country because of the illegitimate use of arms by parties that are now known to everyone.

My delegation sought tirelessly to arrive at a balanced Arms Trade Treaty and not to establish a Convention that will merely be used to pressure other countries, as has been the case with similar instruments. Syria has never been opposed to the Treaty and believes that if it had been adopted on a consensual basis it would have been a great achievement for the international community. Regrettably, however, the Treaty serves the interests of certain States at the expense of others. The Treaty as it stands is not consensual and does not take into consideration the positions and views of many Member States, including Syria. In that respect, I wish to make the following points.

First, the Treaty does not reflect the proposal made by a number of States, including Syria, to include a reference to foreign occupation and the inalienable right to self-determination for people under occupation, particularly in the light of the continued Israeli occupation of Arab territories in the Syrian Golan, Palestine and Lebanon. Secondly, the text does not include explicit language that prohibits the transfer of weapons to terrorist organizations, particularly in the light of what Syria, together with a number of other countries, has suffered from this threat to international peace and security. Thirdly, the text does not include a reference to aggression, as defined internationally in resolution 3314 (XXIX) of 1974.

My country therefore abstained in the voting on draft resolution A/C.1/70/L.54. We also reiterate our reservations on all paragraphs that include references to the Arms Trade Treaty in the draft resolutions that have been adopted and that will be adopted without a vote in the First Committee.

Mr. Kim Young-moo (Republic of Korea): At the outset, my delegation joins other delegations in expressing its deepest condolences to the delegation

of the Russian Federation for the tragic loss of lives caused by the recent plane crash.

My delegation would like to explain its vote on two draft resolutions in cluster 4, draft resolutions A/C.1/70/L.49/Rev.1 and A/C.1/70/L.50.

First, the Republic of Korea abstained in the voting on draft resolution A/C.1/70/L.49/Rev.1, entitled “Implementation of the Convention on Cluster Munitions”. While we fully share the humanitarian concerns related to the use of cluster munitions, because of the unique security situation on the Korean peninsula, the Republic of Korea is currently not in a position to join the Convention on Cluster Munitions.

While it is regrettable that we could not support the draft resolution at this time, the Republic of Korea is making efforts to alleviate the humanitarian problems associated with the use of cluster munitions. Under a Republic of Korea Defence Ministry directive on cluster munitions issued in 2008, only cluster munitions that are equipped with self-deactivation devices and that would not result in more than a 1 per cent failure rate can be included in the Government’s acquisition plans. That directive also recommends the development of alternative weapon systems that could replace cluster munitions in the long term.

Secondly, the Republic of Korea abstained in the voting on draft resolution A/C.1/70/L.50, entitled “Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction”. While the Republic of Korea fully sympathizes with the spirit and objectives of the Ottawa Convention and this draft resolution, we are not able to join the Convention at this point in time due to the security situation on the Korean peninsula. That does not mean, however, that we are less concerned about the problems associated with anti-personnel mines, and we are fully committed to mitigating the sufferings caused by their use. In this respect, the Republic of Korea Government is exercising tight controls over anti-personnel landmines and has been enforcing an indefinite extension of the moratorium on their export since 1997.

In addition, the Republic of Korea joined the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) and its Amended Protocol II, under which we are participating in a range of discussions and

activities to ensure only limited and responsible use of these weapons. We also joined Protocol V of the CCW on Explosive Remnants of War and are implementing all the relevant obligations.

The Government of the Republic of Korea has also contributed more than \$8.7 million since 1993 for demining and victim assistance through the relevant United Nations programmes, including the United Nations Voluntary Trust Fund for Assistance in Mine Action and the International Trust Fund for Demining and Mine Victims Assistance. The Republic of Korea will continue to contribute to the international efforts for mine clearance and victim assistance.

Mr. Gallhofer (Austria): As a long-standing supporter and promoter of the Convention on Cluster Munitions (CCM), Austria voted in favour of draft resolution A/C.1/70/L.49/Rev.1, entitled “Implementation of the Convention on Cluster Munitions”. While Austria would have liked to co-sponsor the draft resolution, I take the floor in order to emphasize that State parties to the CCM in the political declaration adopted at the recent First Review Conference of the Convention have strongly condemned any use of cluster munitions by any actor. This is an expression of a central element of the Convention’s spirit, indispensable for its effective implementation. We would therefore have liked to see this reflected in the text of the draft resolution.

Mr. Kang Myong Chol (Democratic People’s Republic of Korea): Before explaining its vote, my delegation would like to express deep condolences to the delegation of the Russian Federation and extend sympathy to the families of the 224 victims of the plane crash last Saturday.

My delegation abstained in the voting on draft resolution A/C.1/70/L.50, entitled “Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction”. My delegation shares the humanitarian concerns associated with the use of anti-personnel mines, but due to the unique security environment on the Korean peninsula, especially the United States’ insistence on the use of landmines there, the Democratic People’s Republic of Korea is not in a position to give up the use of mines, in keeping with its right to self-defence.

Mrs. Schnippenkoetter (Mexico) (*spoke in Spanish*): First, Mexico joins in the condolences extended to the Russian Federation.

I should like to refer to draft resolution A/C.1/70/L.49/Rev.1, entitled “Implementation of the Convention on Cluster Munitions”. Mexico recognizes the historic importance of the fact that, for the first time, we are able to submit a draft resolution on the Convention on Cluster Munitions to the General Assembly with a view to underlining the achievements, obligations, commitments and successes achieved in the five years since this important Convention was adopted, and to giving political momentum towards achieving its universality as soon as possible, given that the Convention has proved to be a robust and effective instrument for promoting disarmament, non-proliferation and international humanitarian law.

It prohibits the use and production of a complete range of weapons with indiscriminate, inhumane effects — that is, cluster munitions — and calls for the clearing of contaminated areas and the destruction of these weapons, saving many human lives from their pernicious effects. The Convention’s focus on victims is one of its key attributes, given that it promotes, with international cooperation, the provision of assistance and care to victims in order to ensure that they and their families can be reintegrated into the economic and social life of the communities to which they belong.

Mexico deeply regrets that the text circulated by Croatia fails to condemn the use of cluster munitions by any actor in any circumstances and in any place, despite the recent announcements that cluster munitions have been used in recent armed conflicts in various places throughout the world. The States parties to the Oslo Convention, by failing to condemn the use of these weapons, undermine the spirit of the Oslo Convention and repudiate the moral duty to denounce — from the highest international forum, the General Assembly — the use of cluster munitions by any actor in any circumstances because they run counter to the principles of international humanitarian law and human rights, represent a war crime, and sidestep the fact that one of the main purposes of the United Nations is to pool our efforts in the maintenance of international peace and security.

Ms. Ching (Singapore): First let me convey my delegation’s deepest condolences to the Russian

Federation for the tragic loss of lives in the plane crash last week.

I am taking the floor to explain my delegation's vote in favour of draft resolution A/C.1/70/L.49/Rev.1, entitled "Implementation of the Convention on Cluster Munitions", and draft resolution A/C.1/70/L.50, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

Singapore supports and will continue to support all initiatives against the indiscriminate use of anti-personnel landmines and cluster munitions, especially when they are directed at innocent and defenceless civilians. With this in mind, Singapore declared a two-year moratorium in May 1996 on the export of anti-personnel landmines without self-neutralizing mechanisms. In February 1998, Singapore expanded the moratorium to include all manner of anti-personnel landmines, not just those without self-neutralizing mechanisms, and extended the moratorium indefinitely. In addition, Singapore declared an indefinite moratorium in November 2008 on the export of cluster munitions.

We also support the work of these Conventions by regularly attending the meetings of the States parties to the Conventions. At the same time, like several other countries, Singapore firmly believes that the legitimate security concerns and the right to self-defence of any State cannot be disregarded. A blanket ban on all types of anti-personnel landmines and cluster munitions may therefore be counter-productive.

Singapore supports international efforts to resolve the humanitarian concerns over anti-personnel landmines and cluster munitions. We will continue to work with members of the international community towards finding a durable and truly global solution.

Mr. Soteriou (Cyprus): First, I should like to add my voice to those delegations that have expressed their deepest condolences to the Russian Federation for their recent tragic airplane crash.

I should like to explain our abstention on draft resolution A/C.1/70/L.49/Rev.1, entitled "Implementation of the Convention on Cluster Munitions". Cyprus attaches great importance to the application of restrictions and prohibitions on weapons deemed excessively injurious or which may have indiscriminate effects. In this regard, Cyprus

is a State party to all protocols of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. Furthermore, our national policy and legislation are in full compliance with European Union standards and regulations.

Cyprus signed the Convention on Cluster Munitions in 2009 and relevant legislation for its ratification was forwarded to Parliament in 2011. However, the ratification process is still ongoing due to considerations related to the abnormal security situation on the island. We remain hopeful that these issues can and will be resolved which would then enable us to ratify the Convention and vote in favour of this draft resolution in future.

Ms. Grinberga (Latvia): First, my delegation would like to extend sincere condolences to the Russian delegation given the tragic loss of lives in the plane crash last week.

I should like to explain Latvia's abstention in the voting on draft resolution A/C.1/70/L.49/Rev.1, entitled "Implementation of the Convention on Cluster Munitions". Latvia supports the goals of the Convention on Cluster Munitions. We fully share the concerns relating to the disastrous consequences caused by the indiscriminate use of certain cluster munitions. At the same time, we believe that the humanitarian point of view must be balanced with security concerns and strategic defence considerations. Nevertheless, we maintain the commitment to act in line with the provisions of the Convention. Latvia neither produces nor possesses cluster munitions nor do we store or use them. Yet we are not a State party to the Convention on Cluster Munitions. The position regarding the Convention could be revisited in a mid-term perspective.

Mr. Toro-Carnevali (Bolivarian Republic of Venezuela) (*spoke in Spanish*): My country voted in favour of draft resolution A/C.1/70/L.49/Rev.1, entitled "Implementation of the Convention on Cluster Munitions", despite the fact that we are not a party to the Convention. Nonetheless, we identify very closely with the spirit of the Convention on Cluster Munitions.

We wish to reiterate the reasons why we have not yet acceded to the Convention. We recall that when the Convention was adopted, it included significant and revealing exceptions and disregarded the latest developments and technologies used in cluster

munitions. Since that time, there has been no change or update to the Convention, which suggests that a significant quantity of cluster munitions currently used today in many armed conflicts are not regulated by the Convention. That makes the Convention far less comprehensive and effective. That is the fundamental reason why Venezuela has not acceded to the Convention.

Ms. Ramos (Cuba) (*spoke in Spanish*): The delegation of Cuba would like to explain its position on the third preambular paragraph of draft resolution A/C.1/70/L.16, entitled “Problems arising from the accumulation of conventional ammunition stockpiles in surplus”.

Early on, the Cuban delegation requested the sponsors to reconsider the inclusion of this paragraph, which welcomes various provisions of the Arms Trade Treaty, which does not enjoy the support of all Member States. Unfortunately, in the opinion of the Cuban delegation the decision to retain the reference to the Arms Trade Treaty does not contribute to the necessary unity of States in effectively addressing issues relating to the accumulation of conventional ammunition stockpiles in surplus. I stress that Cuba maintains and applies a stringent and effective national ammunition-control regime that has been set up fully commensurate with our national defence and security needs.

Allow me now to explain why the Cuban delegation voted in favour of draft resolution A/C.1/70/L.49/Rev.1, entitled “Implementation of the Convention on Cluster Munitions”. We believe that this draft resolution adequately reflects our own position in favour of the prohibition and complete elimination of cluster munitions, and the condemnation of their use. We believe that the injurious and indiscriminate effects of such weapons are not compatible with the principles and norms of international humanitarian law.

Furthermore, Cuba’s support for the draft resolution does not imply a change in our well-known concerns with regard to the ambiguities and inconsistencies that characterize some provisions of the Convention on Cluster Munitions, which we will continue to address at the appropriate time in the appropriate forums. Cuba is currently undertaking the necessary constitutional processes for accession to the Convention on Cluster Munitions. To that end, we hope that very shortly we will be able to complete the necessary domestic legislation for Cuba’s accession to the Convention.

Allow me to explain the motives for the Cuban delegation’s decision to abstain in the voting on draft resolution A/C.1/70/L.50, entitled “Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction”. Cuba entirely shares the very legitimate humanitarian concerns linked to the indiscriminate and irresponsible use of anti-personnel mines. Our country is a State party to the Convention on Certain Conventional Weapons, including its Amended Protocol II, and fully abides by all of its provisions and restrictions with regard to the use of anti-personnel mines.

It is not possible for our country to renounce the use of mines to maintain our sovereignty and territorial integrity, pursuant to the right to legitimate defence that is enshrined in the Charter of the United Nations. Cuba will continue to support all efforts that, while striking the appropriate balance between humanitarian and national security issues, seek to eliminate the awful impact on civilians and the economies of many countries of the indiscriminate and irresponsible use of anti-personnel mines. We also join the appeal for all countries in a position to do so to provide the necessary financial, technical and humanitarian support for mine-clearance activities and the social and economic rehabilitation of victims.

Mr. Ammar (Pakistan): Kindly allow me to begin by joining other delegations that have offered deepest condolences to the Russian people and the Russian delegation on the tragic loss of life because of the crash of the airliner in Sinai.

I have asked for the floor to explain my delegation’s positions and some votes on draft resolutions A/C.1/70/L.16, A/C.1/70/L.49/Rev.1, A/C.1/70/L.50, and A/C.1/70/L.54.

I begin by explaining our delegation’s position on draft resolution A/C.1/70/L.16, entitled “Problems arising from the accumulation of conventional ammunition stockpiles in surplus”. My delegation joined the consensus on this draft resolution. We agree with the draft resolution’s key goal of developing a comprehensive and integrated approach to disarmament through practical measures. Therefore we have supported the draft resolution. Pakistan itself has worked towards the associated goal of promoting conventional arms control at the regional and subregional levels. Notwithstanding current difficulties, the Treaty on

Conventional Armed Forces in Europe represents a good model of a comprehensive approach. We would like to highlight the following points with respect to the draft resolution.

First, the largest stockpiles of conventional armaments and their ammunition are maintained by major military Powers. They should therefore take the lead in assessing surplus stockpiles and their safe disposal. Secondly, such efforts could be supplemented by actions at the regional and subregional levels to prevent excessive accumulation as well as imbalances in conventional armaments and military forces. Thirdly, while it may not be possible to have a universal definition of surplus stockpiles of armaments or their ammunition, some general guidelines could be evolved on the basis of previous work done under the auspices of the United Nations.

I now turn to an explanation of my delegation's vote on draft resolution A/C.1/70/L.49/Rev.1, entitled "Implementation of the Convention on Cluster Munitions". My delegation abstained in the voting on this draft resolution. Pakistan participated in the Review Conference of the Parties to the Convention on Cluster Munitions held in Croatia this year as an observer. However, it is important to note that the Convention on Cluster Munitions was negotiated outside the United Nations system.

As a matter of principle, Pakistan does not support efforts to conclude important international treaties, especially those related to arms control, outside the United Nations framework. Pakistan feels that the multilateral framework of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) is the most appropriate forum for considering the issue of cluster munitions. The strength of the CCW lies in its legal framework, which strikes a delicate balance between the need to minimize human suffering without sacrificing the legitimate security interests of States. Pakistan participated actively and constructively in the Group of Governmental Experts under the CCW framework in 2011, which held substantive discussions on a draft protocol on cluster munitions. It is unfortunate that the negotiation process bore no fruit in the end.

Pakistan considers cluster munitions to be legitimate weapons with a recognized military value in our regional context. We therefore look at the military utility of cluster

munitions differently from States that enjoy a peaceful neighbourhood. Pakistan supports international efforts to address the issue of irresponsible and indiscriminate use of cluster munitions and as such welcomes efforts to mitigate their negative consequences. Pakistan has never used cluster munitions in any military conflict or internal operations and is strongly opposed to their use against civilians. Strict adherence to international humanitarian law would help address the humanitarian concerns arising from the indiscriminate use of cluster munitions. Pakistan also supports efforts to improve the reliability of cluster munitions so that the issue of explosive remnants of war is appropriately addressed.

I now turn to my explanation of our vote on draft resolution A/C.1/70/L.50, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction". Landmines continue to play a significant role in the defence needs of many States, especially those in regions of conflict and disputes. Pakistan remains committed to pursuing the objective of a universal and non-discriminatory ban on anti-personnel mines in a manner that takes into account the legitimate defence requirements of all States.

Given our security compulsions and the need to guard our long borders, which are not protected by any natural obstacle, the use of landmines forms an important part of our defence strategy. As such, it is not possible for Pakistan to agree to the demand for a complete prohibition of anti-personnel landmines until such time as viable alternatives are available. The objective of the total elimination of anti-personnel landmines can best be promoted, *inter alia*, by making available non-lethal militarily and cost-effective alternative technologies.

Pakistan is a party to Amended Protocol II of the CCW, which regulates the use of landmines in both internal and external conflicts to prevent civilians from falling victim to landmines. We continue to implement the Protocol with great earnestness. Pakistan, as one of the largest group contributors to United Nations-led peacekeeping operations, has actively contributed to the demining operations in several affected countries in the past. We are prepared to provide training facilities to mine-affected countries within our national resources. Pakistan enjoys a unique record of clearing all minefields after the three wars in South Asia. There has never been a humanitarian situation caused by the use of these mines. We remain committed to ensuring

that mines in our military inventory will never become a cause for civilian casualties.

Lastly, I wish to explain my delegation's vote on draft resolution A/C.1/70/L.54, entitled "The Arms Trade Treaty". Pakistan voted in favour of the draft resolution. The ongoing death and destruction caused by the supply and misuse of conventional weapons in several parts of Africa, the Middle East, Asia and elsewhere are disconcerting and raise potential concerns about the efficacy of the Arms Trade Treaty (ATT) and other plurilateral or regional mechanisms.

The timely resolution of issues such as the absence of definitions and the lack of accountability of exporters could be vital in making the ATT effective. The rhetoric and reality will need to be reconciled if the ATT is to gain global public trust and ownership. Even as we continue our national review of the Treaty, we believe that the ATT's success, effectiveness and universality will be assessed on its non-discriminatory implementation, and in particular its criteria and strict adherence by States parties to the Treaty principles.

Mr. Robotjazi (Islamic Republic of Iran): My delegation abstained in the voting on draft resolution A/C.1/70/L.54, entitled "The Arms Trade Treaty", because the Arms Trade Treaty (ATT), in our view, suffers from significant legal deficiencies and loopholes. In the ATT, the political and commercial interests of certain arms-exporting countries have prevailed over the observance of the fundamentals of international law.

The ATT has failed to uphold the principle of the prohibition of the crime of aggression as the most fundamental principle of international law. It makes no sense that a legally binding instrument such as the Arms Trade Treaty has not prohibited arms transfers to countries that are engaged in committing acts of aggression, including foreign occupation. My country, as a victim of acts of aggression in recent history and located in a region where the Israeli regime commits aggression time and time again against countries of the Middle East, considers such a legal gap in the Treaty to be unacceptable.

For the same reason, my delegation would like to place on record that it dissociates itself from the consensus on the fifteenth preambular paragraph of draft resolution A/C.1/70/L.6, entitled "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them", and

the third preambular paragraph of draft resolution A/C.1/70/L.16, entitled "Problems arising from the accumulation of conventional ammunition stockpiles in surplus". The fact that we exercised flexibility and joined the consensus on those draft resolutions as a whole should not be interpreted as agreeing to those specific paragraphs.

I should also like to explain the position of my delegation on draft resolution A/C.1/70/L.49/Rev.1, entitled "Implementation of the Convention on Cluster Munitions". As a general principle, we participate in all efforts within the framework of the United Nations aimed at minimizing the humanitarian impact of the use of certain conventional weapons or munitions. At the same time, we believe that such efforts need to be inclusive and transparent and should be pursued with the equal participation of all States.

It is worth noting in this regard that negotiation on disarmament issues, due to their nature, which touches on important issues such as security concerns and the interests of States, requires a balanced and comprehensive approach; a progressive, transparent and all-inclusive process; and a consensual decision-making procedure to ensure the right of each State to security and that no individual State or group of States may obtain advantages over others at any stage, as was stressed in the Final Document (resolution S-10/2) of the first special session of the General Assembly devoted to disarmament (SSOD-I). We strongly believe that this can be done only through the United Nations disarmament machinery as established by SSOD-I.

We share the view that the process leading to the conclusion of the Convention on Cluster Munitions, by bypassing the United Nations disarmament machinery, disregarded the interests of many States. As clearly stated in the SSOD-I Final Document, all States have a vital interest in and right to participate on an equal footing in those multilateral disarmament negotiations that have a direct bearing on their national security. Circumventing the United Nations disarmament machinery and later bringing in an instrument that was negotiated and concluded in an exclusive process outside that machinery is neither acceptable nor in line with the objectives of the United Nations. Therefore, we believe that such a process should not be encouraged or promoted by the General Assembly.

During the sixty-third and sixty-fourth sessions of the General Assembly, the delegation of the Islamic

Republic of Iran joined the consensus on the adoption of resolutions 63/71 and 64/36 on the Convention on Cluster Munitions merely on the basis of their procedural nature. However, this year my delegation abstained in the voting on draft resolution A/C.1/70/L.49/Rev.1, mainly due to the fact that it is of a substantive nature and, inter alia, calls for the implementation of the Convention on Cluster Munitions, an instrument in whose negotiation my country did not participate, and accordingly is neither a party to nor a signatory thereof.

Mr. Duarte (Brazil): Let me join previous speakers in expressing our condolences to the Russian Federation for the tragic loss of life.

I wish to explain Brazil's abstention in the voting on the adoption of draft resolution A/C.1/70/L.49/Rev.1, entitled "Implementation of the Convention on Cluster Munitions". Brazil has supported efforts to address cluster munitions within the United Nations, particularly the discussions related to the adoption of a protocol to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW). We actively participated in the negotiations in the framework of the Group of Governmental Experts of that Convention, whose objective was the adoption of a legally binding instrument that would lead to the gradual banning of cluster munitions.

Brazil did not participate in the Oslo process. In our view, the establishment of a parallel negotiating process to the CCW was not consistent with the objective of strengthening that Convention or with the goal of promoting the adoption of universal, balanced, effective and non-discriminatory arms control instruments. We consider that there are serious loopholes in the Oslo Convention. For instance, it allows the use of cluster munitions equipped with technologically sophisticated mechanisms for an indefinite period of time. Such mechanisms are present only in those munitions manufactured in a small number of countries with more advanced defence industries. The effectiveness of the Convention is also undermined by its article 21, known as the interoperability clause.

Brazil is a party to the CCW's Protocol V on Explosive Remnants of War. It has never used cluster munitions. Not having joined the Oslo Convention does not imply that Brazil is not bound by any regulation applicable to the possible use of cluster munitions,

which would in any case be subject to international humanitarian law.

The Chair: We have heard the last speaker in explanation of vote after the vote on cluster 4, "Conventional weapons".

The Committee will now turn to cluster 5, "Other disarmament measures and international security".

I shall now give the floor to delegations wishing to make general statements or to introduce new or revised draft resolutions under cluster 5.

Ms. Thunborg (Sweden): Let me start by expressing my delegation's deep condolences to the Russian delegation on the tragic airplane accident and its tragic loss of life.

I have the honour to make a general statement with regard to draft resolution A/C.1/70/L.45, entitled "Developments in the field of information and telecommunications in the context of international security". This statement is made on behalf of 33 countries, namely, Austria, Belgium, Bulgaria, Canada, Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Switzerland, Tunisia, Uruguay and my own country, Sweden. We will join the consensus on this draft resolution but would like to underline some relevant aspects in this context.

International deliberations on cyberspace issues and the use of information and communications technologies (ICT) in an international security context need to continue to evolve as we seek greater common understanding globally. The adoption in July 2015 of the report of the third Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security (see A/70/174) was an important development in this regard. The Group of Governmental Experts made a significant contribution towards developing common understandings with regard to norms of responsible behaviour by States, confidence-building measures, and the application of international law to the use of ICT by States. We welcome the adoption by consensus of the report. We also encourage States to build and advance this important work, while taking

some certain crucial principles and concepts fully into account.

Our delegations believe it is crucial that the Internet remain open, thereby facilitating a free flow of information in cyberspace. The same rights that individuals have off-line must also be protected on-line, in particular the freedom of expression, including the freedom to seek and impart information, the right to privacy, and the freedom of assembly and association. The exercise of the right to privacy is important for the realization of the freedom of expression and to hold opinions without interference, as well as for the right to freedom of peaceful assembly and association, and is a foundation of a democratic society.

We therefore welcome the consensus adoption of resolution 20/8 at the twentieth session of the United Nations Human Rights Council, in 2012, which affirmed this basic understanding. Follow-up resolutions were adopted in 2014 and 2015, reaffirming the main messages from the 2012 resolution while including important additions on the importance of Internet access for global development and the right to education. This year, the Human Rights Council appointed a Special Rapporteur on the right to privacy for a period of three years.

Our increasing dependence on information technology has brought new challenges. Security in an increasingly interconnected world will to a great extent revolve around protecting information flows and the integrity of critical ICT infrastructure. Cyberattacks, cyberespionage and cybercrime are realities in today's cyberdomain. These risks and vulnerabilities need to be addressed as our traditional tools, and this implies challenges as our traditional tools to address these risks have yet to adapt to the global and boundless nature of cyberspace.

It is clear, however, that the threats to our freedom and security in cyberspace can be tackled effectively only through global cooperation between States as well as in cooperation with the private sector and civil society. We welcome the reference to the role of the private sector and civil society in the report of the Group of Governmental Experts, and emphasize the crucial importance of taking all relevant stakeholders into account on an equal and appropriate footing while advancing this important issue. We also welcome the reference to the importance of capacity-building to secure ICT and their use.

Our delegations strongly support the affirmation made by the Group of Governmental Experts that the application to norms relevant to the use of ICT by States is essential to reduce risks to international peace, security and stability. We also welcome the recommendation by the Group of Governmental Experts on the need to further study how such norms will apply to State behaviour and the use of ICT by States. The report of the Group of Governmental Experts underlines that voluntary confidence-building measures can promote trust and assurance among States and help reduce the risk of conflict by increasing predictability and reducing misperceptions. Such measures can make an important contribution to addressing the concerns of States about the use of ICT by States and could be a significant step towards promoting international security.

We support these recommendations and encourage further work along these lines, including in regional security and confidence-building frameworks. We engage in these discussions on the basis that existing international law is applicable and that our universal values of human rights, democracy and the rule of law guide our deliberations on norms in cyberspace. We call for these crucial aspects to guide further work in the cyberarea, including in the context of addressing international security aspects of the use of ICT in the format of the United Nations Group of Governmental Experts.

Ms. Ramos (Cuba) (*spoke in Spanish*): My delegation would like to express its deepest condolences to the Russian Federation in the light of the tragic air accident that occurred on 31 October, in which more than 220 people lost their lives.

Under cluster 5, together with the other members of the Non-Aligned Movement, Cuba has co-sponsored the following draft resolutions, which address important issues before the international community: draft resolution A/C.1/70/L.7, entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control"; draft resolution A/C.1/70/L.9, entitled "Promotion of multilateralism in the area of disarmament and non-proliferation"; and draft resolution A/C.1/70/L.10, entitled "Relationship between disarmament and development".

Environmental norms need to be taken fully into account in the negotiation of disarmament and arms-control treaties and agreements. As noted in draft

resolution A/C.1/70/L.7, all States must observe such norms when implementing the treaties and conventions to which they are party.

Draft resolution A/C.1/70/L.9 makes a significant contribution to our quest for effective and sustainable multilateral solutions in the area of disarmament and non-proliferation. The text appropriately reaffirms that multilateralism is the core principle for disarmament negotiations.

With regard to draft resolution A/C.1/70/L.10, we reiterate that disarmament and development are two of the key challenges before humankind. It is therefore unacceptable that we currently dedicate some \$1.75 trillion to military expenditure that could be invested in combating poverty, extreme poverty in particular, and in promoting peace and sustainable development.

We call on all delegations to support the aforementioned draft resolutions submitted by the Non-Aligned Movement under cluster 5.

The Chair: The Committee will now take action on the draft resolutions under cluster 5, “Other disarmament measures and international security”.

The Committee will now take action on draft resolution A/C.1/70/L.7, entitled “Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control”.

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft resolution A/C.1/70/L.7 was introduced by the representative of Indonesia on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries at the 21st meeting, on 30 October. The sponsor of the draft resolution is listed in document A/C.1/70/L.7.

The Chair: The sponsor of draft resolution A/C.1/70/L.7 has expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/70/L.7 was adopted.

The Chair: The Committee will now proceed to take action on draft resolution A/C.1/70/L.9, entitled “Promotion of multilateralism in the area of disarmament and non-proliferation”.

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft resolution A/C.1/70/L.9 was introduced by the representative of Indonesia on behalf of States Members of the United Nations that are members of the Movement of Non-Aligned Countries at the Committee’s 18th meeting, on 27 October. The sponsors of the draft resolution are listed in document A/C.1/70/L.9.

The Chair: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Micronesia (Federated States of), United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Tonga, Turkey, Ukraine

Draft resolution A/C.1/70/L.9 was adopted by 122 votes to 4, with 51 abstentions.

The Chair: The Committee will now proceed to take action on draft resolution A/C.1/70/L.10, entitled “Relationship between disarmament and development”.

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft resolution A/C.1/70/L.10 was introduced by the representative of Indonesia on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries at the Committee’s 21st meeting, on 30 October. The sponsors of the draft resolution are listed in document A/C.1/70/L.10.

The Chair: The sponsors of draft resolution A/C.1/70/L.10 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/70/L.10 was adopted.

The Chair: The Committee will now proceed to take action on draft resolution A/C.1/70/L.17, entitled “Objective information on military matters, including transparency of military expenditures”.

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft resolution A/C.1/70/L.17 was introduced by the representative of Romania, also on behalf of Germany, at the Committee’s 17th meeting, on 26 October. The sponsors of the draft resolution are listed in documents A/C.1/70/L.17 and A/C.1/70/CRP.4/Rev.5. In addition, the following statements are made on behalf of the

Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly.

By operative paragraph 7(g), (h) and (i) of draft resolution A/C.1/70/L.17, the General Assembly requests the Secretary-General, within available resources, to promote international and regional or subregional symposiums and training seminars and to support the development of an online training course by the Office for Disarmament Affairs of the Secretariat, with the financial and technical support of interested States, with a view to explaining the purpose of the standardized reporting system, facilitating the electronic filing of reports and providing relevant technical instructions; to report on experiences gained during such symposiums and training seminars; and to provide, upon request, technical assistance to Member States lacking the capacity to report data and to encourage Member States to voluntarily provide bilateral assistance to other Member States.

The financial requirements for the activities envisaged under operative paragraphs 7(g) and 7(i) would be covered by extra-budgetary resources provided by interested Member States. The report requested in operative paragraph 7(h) would be part of the Secretary-General’s annual report entitled “Objective information on military matters including transparency of military expenditures”, for which documentation resources requirements have been included in the proposed programme budget for the biennium 2016-2017.

Therefore, should the General Assembly adopt draft resolution A/C.1/70/L.17, no additional requirements would arise under the proposed programme budget for the biennium 2016-2017. The attention of the Committee is drawn to the provision of Section B VI of General Assembly resolution 45/248, of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with the responsibilities for administrative and budgetary matters and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions.

The Chair: The sponsors of draft resolution A/C.1/70/L.17 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/70/L.17 was adopted.

The Chair: The Committee will now proceed to take action on draft decision A/C.1/70/L.22, entitled “Role of science and technology in the context of international security and disarmament”.

I give the floor to the Secretary of the Committee.

Mr. Nakano (Secretary of the Committee): Draft decision A/C.1/70/L.22 was introduced by the representative of India at the Committee’s 21st meeting, on 30 October. The sponsor of the draft decision is named in document A/C.1/70/L.22.

The Chair: The sponsor of draft decision A/C.1/70/L.22 has expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft decision A/C.1/70/L.22 was adopted.

The Chair: The Committee will hear explanations of vote or position on draft resolutions in cluster 5 at the beginning of our meeting tomorrow morning.

As announced earlier, I should like to welcome the High Representative for Disarmament Affairs, the representative of the Department of General Assembly and Conference Management, and the representative of the Office of Programme Planning, Budget and Accounts.

As mentioned at the beginning of our meeting this morning, I have asked the High Representative personally to sort out the process of programme budget implications and to update the Committee on that issue at the end of this meeting. I think I can say on behalf of all members of the Committee that we all have a great level of frustration about the process so far, and I call on the High Representative to update us this morning on how far he has come.

Mr. Kim Won-soo (High Representative for Disarmament Affairs): I am sorry about the confusion that may have been created on the programme budget implications of several draft resolutions, but let me first state where we in the Secretariat stand on the budget issue.

In the past, the budget of the Secretariat, in particular the Department for General Assembly and Conference Management (DGACM) as a conference servicing department, has been generous in observing the cost of the meetings or reports even though meetings and reports have been added outside of the programme

budget that had already been approved by the Fifth Committee. But there have been consecutive budget cuts facing DGACM — for the last three bienniums the DGACM has been subjected to substantive cuts — and during the period of the last biennium DGACM was subject to almost 70 per cent of the whole Secretariat staff cut.

So this year DGACM finds that its capacity to observe additional meetings or reporting is almost reaching a dead end. Any draft resolution which has budget implications going beyond what is already reflected in the next biennium’s budget needs a programme budget implication because those draft resolutions that require the Secretariat to service meetings and translate the reports into six languages need resources. The plea from the whole of the Secretariat to delegations of the First Committee and all other committees is that when delegations think about resolutions that will give new and unexpected mandates, they consider the programme budget implications first.

That is for the future. This year we recognize that perhaps some delegations did not expect the stringent application of the programme budget implications to all draft resolutions that were not envisaged or expected at the time of setting the next biennium’s budget. We are trying to find a solution that must be consistent with all the draft resolutions now being considered by the First Committee. The positions taken in this Committee will also have implications for draft resolutions to be adopted by other Committees. The First Committee’s decision comes first. We need to find a good solution and a consistent rationale to be applied to draft resolutions adopted by other committees when those draft resolutions are discussed.

Thanks to the extensive consultations we have had with First Committee members, particularly with those Ambassadors coming from Geneva representing the Conference on Disarmament (CD), we hope that with the assurance of the States members of the First Committee, particularly those representing the CD, if we are allowed to use a tool derived from the CD budget, then we may be able to service the meetings and reporting as envisaged in several draft resolutions now before the First Committee. But we cannot now say that it will be done because we do not know how the CD will use its budget as appropriated.

If the First Committee allows us to draw from the CD budget as of now, then we may be able to ask

DGACM to do it without a new programme budget implication, but if the actual disbursement of the CD budget next year turns out not to allow the meetings or reports envisaged by new resolutions before the First Committee, then we may have to come back to the First Committee at that stage. Those meetings and reports may be impacted if the CD fully uses its budget and we may then have to come back to the First Committee about how we will service the meetings and reports envisaged in the resolutions before us. That is where we stand. We are happy to answer questions.

The Chair: I now give the floor to the representative of the Office of Programme Planning, Budget and Accounts.

Mr. Huismann (Department of Management): I just want to add a few points more specifically to avoid any confusion from now on and provide maximum clarity. The approach that Mr. Kim elaborated would apply in particular to the programme budget implications that we have issued for draft resolutions A/C.1/70/L.36, A/C.1/70/L.48 and A/C.1/70/L.52, which concern three times the cost of a report in six languages — \$50,900 each — and would also apply to the still not issued statements for draft resolutions A/C.1/70/L.13 and A/C.1/70/L.28.

As Mr. Kim mentioned, we would include in a subsequent oral statement an assumption, the assumption being that resources would be available from the Conference on Disarmament budget and if those resources were not to be available it would impact our capacity to actually issue those reports, unless at that time — because by then it would already be during the biennium — it can be determined that it can be absorbed within existing resources. That is the construction we would use. I do want to mention, however, that this approach does not apply to the still-pending statement with regard to draft resolution A/C.1/70/L.45, because for A/C.1/70/L.45 there are significant meeting services involved that go way beyond this arrangement. I just want to make sure that that is clear to all representatives.

Mr. Buck (United States of America): I thank High Representative Kim and our colleagues from the Department for General Assembly and Conference Management and the Department of Management for being with us today for these clarifications. I come back to the comments from the programme and budget office. That was a useful clarification, I think, but I

want to make sure we understand the comment about the use of Conference on Disarmament resources. What we understand is that if next year the Conference on Disarmament in its operations needed to use its entire allocated budget, then that would have priority over these other activities, which would then perhaps return to the search for existing resources or some point for absorption. Is that correct?

The Chair: I give the floor to the High Representative.

Mr. Kim Won-soo (High Representative for Disarmament Affairs): Yes, that understanding is correct. If the Conference on Disarmament lives up to expectations and uses up its allocated budget, then we have to come back to the First Committee.

Mr. Sandoval Mendiola (Mexico) (*spoke in Spanish*): My delegation has proposed a financing model for an open-ended working group with universal participation in which all Member States are represented. The financing of such a group was agreed by a decision of the General Assembly in 2012. The financing that was received in 2013 was drawn from the resources of the Conference on Disarmament (CD) in Geneva. It was on the basis of that precedent that draft resolution A/C.1/70/L.13 was drafted.

We are not inventing any formula that has never been used by the Assembly. We have simply taken due note of the fact that the resources earmarked for the open-ended working group, which are provided for in the draft resolution that my delegation has sponsored alongside another 29 delegations, are drawn from the resources of the CD. That is the precedent that has been set. It is nothing new. We are grateful for the clarification.

The Chair: I give the floor to the High Representative for Disarmament Affairs.

Mr. Kim Won-soo (High Representative for Disarmament Affairs): Again, that was past practice, but at the time I should also like to remind delegations that the budget of the Conference on Disarmament (CD) was there to be tapped into. We do not know what will happen to the CD next year. We cannot presuppose that the CD will not be able to use its appropriated budget at this stage. We need to assess how the CD will use its allocated budget next year, and then if any budget remains unspent of course we will use it to provide the servicing of the meetings and reporting, drawing from that unspent budget. It is all speculation and prediction.

If that turns out to be the case we will not have a problem, but if the CD lives up to its role and spends all its money, then we may have to come back to the First Committee at that stage.

Mr. Buck (United States of America): I have one other question. Are the numbers available yet on the cost estimates for the two open-ended working groups that are contemplated in draft resolutions at this session?

Ms. McCarney (Canada): When the representative of the Department of Management identified the L document numbers to which they applied, if I copied these down correctly, he did not identify draft resolution A/C.1/70/L.25. Can he please clarify the status of draft resolution A/C.1/70/L.25?

The Chair: I give the floor to the representative of the Department of General Assembly and Conference Management.

Mr. Mourato Gordo (Department of General Assembly and Conference Management): With reference to the question regarding the status of the completion of the cost estimates linked to draft resolution A/C.1/70/L.13/Rev.1 and A/C.1/70/L.28, they are almost final, so I would expect to have them ready in the next day or so.

The Chair: I give the floor to the representative of the Office of Programme Planning, Budget and Accounts.

Mr. Huisman (Department of Management): I am sorry for missing that. I did mean to include draft resolution A/C.1/70/L.25 in that list. The Committee is looking at draft resolutions A/C.1/70/L.25, A/C.1/70/L.36 and A/C.1/70/L.52. Then we are still working on A/C.1/70/L.13 and A/C.1/70/L.28, but the same approach would be used.

The Chair: I give the floor to the High Representative for Disarmament Affairs.

Mr. Kim Won-soo (High Representative for Disarmament Affairs): We hope for the same understanding on tapping into or drawing from the Conference on Disarmament budget next year to apply to all these five draft resolutions. Although programme budget implications are not issued for open-ended working groups, we want to apply the same understanding without discrimination to these five draft resolutions. That is our proposal, on the understanding that if the budget of the Conference on

Disarmament turns out not to be available, to observe the additional budget implications of these five draft resolutions then we may have to come back to the First Committee next year.

Mr. Varma (India): I thank you, Mr. Chair, for organizing a briefing by the High Representative and his colleagues. We thank them for their clarifications. We only have a comment to make. We are of course quite concerned that the disarmament machinery, which is a well-established machinery and has been on the books for several decades, is now finding it difficult to get the resources to undertake activities that are within the decision-making powers of this machinery, including the First Committee. Of course this is a unique year. We accept that proposition. I think the sense of the High Representative's comments is to see how to move from this year, so that better and more durable solutions can be found next year.

If there are no other options, we would need to go in the direction of finding a viable solution on the lines of what the High Representative has suggested, but we do want to state for the record our disquiet at the suggested course of action. We do not wish to provide incentives for Member States to stall work in one part of the disarmament machinery so that funds could be diverted to something else. We say this publicly. The disarmament agenda is fairly divisive. We have seen that in the context of the work of this Committee, and countries which do pursue the path of obstructing work in one part of the disarmament machinery to create incentives for funds to be diverted elsewhere will have to bear the political responsibility for those actions. It will be there for everyone to see.

We could go along with this as an exceptional measure only for this year. We would like to reiterate that India is not alone but is part of the Non-Aligned Movement, which includes the majority of States in the First Committee, and we have dedicated ourselves and reaffirmed the vitality and relevance of the disarmament machinery. We hope that the High Representative will keep this at the back of his mind as he tries to find a viable solution that will enable us to get through the immediate problem that we are facing.

Ms. McCarney (Canada): I apologize for taking the floor again, but there has been a lot of confusion so I would just like to be very clear that the draft resolutions that have been identified — A/C.1/70/L.25, A/C.1/70/L.36, A/C.1/70/L.48 and A/C.1/70/L.52 for the

moment, and perhaps A/C.1/70/L.13 and A/C.1/70/L.28 later — will be put to the vote this week without a programme budget implication attached.

Mr. Buck (United States of America): I want to take the floor on behalf of my delegation to echo the sentiment expressed by the Ambassador of India regarding the reserve regarding this approach and to underline that we would expect, which I guess has already been forecast by our budget colleague, that the oral statements would reflect the priority of the Conference on Disarmament in terms of funding if the Conference needs those resources.

The Chair: I shall now give the floor to the High Representative for Disarmament Affairs.

Mr. Kim Won-soo (High Representative for Disarmament Affairs): Of course, as eloquently stated by the representative of India and echoed by the representative of the United States, it is also our wish and the expectation of all Member States to see the Conference on Disarmament (CD) fully revitalized. That is why the full budget was provided in the programme budget of the Office for Disarmament Affairs and the Department for General Assembly and Conference Management. That remains our priority.

We cannot say that we will not exert our best efforts to make sure that the CD lives up to its expectations, but as I have repeatedly said, it is in the spirit of finding a solution to what to do about these five draft resolutions, which also are related to the agenda items or discussions the CD is having. If there is any possibility we can draw from the CD budget next year to service these five draft resolutions then we intend to treat them equally. If we foresee any problem next year and some of the servicing of the meetings or reporting requirements may be impacted, then at that stage we will come back to the First Committee. That is our intention, and I think it also answers the question asked by the Ambassador of Canada.

The Chair: I give the floor to the representative of the Office of Programme Planning, Budget and Accounts.

Mr. Huismann (Department of Management): Let me add a few points on the technical side. For draft resolutions A/C.1/70/L.52, A/C.1/70/L.25 and A/C.1/70/L.36, we would withdraw the programme budget implication that we issued on 2 November. We would instead issue an oral statement that includes

text that speaks to the assumption that Mr. Kim outlined earlier in terms of the use of Conference on Disarmament resources.

With regard to draft resolutions A/C.1/70/L.13 and A/C.1/70/L.28, we would apply a similar approach. However, as my colleague from the Department for General Assembly and Conference Management mentioned, those two draft resolutions are still being looked at, so I cannot make a definite statement at this point in terms of what the document that we will issue will look like. But in general we would apply a similar approach to the extent we can to those two documents as well.

The Chair: When it comes to timing on resolutions, it is the intention of the Chair to finish the voting by Friday.

Mr. Sandoval Mendiola (Mexico): I want to thank the Secretariat for the efforts made up to this point. Basically, I would only like to request the Secretariat to take a look at the precedent that we set in 2013, because what we are proposing is not something new; it has already been done. Even if you are waiting for the publishing of your new note, Sir, please take into consideration what we have already done, because it is not new.

I would also say that the intention of my delegation and the name of our draft resolution is “Taking forward multilateral negotiations”, so if the reason for resources being unavailable is that the Conference on Disarmament has broken the stagnation that has existed for almost 20 years and is perhaps moving forward, that would be great news even if it does not have a universal composition.

Mr. Rowland (United Kingdom): I thank the representatives for their explanation of the situation. I just want to clarify that I think I heard a suggestion that the reissued oral statements would indicate that the First Committee had in some way decided that money allocated to the Conference on Disarmament would be used for the purposes of meeting the costs of these additional activities. I think it would be unfortunate if it is suggested that the First Committee had decided that. I do not think it is a decision of the First Committee to decide on the issue. Perhaps the framing could be that we would follow past practice until a decision was taken to the contrary. We have to be careful that we do not imply that the First Committee can take a decision to that effect.

The Chair: I give the floor to the High Representative for Disarmament Affairs.

Mr. Kim Won-soo (High Representative for Disarmament Affairs): I absolutely agree with the representative of the United Kingdom. Even the Secretariat cannot decide, it is all based on an assumption, so the wording we are going to use is “understanding” and “assumption”.

The representative of Mexico stated that if a miracle occurs, we will all love it. At that point, we may have to come back to the First Committee about what to do about additional open-ended working group meetings and additional reporting on agenda items related to the Conference on Disarmament. We will treat these five all equally. We are moving ahead with our understanding about the assumption, which none of us wants to see happen. That is the assumption based on what has happened in the past. If the past practice happens again, then we may be able to draw from the Conference on Disarmament budget to service the meetings and the reporting arising from these five draft resolutions.

To make it clear, we will put it in oral statements and may put it in writing so that it will also help States members of the First Committee to decide. We also need that understanding to be shared with other committees as well. Other committees will come back with similar requests to observe whatever additional requirements are coming from new resolutions. We also need to be consistent with other Committees. We will put this in writing and share it with First Committee members.

The Chair: I think we have a certain understanding of the assumption. I welcome the suggestion of the High Representative to put it in writing, and it would be wonderful to have that by the end of the day. I will ask the Secretary to put it on QuickFirst.

Let me conclude this meeting by thanking the High Representative for Disarmament Affairs, who arrived only yesterday evening from Asia. He was without any sleep last night because he worked on this all night to resolve the issue. By the end of the day, we will have a document posted on QuickFirst.

The meeting rose at 1.20 p.m.