

# CONFERENCE ON DISARMAMENT

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

Held at the Palais des Nations, Geneva,  
on Tuesday, 3 March 2009, at 9.50 a.m.

President:                      Mr. Chitsaka CHIPAZIWA                      (Zimbabwe)

The PRESIDENT: I declare open the 1128th plenary meeting of the Conference on Disarmament. Today, we will be listening to addresses by senior officials representing member States. It is a source of satisfaction to the Conference on Disarmament to have eminent political figures addressing us. Their presence testifies to their abiding commitment of their Governments to our joint efforts, as well as the continued importance that they attach to our forum. It is our sincere hope that their wisdom, political vision and words of encouragement this week will give new impetus to our efforts aimed at launching the substantive work of the Conference.

At the beginning of our meeting, if I may, on behalf of the Conference on Disarmament, I would like to extend a warm welcome to His Excellency Mr. Alberto Van Klaveren, Deputy Minister for Foreign Affairs of Chile, and to give him the floor.

Mr. VAN KLAVEREN (Chile) (spoke in Spanish): Mr. President, Ambassador Chipaziwa, Mr. Secretary-General, Mr. Sergei Ordzhonikidze, heads of delegation, ladies and gentlemen. Allow me, Mr. President, to congratulate you on your election as President of this Conference, a body set up to negotiate legally binding instruments on disarmament and arms control. This is the first time that Chile has participated at a high political level in the discussions in this Conference since it was admitted as a member State in 1996, and we wished to do so in an international context in which, after too many years of inactivity, the combination of auspicious circumstances seems to be generating the critical mass of political support which is needed to relaunch the multilateral disarmament agenda.

There are many good reasons why this relaunching is vital. You know them only too well, but I would like to underline this morning that the global financial crisis, the food crisis, the energy crisis and climate change make it necessary for all available resources to be channelled towards economic reactivation and a proper response to urgent social needs, as well as the mitigation of phenomena which threaten the very existence of island States. The final document of the United Nations summit in 2005 lays down that the organization rests on three interlinked and mutually reinforcing pillars - peace and security, development and human rights. These pillars are the foundations for collective security and well-being. The underlying idea is that international security, national security and human security go hand in hand. The global recession into which we are heading is a serious test of global interdependence. Consequently, progress with the multilateral disarmament and arms control agenda will help to mitigate and reverse it. Social peace is a prerequisite for good governance, and its absence sows the seeds of conflict. This was well known to the negotiators in the Paris Peace Conference, who in 1919 provided for the creation of the International Labour Organization in chapter XIII of the Treaty of Versailles.

Chile reaffirms that nuclear disarmament is not only the most important item on our collective agenda, but one whose implementation is crucial if we are to achieve security for all States at the lowest possible level of armament. This imperative has guided our delegation in its work as Coordinator for item 1 of the Conference's agenda.

(Mr. Van Klaveren, Chile)

This is why we are parties to all the relevant and related instruments, including the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Comprehensive Nuclear-Test-Ban Treaty (CTBT), the Treaty of Tlatelolco, the Additional Safeguards Protocol of the International Atomic Energy Agency (IAEA) and the Hague Code of Conduct against the Proliferation of Ballistic Missiles.

We also welcome with hope the words spoken recently in this very forum by representatives of the major Powers and other figures of great multilateral importance, as well as the ideas being circulated concerning the revitalization of nuclear disarmament and the renewal of this process. In particular, allow me to highlight the political significance of the decision taken by United States President Obama to move towards ratification of the Comprehensive Nuclear-Test-Ban Treaty, as well as the flexibility displayed by the new United States Administration at an early stage in reaffirming the objective of the speedy negotiation of a treaty to halt the production of fissile material (FMCT), accompanied by a verification regime. We are convinced that this will mark a very important step towards the major objective of complete nuclear disarmament. In short, we favour an incremental approach which will permit effective progress.

It is vital to strive resolutely to boost efforts to combat nuclear proliferation. We need to achieve success in the Nuclear Non-Proliferation Treaty review process. The Review Conference in 2010 will be a true litmus test of the resolve of the key participants. These key participants will have to take up the political legacy built up over the past seven review conferences and place it in the context of the present political conditions.

The hoped-for ratification of the Comprehensive Nuclear-Test-Ban Treaty by the United States should give rise to a "virtuous circle" which will allow this instrument to enter into force soon. An environment of political cooperation among all the nuclear Powers is both possible and desirable. The declared or de facto nuclear-test moratoriums which have been in effect show that ratifying the Treaty does not detract from national security. Taking this step will provide the legal assurance and political trust that the Comprehensive Nuclear-Test-Ban Treaty is called on to introduce into international relations.

In addition, negotiations on an instrument banning fissile material for aggressive purposes should begin soon in this Conference. This is a logical step to follow the Comprehensive Nuclear-Test-Ban Treaty, which will convincingly underline the nuclear Powers' commitment to article VI of the Non-Proliferation Treaty. It will also bear out the assertions of other nuclear-weapon States which have claimed in international forums on many occasions that the elimination of nuclear weapons constitutes their No. 1 priority. Chile holds that verification has a political entity of its own, which is part of the very essence of disarmament instruments. Hence we hope that the more flexible United States position will lead to the initiation of a negotiating process focused on a treaty which will contribute effectively to the goals of disarmament and nuclear non-proliferation.

Nuclear disarmament and non-proliferation are two sides of the same coin. It is necessary to move forward in both respects, always bearing in mind that the ultimate objective is the complete elimination of nuclear weapons. We have pointed out here, in the Conference on

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Disarmament and in the First Committee, and I wish to repeat it once again: there are no good proliferators as opposed to bad proliferators. Any proliferation is negative, and all nuclear weapons pose an unacceptable risk to international security.

Any policy and any diplomatic effort which ignores this fact is destined to encounter the distrust and frustration of the overwhelming majority of non-nuclear-weapon States. Almost two decades after the end of the cold war, we observe that the causes of tension and conflict seem to be undergoing reinvention. Nuclear weapons, like all weapons, were created with the potential of being used. We would be guilty of arrogance if we were to claim that human intelligence could ward off all the risks posed by their mere existence. The only possible course of rational action is to work honestly and resolutely for their elimination.

Multilateral diplomacy requires suitable forums if it is to flourish, and I am not referring to mere physical or procedural spaces but to meeting places which enjoy legitimacy and possess resources so that they can produce results to respond to the needs of the international community.

We understand that, in order to make progress in such key areas as nuclear disarmament, we need the leadership and commitment of the major Powers, whose security interests are protected by the rule of consensus. However, this rule has been interpreted in a fundamentalist manner, leading to a kind of veto which, taken together with the practice of linkages, has not only led to deadlock but also prevented any result: if this were not the case, the Ottawa and Oslo Conventions, to which Chile is a party, would have been negotiated here in Geneva.

It is one thing to safeguard special security interests by requiring consensus when entering into the final phase of any disarmament negotiations, and a very different thing to block the start of such negotiations or the simple establishment of the subsidiary body which would host them. This narrow interpretation of the rule of consensus has contributed to the deadlock in the Conference.

International security is based on the principle that it is indivisible. All States, however large or powerful, have their share of responsibility to preserve it. The decade which is coming to an end has taught us that even a super-Power cannot effectively protect its interests by acting alone. We all need each other. For this reason it is healthy to introduce greater democratization in the procedures of the Conference on Disarmament.

The organs of the multilateral system are tools to enable us to respond to collective political needs. It is results which demonstrate their usefulness: they are not an end in themselves. Disarmament contributes to achieving a global public good. The Conference on Disarmament is only an instrument.

This Conference requires renewal and expansion so as to become the more legitimate, more inclusive and more transparent body that we need. Accordingly, we firmly support the initiatives and reviews focusing on its renewal. The renewal of the Conference on Disarmament that we are seeking should definitely contain provision for appropriate participation by civil

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society in its work and better coordination with the other parts of what is known as the “disarmament machinery”. Also a policy for communication and public information forming part of the culture of accountability which should be required of any authority nowadays.

My country bases its foreign policy on values which must be pursued in a proactive and practical manner. The message I bring to this Conference is that the time to look for results has come. Circumstances are ripe for taking up the task again: let us take advantage of them. We understand perfectly well that a fundamental share of the leadership which is called for falls to major Powers, and that without their cooperation, the major objectives set out in the agenda will be hard to achieve. But it is also clear that there are new emerging Powers which also bear responsibility and must contribute to this process. The task is a collective one, and concerns us all. The major challenges of our civilization demand more and better multilateralism. We hope that the Conference on Disarmament can meet them.

The PRESIDENT: I thank the Deputy Minister for Foreign Affairs of Chile for his important address, and on behalf of the Conference on Disarmament, I would like to thank him most sincerely for his presence among us here today, which demonstrates the support of the Chilean Government for the work that takes place here.

I will now suspend this meeting for a couple of minutes to escort our distinguished guest from the Council chamber.

The meeting was suspended at 10.05 a.m. and resumed at 10.10 a.m.

The PRESIDENT: Allow me to welcome, on behalf of the Conference and indeed on my own behalf, His Excellency Mr. Vincenzo Scotti, Under-Secretary of State for Foreign Affairs of Italy, a distinguished guest who is going to address us now. I give the floor to Mr. Scotti.

Mr. SCOTTI (Italy): I am honoured to address this assembly bearing in mind its noble statutory aim: banning or limiting war’s most deadly instruments.

Nuclear disarmament is a priority for the international community. Italy, as current President of the G-8, is looking forward to addressing, together with its partners, this important issue. We are heeding the calls of many political leaders and eminent persons in favour of a world free of nuclear weapons. The appeal of the four American “wise men”, Dr. Kissinger, Mr. Nunn, Mr. Shultz and Mr. Perry, has been echoed eloquently by many other high-ranking personalities around the world. In my own country, Mr. Fini, currently Speaker of the Chamber of Deputies, Mr. D’Alema, Mr. Parisi, Mr. La Malfa and Mr. Calogero have also subscribed to a call for nuclear disarmament.

Therefore, we welcome recent statements on the resumption of nuclear-weapon reduction talks between the United States and the Russian Federation, which own about 90 per cent of all existing nuclear warheads. We encourage both the United States and the Russian Federation to continue along this road and to set forth an example for others to follow.

(Mr. Scotti, Italy)

Let us turn our attention to the multilateral arena, where the role of the Conference on Disarmament is paramount. We need to focus on two main agreements. The first is the Comprehensive Test-Ban Treaty, signed in 1996 and not yet entered into force due to the lack of key signatures and ratifications from only a limited number of States. Italy is a party to the Comprehensive Test-Ban Treaty and is eager to see its formal entry into force as soon as possible. We urge those States that have not acceded to the Comprehensive Test-Ban Treaty, or that have not yet ratified it, to reassess their position. We appreciate recent statements by authoritative representatives of the new United States Administration providing assurances in this regard.

The second agreement we should focus on is the Non-Proliferation Treaty. We cannot allow the upcoming PrepCom due to be held in New York in May and the Review Conference next year to fail.

We all know that the Non-Proliferation Treaty is based on three pillars: disarmament, non-proliferation and the peaceful use of nuclear power. To be politically successful, the PrepCom and the Review Conference must deal with these three issues in a structured and balanced way. Each of them includes topics crucial to the national interest of States Parties. Otherwise, the Non-Proliferation Treaty, the cornerstone of all our nuclear non-proliferation and disarmament endeavours, will increasingly be perceived as having been concluded in the prevailing interest of the nuclear-weapon States. Our efforts will thus be thwarted.

A further consequence of any strongly perceived imbalance in the enforcement of the Non-Proliferation Treaty's provisions will be the encouragement of proliferation.

Let me mention two among the most useful tools existing today to help the Non-Proliferation Treaty meet its objectives. The first is a fissile-material cut-off treaty. There is a general consensus that these negotiations are long overdue; no objection has been registered against the conclusion of a fissile-material cut-off treaty. As a European Union member State, Italy would also like to recall the common position adopted by the European Union on the eve of the 2005 Non-Proliferation Treaty Review Conference. A statement in that direction will be made today by the Czech presidency in this same Conference hall.

By stopping, through appropriate safeguards, all production of weapons-grade fissile materials and encouraging the conversion of plants manufacturing these materials to civil use, a fissile-material cut-off treaty would drain the supply of the main components of nuclear warheads. Moreover, such a treaty would make nuclear disarmament irreversible. The benefits that would derive for non-proliferation are obvious. However, a viable fissile-material cut-off treaty needs reliable safeguards to prevent the illegal diversion of fissile materials or the use of civil installations for military purposes.

As Your Excellencies are aware, the President of the Conference on Disarmament decided last January to appoint the Italian Permanent Representative as Coordinator for nuclear disarmament with a special focus on a fissile-material cut-off treaty. To ascertain the existence of

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effective political will to embark on serious negotiations on a fissile-material cut-off treaty within the framework of the Conference on Disarmament is a task Italy takes upon itself very seriously.

Italy is of the view that such a treaty needs credible provisions on verification. Such a judgement is widely shared within this Conference. Experience has shown time and again that no treaty on disarmament can endure without a credible and workable verification mechanism. This is the only tool we have to remove the lurking temptations of cheating. We consider the latest statements by the new United States Administration extremely helpful.

My Government is well aware that other serious matters must be tackled before concluding a successful fissile-material cut-off treaty. Not least among them is the issue of stockpiles, which we believe should be dealt with during negotiations. In any case, however, any State should feel free to raise the questions it considers priority national security concerns.

The other useful tool to give renewed relevance to the cause of nuclear disarmament and non-proliferation is negative security assurances. The topic was discussed and appeared in the Final Documents of the 1995 and 2000 Non-Proliferation Treaty Review Conferences. Since the Final Document of the 2005 NPT Review Conference was only of a procedural nature, the issue of negative security assurances regrettably did not appear in it.

Italy, therefore, considers the attention given by the Conference on Disarmament to negative security assurances both topical and timely.

I cannot conclude my intervention today without mentioning the sterling work carried out by the Conference on Disarmament in the field of conventional weapons. The fundamental right of countries to ensure their self-defence, as enshrined in the United Nations Charter, is not open to debate. What the Conference on Disarmament is called upon to do is to reinforce rules on the safety of non-combatants and on the rescue and treatment of civilian victims of warfare.

The task has not always been easy. Italy will actively support in every way current efforts to reach a wide-ranging, legally-binding agreement on cluster munitions in the framework of the Convention on Certain Conventional Weapons, acceptable to those countries not able to sign the Oslo Treaty.

Though several other topics would have been worth mentioning, the passage of time is unforgiving and I feel obliged to thank you very much for the privilege of addressing the Conference on Disarmament. Your work is silent and far from media spotlights, but the successes you have achieved have brought hope to millions, and of this you ought to be proud.

The PRESIDENT: I thank the Under-Secretary of State for Foreign Affairs of Italy for his important address, and on behalf of the Conference on Disarmament, I would like to thank him most sincerely for his presence among us today, which is a clear indication of the support of the Italian Government for the work of this august body.

(The President)

I will now suspend the meeting for a couple of minutes to escort Mr. Scotti out of the Council chamber.

The meeting was suspended at 10.25 a.m. and resumed at 10.30 a.m.

The PRESIDENT: I have one speaker left on my list today, the distinguished representative of the Czech Republic, Mr. Pinter, who will speak on behalf of the European Union. I now give him the floor.

Mr. PINTER (Czech Republic): I have the honour to speak on behalf of the European Union. The candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, Serbia, as well as Ukraine, the Republic of Moldova and Armenia, align themselves with this declaration.

Since this is the first time that I am taking the floor under your presidency, allow me to begin by congratulating you on your assumption of the office of President of the Conference on Disarmament. I would like to assure you of my full personal support and the support of the European Union in your efforts to guide our work.

The European Union has repeatedly stated that it attaches a clear priority to the negotiation, without preconditions, in the Conference on Disarmament, of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, as a means to strengthen nuclear disarmament and non-proliferation. The European Union is convinced that an FMCT, by banning the production of fissile material for nuclear weapons or other nuclear explosive devices, would contribute significantly to nuclear disarmament efforts under article VI of the NPT. Logically, an FMCT constitutes the next multilateral instrument to be negotiated in the nuclear disarmament field. It would thus complement the NPT and the Comprehensive Test-Ban Treaty. It constitutes a priority ripe for negotiation. This was also made clear in the common position adopted by the European Union on the NPT Review Conference on 25 April 2005, and by which the European Union still stands. These negotiations are long overdue.

In that respect, the negotiation of an FMCT is an integral part of document CD/1840, which was tabled last year by the six Presidents of the Conference on Disarmament to allow the Conference to resume its substantive work. This document inter alia calls for the appointment of a coordinator "to preside over negotiations without any preconditions, on a non-discriminatory and multilateral treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices". The European Union has repeatedly noted that nothing could be precluded from consideration, if negotiations on an FMCT were to start. The European Union has indicated that it would go along with the proposal in document CD/1840, which constitutes a balanced compromise that we believe takes into account the views of all parties and should be acceptable to them. The European Union appeals to all delegations of the Conference on Disarmament to show flexibility and to make consensus possible on the basis of this proposal.



(Mr. Pinter, Czech Republic)

As noted in our opening statement of 20 January 2009, the European Union has proposed a clear direction by presenting the United Nations General Assembly at its current session with concrete and realistic disarmament initiatives. We call on the international community to work together to promote these disarmament initiatives, which were endorsed by our 27 Heads of State and Government in December last year in the European Union statement on strengthening international security. These initiatives included “the opening without delay and without preconditions of negotiations for a treaty banning the production of fissile material for nuclear weapons and the introduction of an immediate moratorium on the production of such material”. The European Union has repeatedly called on all States concerned, pending the entry into force of an FMCT, to declare and uphold an immediate moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices and it welcomes the fact that four nuclear-weapon States have already decreed such a moratorium.

The European Union has also called on all States to dismantle their capacities dedicated to the production of fissile material for nuclear weapons. In this respect, we welcome the recent visit to the former facilities at Pierrelatte and Marcoule once dedicated to the production of fissile material for nuclear weapons which was organized by France on 16 September 2008 for representatives of member States of the Conference on Disarmament.

The European Union welcomes the rich discussions that have taken place in the last few years during formal and informal thematic sessions on an FMCT in the Conference on Disarmament. We have listened carefully to all the statements provided, which have helped to inform our deliberations and produce a clearer picture of the issues related to such a treaty. We welcome the wide participation of member States in the deliberations and the fact that no objection has been raised to the principle of an FMCT negotiation in the Conference. We note with appreciation the participation of a substantial number of experts from a range of countries and the International Atomic Energy Agency, as well as the submission of various working papers and suggestions.

We welcome and are encouraged by recent statements made by the new United States Administration pledging to “lead a global effort to negotiate a verifiable treaty ending the production of fissile materials for weapons purposes”. We are convinced that this will bring a new impetus to the issue of an FMCT. We are also willing to contribute our part in this respect.

We consider that it would be useful to continue to look at additional ways in the Conference to facilitate and prepare for the start of negotiations, including ways, even before the start of negotiations, to make better use of the knowledge of experts on issues related to such an FMCT.

We all need to build on the achievements of the past years. Again, a new momentum on starting FMCT negotiations is developing. We call on all parties to make these negotiations possible, keeping in mind the positive impact this would have on the NPT review process and thus on international security.

The PRESIDENT: I thank the distinguished representative of the Czech Republic for his statement.

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

This concludes our business for today. As previously announced, this formal plenary meeting will be followed in five minutes by an informal meeting on agenda item 6. The next formal plenary meeting of the Conference will be on Thursday, 5 March, at 10 a.m. in this chamber.

Our meeting stands adjourned.

The meeting rose at 10.35 a.m.