Chairman: Mr. Hoffmann ........................................... (Germany)

The meeting was called to order at 10.50 a.m.

Opening of the session


Statement by the Chairman

The Chairman: We have an anniversary today: this is the 200th meeting of the Disarmament Commission. It is an honour and a privilege for me to preside over this meeting, and I wish to thank you all for electing me to the presidency — although I recognize that this is no time for festivities and that, as most of you know, I am in a somewhat difficult spot.

I should like to take this opportunity to thank my predecessor, Ambassador Erdenechuluun, for the splendid work he did last year — also under very difficult circumstances — as well as to thank him for having continued his work into this year by helping me with the consultations that we had prior to this substantive session. As representatives know, he will be continuing to support this work by chairing one of our working groups.

I would also like to express my gratitude to the Secretariat staff, and in particular to Mr. Lin Kuo-Chung, Secretary of the Disarmament Commission, who prepare our papers for us and have been helpful at all times. I am especially pleased to see Mr. Kheradi seated beside me. He is, as we all know, an old disarmament hand, and I am glad to have him with us today.

The 1996 substantive session of the Disarmament Commission is again beginning its work at an important moment in disarmament history. Last year the Disarmament Commission was convened following the historic consensus decision by Member States to extend the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) indefinitely, and we are now at a crucial phase of negotiations to finalize a comprehensive nuclear test-ban treaty in Geneva.

It is my hope that the Disarmament Commission, as the most important deliberative body of the United Nations multilateral disarmament machinery, will live up to the expectations of the international community and will be able again this year to recommend guidelines and principles in the field of disarmament.

Then, too, in the third consecutive year of deliberations, the Commission is to finalize the item on “International arms transfers, with particular reference to General Assembly resolution 46/36 H of 6 December 1991” for which the groundwork was laid at the two previous sessions. We are called upon to adopt guidelines and principles on this item by consensus in order to contribute to solving the problems arising from international arms transfers in both their licit and their illicit dimensions.

A second and new item is “Exchange of views on the fourth special session of the General Assembly devoted to disarmament” (SSOD IV); there are still divergent views on whether to have such a session as well as on the date of convening a special session. I therefore see merit in exploring views and areas of convergence in
this deliberative forum with respect to the issue of SSOD IV as we approach the next millennium.

Organizational matters

The Chairman: Representatives will recall that, at our organizational session, we considered and approved the provisional agenda before the Commission in document A/CN.10/L.38. It has not, however, been possible to fill in the gap under number 5 of the provisional agenda and, in an effort to close this gap one way or another, we will have an informal meeting immediately following this plenary meeting.

Representatives may also recall that during the past month at the organizational session, the Commission considered a series of organizational matters, including the provisional agenda, the establishment of three working groups on three substantive items, the appointment of chairmen for the working groups, the decision on the date and duration of the 1996 substantive session and the general programme of work for the current session.

In this regard, the Commission has elected Colombia, Finland, Pakistan, Poland and Ukraine as Vice-Chairmen, and Mr. Sukayri of Jordan as Rapporteur for the 1996 session. Furthermore, the Commission has appointed Mr. Gheorghe Chirila of Romania as Chairman of Working Group I on agenda item 4 regarding international arms transfers, and Ambassador Erdenechuluun of Mongolia as Chairman of Working Group III, on agenda item 6 regarding the fourth special session of the General Assembly devoted to disarmament.

We still have three open vice-chairmanships. If I understand it correctly, we have to fill two posts from the African Group and one post from the Latin American and Caribbean Group. May I enquire whether there have been any developments in this respect?

Mr. Abdel Aziz (Egypt): Mr. Chairman, may I begin by expressing my delegation’s satisfaction at seeing you preside over this session of the Disarmament Commission and to promise our full cooperation in your endeavours for a successful session this year.

In a meeting last Friday of the African Group of members of the Disarmament Commission, it was agreed that Nigeria would be put forward as a candidate for Vice-Chairman from the African group.

My colleague from Uganda was to have made this announcement, but I am doing so after prior consultations with the Chairman of the African group of the whole.

As for the other post, we are still consulting, and we hope by tomorrow to be able to name another candidate for Vice-Chairman.

The Chairman: May I take it that the Commission wishes to elect Nigeria to the post of Vice-Chairman?

It was so decided.

The Chairman: I congratulate the delegation of Nigeria.

This still leaves us with the need for one more candidate from the African group and one from the Latin American and Caribbean group. I urge the groups to come forward with candidates either this afternoon or tomorrow morning.

In view of the limited time available this year it was the general understanding that there should be a limited general exchange of views, allowing delegations to make statements on any or all agenda items. As indicated in the weekly timetable, three meetings have been allocated for this purpose. I urge those delegations wishing to make general statements to place their names on the list of speakers by 1 p.m. today. In addition, the Secretariat asks that members supply 25 copies of their statements. If there is no objection I shall take it that the Commission wishes to proceed in this manner.

It was so decided.

The Chairman: We now have to discuss the allocation of time for each agenda item. The principle of equal footing and flexibility for practical purposes will be observed. The Secretariat will issue a weekly timetable for the programme of work taking into account the needs of each subsidiary body as determined through consultations with the Chairmen of the Working Groups and with the Bureau.

As representatives may recall, it was understood at our organizational session that item 4, regarding international arms transfers, would be concluded at this session. A heavier workload is therefore anticipated for Working Group I, and more meeting resources will be allocated to that group in order to enable it to carry out
its mandated task. The other two Working Groups will share equally remaining meeting resources.

Representatives may also recall that the general programme of work for the entire session (A/CN.10/1996/CRP.1) has been agreed and circulated as an indicative timetable for the work of the Commission subject to further adjustment as necessary. The Secretariat has prepared and distributed the working timetable for the first week of the session. As pointed out earlier, the programme of work for the second week will be determined by the Bureau in consultation with the Chairmen of Working Groups towards the end of this week.

In order to utilize the available conference resources efficiently, I should like to appeal to all members to be punctual in attending all scheduled meetings of the Commission.

Regarding documentation for the current session, I wish to mention that last year’s report of the Disarmament Commission to the General Assembly at its fiftieth session, contained in document A/50/42, as well as documents listed in the report, will serve as important background documents for this session, particularly the Chairman’s paper in the annex. Previous reports of the Commission will, of course, also be useful for reference.

In the course of deliberations on various agenda items, particularly item 6, which is new, the Commission may have before it a number of working papers submitted by delegations. I should like to urge those delegations to submit their working papers to the Secretariat as soon as possible for processing.

As regards the status of non-governmental organizations, they are welcome to attend the plenary meetings as well as the meetings of the Committee of the Whole of the Disarmament Commission as observers, as has been the case in previous years.

This concludes the more general part of our deliberations this morning. I should like now to suspend this meeting and immediately convene an informal meeting.

\textit{The meeting was suspended at 11.10 a.m. and resumed at 12.25 p.m.}

\textbf{The Chairman:} As I indicated at the end of the informal meeting, I should like members to agree to retain the provisional agenda, as contained in document A/CN.10/L.38, as provisional.

May I take it that members so agree?

\textit{It was so decided.}

\textbf{The Chairman:} I now call on the Secretary of the Commission to brief us on finances.

\textbf{Mr. Lin Kuo-Chung} (Secretary of the Disarmament Commission): I have been requested by the Director of Conference Services of the Department of Administration and Management to draw the Commission’s attention to General Assembly resolution 50/206 C of 23 December 1995, particularly paragraphs 6 to 8, which read as follows:

“6. \textit{Requests} members of all bodies to exercise restraint in making proposals containing requests for new reports;

7. \textit{Invites} all bodies to consider the possibility of biennializing or triennializing the presentation of reports, to review the necessity of all recurrent documents with a view to streamlining documentation and contributing to savings and to make appropriate recommendations;

8. \textit{Encourages} members of intergovernmental bodies:

(a) To consider the possibility of requesting oral reports, without prejudice to the provision of information to delegations in all the official languages;

(b) To request consolidated reports on related topics under a single item or sub-item where appropriate and cost-effective”.

I have also been requested to inform members of the Commission of the current notional costs of documentation and meeting time, which will be more relevant to the Commission.

The current notional costs of documentation and meeting time are the following: One page of documentation in six languages costs $916; one hour of meeting time with interpretation in six languages and support services costs $1,520; one hour of meeting time with interpretation in six languages, support services and summary records in three languages costs $2,940; one hour of meeting time with interpretation in six languages, support services and summary records in six languages...
costs $3,850; and one hour of meeting time with interpretation in six languages, support services and verbatim records in six languages costs $6,490.

**General exchange of views**

_The Chairman:_ I appeal to all delegations wishing to make statements in the general exchange of views to place their names on the list as soon as possible, because the list for today and tomorrow will be closed at 1 p.m. today.

_The Chairman:_ I now wish to turn now to the new item on our agenda.

As the presidency of the European Union indicated at the closure of the 1995 session, last year’s failure was particularly regrettable after the important decision, without a vote, at the 1995 NPT Review and Extension Conference to extend the NPT indefinitely. In our view, the effectiveness of the Disarmament Commission would be enhanced if it were to have more focused items for its consideration in order to truly contribute to disarmament on a multilateral and regional scale.

The European Union continues to believe, as it stated at last year’s session, that all aspects of arms transfers deserve the close scrutiny of the international community, consistent with the relevant resolutions of the General Assembly. In particular, we consider the illicit arms trade as an item requiring specific examination. In this regard, we express our satisfaction that Working Group II was able in 1995 to register important progress on the scope and structure of a set of guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991, as well as on elements to be included in such guidelines. It is our strong hope that the Group will be able at this session to adopt a final draft document by consensus.

With no intention of introducing new elements, we think, however, that some further clarifications could help us better to focus on the distinction between licit and the illicit transfers of armaments. In the case of licit transfers under the responsibility and control of States, there are already in place a number of measures which help ensure that such transfers do not lead to excessive and destabilizing accumulations of conventional weapons. Comprehensive controls for arms exports and effective enforcement of these controls are essential, as is increased transparency in international arms transfers, in particular through the submission of full returns to the United Nations Register of Conventional Arms.

In the case of illicit transfers, however, given their particular subversive nature, which relies on international criminal organizations, countries should focus on improved national legislative measures and their effective implementation, as well as on improving international cooperation and coordination to prevent illegal transfers.

I wish to turn now to the new item on our agenda. The possibility of convening a new special session of the General Assembly devoted to disarmament was discussed at the last session of the General Assembly in the framework of resolution 50/70 F. The European Union believes in this regard, drawing from the experience of...
previous special sessions devoted to disarmament, that only adequate preparation can offer an opportunity to assess progress in the entire field of disarmament in the post-cold-war era. A new special session could be valuable in this regard. It is our view that such preparation would require a clear preliminary identification of the results expected from the session. The value and credibility of a special session will greatly depend upon the participation of the international community and upon a consensus — which appears not to have been reached yet.

It is on the basis of these considerations that the European Union has accepted the inclusion of the item “Exchange of views on the fourth special session of the General Assembly devoted to disarmament” in our agenda. We believe that discussion can facilitate a better assessment of the ways and means to attain the expected results.

The European Union had proposed the inclusion of another new item on the agenda, to be entitled “Principles and guidelines on nuclear-weapon-free zones”. We regret that this proposal, put forward in a constructive spirit and supported by the overwhelming majority of member States, has not been agreed to. We wish to pay tribute to you, Sir, for all your efforts in seeking to find a common agreement.

Finally, Sir, the European Union would like once more to assure you, as well as the Bureau and the Chairmen of the Working Groups, of our cooperation in achieving progress and bringing this session of the Disarmament Commission to a fruitful conclusion.

Mr. García (Colombia) (interpretation from Spanish): Allow me first of all to say, Sir, on behalf of my delegation, how gratified we are at seeing you chairing our deliberations. We are confident that under your guidance the Commission will make satisfactory progress in its deliberations at this substantive session.

I should like also to congratulate the other officers on their election, and Ambassador Erdenechuluun on the excellent job he did last year in leading the Commission’s work.

I should like now to turn to item 6 of our provisional agenda, which relates to the fourth special session of the General Assembly devoted to disarmament. The Final Declaration of the summit of Heads of State or Government of the Movement of Non-Aligned Countries, meeting in Cartagena last year, expressed the Movement’s support for the convening of a fourth special session of the General Assembly devoted to disarmament as being an opportunity to review, from a perspective more in tune with the current international situation, the most critical aspects of disarmament and to mobilize the international community and public opinion in favour of the elimination of weapons of mass destruction and of the control and reduction of conventional weapons.

In this context, and with the participation of member countries of the Movement, the General Assembly last year adopted resolution 50/70 F, “Convening of the fourth special session of the General Assembly devoted to disarmament”. The resolutions designation of 1997 as the date for the holding of the special session was decided upon in the light of the fact that in 1996 a number of important negotiating processes are being completed on various aspects of disarmament. Once that negotiating cycle is completed, it would seem appropriate for us to further review the processes that have taken place in the disarmament sphere in the post-cold-war period.

With the end of the cold war, the world does not appear to be more predictable or secure than in the bipolar era. However, in the areas of non-proliferation and disarmament, steps have been taken that make it possible to envisage the possibility of greater progress in these areas. That progress will depend on a number of circumstances. One of them is key: the political will of States, in particular nuclear-weapon States. Another circumstance is that the international community should chart a course for the disarmament process that will make it possible to reach binding agreements.

In this respect, we must always bear in mind the fundamental role played by the first special session of the General Assembly devoted to disarmament (SSOD I). At that session, for the very time in the history of disarmament negotiations, the international community achieved consensus on an international disarmament strategy, whose immediate purpose was to eliminate the danger of nuclear war and to put into effect measures to curb and reverse the arms race.

The final objective of the strategy was, as it remains today, to achieve general and complete disarmament
under effective international control. But the first special session did not address itself only to nuclear disarmament. We should recall that the Final Document of that special session foresaw the need to adopt effective agreements to prohibit or prevent the development, production or use of other weapons of mass destruction, giving priority to an agreement on the elimination of all chemical weapons. This may also be seen in the way in which the first special session addressed the prohibition or restriction, for humanitarian reasons, of the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects.

At that session also, a Programme of Action was drawn up that set out priorities and attributions of responsibility, taking into account imbalances and particular characteristics. That Programme was not confined to weapons of mass destruction but also encompassed the question of the transfer of convention arms.

But what is more important in the institutional and mechanism frameworks is that the first special session gave the United Nations, and especially the General Assembly, its primary deliberative body, a key role to play in disarmament and greater responsibility in the process of seeking general and complete disarmament under effective international control. The whole disarmament machinery that the international community now has was adjusted or created by SSOD I. These mechanisms include, as a successor to the Commission set up in 1952, the forum in which we are now meeting: the Disarmament Commission, a subsidiary organ of the General Assembly, universal in its membership and democratic in nature, without exclusions or privileges of any shape or form.

The experience of SSOD I taught us how important it was to be imaginative, to be creative, to come up with fresh ideas. There is no other way to fashion the future. We must not ignore the fact that the SSOD I exercise took place at a time of international détente, and for this reason the activities of the subsequent two special sessions did not achieve quite the same results.

For this reason, the end of the cold war and the advances that have been achieved in the last five years, as well as those that we hope will take place in the immediate future, allow us to anticipate another opportunity to envision the future and to envisage the next century from a constructive perspective. It is in this framework that we envision the convening of the fourth special session on disarmament (SSOD IV), a question on which we hope to have a constructive exchange of views at this substantive session of the Disarmament Commission.

Allow me now to turn briefly to the question of international arms transfers. I should like to make the following points.

Delegations are well aware of Colombia’s determination to find solutions to the problem of the illicit arms trade. In this General Assembly forum, we have proposed the taking of specific measures to curb such trafficking. Those measures were designed to prevent arms from getting into the hands of parties engaged in the illicit arms trade and of those whose purpose is to use clandestinely acquired arms and explosives to promote violence and terrorism, destabilize Governments, and promote drug trafficking, ordinary and organized crime and the activities of mercenaries and other criminal actions.

In his statement to the General Assembly, the President of the United States, Mr. William Clinton, confirmed what a number of countries, including Colombia, had been affirming for many years — as evidenced by daily life throughout the world — concerning the illicit trade in arms and explosive devices. No country is immune to this scourge, whatever its condition; and as long as groups that traffic in pain, sorrow and death can easily gain access to the international arms market, peace, security, life and freedom will continue to be threatened.

President Clinton also appealed to all countries to join with the United States in the combat against terrorism and organized crime, which traffic in what he termed dubious arms markets, and to devise mechanisms to prevent diversions. Our delegation calls on all delegations participating today in the Disarmament Commission jointly to undertake to create international principles and mechanisms aimed at preventing the illicit arms trade, in the context of resolution 46/36 H, adopted by the General Assembly in 1991.

The unanimous adoption of 46/36 H reflected the international community’s concern at the growing illicit arms trade and the inability of States to tackle this problem alone. The Working Group is setting out to complete its work at this session of the Commission, and we believe that that Group offers the possibility of achieving support from all delegations in negotiating a consensus text. It should be borne in mind that the report of the Secretary-General on transparency in international
arms transfers and the illicit arms trade, requested by the General Assembly in resolution 43/75 I, called on all nations to give high priority to putting an end to the illicit arms trade and to take measures to this end. This recommendation and the measures proposed in the same report are contained in resolution 46/36 H, within the context of which are now working.

The Working Group has in the past taken up these suggestions and striven to develop their content in a text that should serve as guidance for countries developing legal norms and administrative measures for domestic control of armaments, in the areas of arms transfers and of effectively combating the illicit arms trade.

These criteria prompted two priority lines of action: first, the adoption or strengthening of national control measures over the sale, possession, transport, imports and exports of weapons; and secondly, the adoption of measures for international cooperation and coordination that would make it possible to reduce the opportunities for illegal arms transfers. The Working Group entrusted with this issue should also strive to reach an understanding on the possibility of harmonizing legal norms and existing national administrative procedures in the area of domestic control of weapons and in the import and export of arms, in order to establish a common and effective international arms control system that would make it impossible for arms to be diverted through clandestine or illicit channels. Of course, the possibility of achieving these goals depends on the political will of States and the priority that they give to taking effective measures to curb and ultimately eradicate the illicit arms trade.

We are aware of the legal limitations of certain States in controlling the sale, possession and transport of weapons in their territory, as well as the influence that arms manufacturers and merchants have in infiltrating all the links that form the lucrative arms-trafficking chain. None the less, the problems posed by the illicit trade in arms and explosive devices require a prompt solution on the part of the international community, as represented in the United Nations.

We look forward to great success in the work that is now beginning, and in this respect, Sir, you may rely on my delegation’s close cooperation.

Mr. Mesdoua (Algeria) (interpretation from French): My delegation, Sir, welcomes your election as Chairman of the Disarmament Commission. This clear-sighted choice by the Commission testifies to its recognition of your professional and personal qualities, which, as everyone knows, are inseparable from the progress achieved both in the Conference on Disarmament and in the First Committee. I wish to add to my sincere congratulations my assurance to the Commission of the support and cooperation of my delegation — with you, with the other members of the Bureau and with the Chairmen of the Working Groups.

I should also like to convey my delegation’s congratulations to His Excellency Ambassador Luvsangin Erdenechuluun of Mongolia and to praise his excellent contribution to the previous session.

The Conference on Disarmament’s annual debate on disarmament questions is beginning to be a barometer of the international situation and of the progress achieved on those questions. The general political climate prevailing in international relations is creating a set of circumstances that are favourable for the methodical pursuit of the work of disarmament, whose process of multilateral negotiations should be revitalized. In this respect, the Disarmament Commission, as a democratic deliberative body, has an essential role to play, particularly as regards clarifying various issues and formulating recommendations on aspects of disarmament.

Although the effectiveness of our Commission should not be measured in terms of the consensus agreements reached on specific questions, my delegation remains fully committed to its continuing work and to its effective functioning.

The items on the agenda of this session reflect very accurately some of the important concerns of the international community. As regards to the item on international arms transfers, with particular reference to General Assembly resolution 46/36 H, whose consideration we shall be concluding this year, the Commission must make additional efforts at the present session to make progress in our deliberations on this subject and to adopt consensus recommendations. My delegation is pleased to note the progress achieved by the Working Group, and hopes that it will adopt a set of recommendations on this subject.

Algeria devotes the smallest part of gross domestic product of any country in its geographical area to expenditures for national defence; it remains very concerned by the illicit trade in conventional weapons which supplies terrorist networks throughout the territory of certain States in the Mediterranean and Sahelo-Saharan
regions. Given the scale of this destabilizing phenomenon, the special responsibility of producer countries should be particularly stressed, as should the urgency and usefulness of adopting clear guidelines for States, in order to establish effective multilateral cooperation to combat this phenomenon, which, due to the risks of destabilization and other causes of insecurity which it generates, will tend to assume disturbing proportions if the international community delays in dealing with it.

As regards the item on the fourth special session of the General Assembly devoted to disarmament, my delegation fully supports what has just been said by the Ambassador García of Colombia on this subject. This fourth special session will provide an opportunity to review the question of the comprehensive programme of disarmament, and will allow us to reconsider objectively the impressive architecture contained in the Final Document of the first special session devoted to disarmament, without diverting us from the priorities we collectively established in 1978.

One of the priorities that Final Document clearly identified concerns nuclear disarmament, and my delegation wishes to make a few comments on that subject.

In May 1995 Algeria participated for the first time in a conference of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), to which it acceded on 13 January 1995, depositing the relevant legal instruments. We had earlier displayed our strong commitment to the Treaty’s objectives by voluntarily submitting its two reactors used for research and radioisotope production to the safeguards of the International Atomic Energy Agency (IAEA).

This commitment was strengthened on 30 March 1996 with the signing of an agreement of generalized safeguards on the use of nuclear energy, an agreement which confirms the strictly peaceful purposes for the use of nuclear energy. A clear-sighted look at developments since the 1995 session shows that while there has been no break in the impetus of this area, progress still remains modest by comparison with the hopes raised by the new prospects opened up by the end of the cold war.

Certainly, the indefinite extension of the NPT was a major event. The recent ratification by the United States Senate of the START II Treaty on nuclear disarmament and the signing by France, the United Kingdom and the United States of the South Pacific Nuclear Free Zone Treaty — the Treaty of Rarotonga — are important steps in this direction.

Even more recently, Africa signed the Pelindaba Treaty, making our continent a nuclear-weapon-free zone, and thus making a substantial contribution to the maintenance of international peace and security and to the process of nuclear disarmament, which, in the context of ongoing negotiations in Geneva on a comprehensive test-ban treaty, has not gained the necessary impetus to preserve the future of mankind and to save succeeding generations from the nuclear scourge. Thus, it is also a priority to accelerate the process of negotiations in order to conclude in the near future a comprehensive nuclear test-ban treaty that would yield all the expected results.

We must also begin negotiations on a convention on fissile materials for the manufacturing of weapons and other explosive nuclear devices.

Finally, this must be supplemented by agreement on a satisfactory formula for guaranteeing non-nuclear-weapon States protection against the use or the threat of the use of such weapons. Here we must overcome the flaws of Security Council resolution 984 (1995) and strengthen the legitimate right of developing States to have access to nuclear technology for peaceful purposes.

Algeria has always considered that the questions of disarmament, of the non-proliferation of weapons of mass destruction, and of international security, are indissolubly linked to economic and social development. The major challenges we face relate to the need for comprehensive security — comprehensive in its conception, universal in its scope, and non-discriminatory in its effect.

It is thus and only thus that we can attain a culture of collective security: to the benefit of peoples and of nations.

The meeting rose at 1 p.m.