

The Conference on Disarmament

Introduction

9.1 The Conference on Disarmament (CD) is the multilateral disarmament negotiating forum, based at the United Nations (UN) in Geneva. It is responsible for almost all disarmament issues and has a long standing mandate to negotiate a Fissile Material Cut-Off Treaty (FMCT). A delegation of the Committee attended the plenary meeting of the second session of the CD on 2 July 2009. This chapter outlines the difficulties that have beset the CD for many years and the prospects to progress substantial disarmament negotiations.

Background

9.2 The Conference on Disarmament was established in 1979 following the first Special Session on Disarmament of the United Nations General Assembly. The CD succeeded other Geneva-based negotiating fora, including the Ten-Nation Committee on Disarmament (1960), the Eighteen-Nation Committee on Disarmament (1962-68) and the Conference of the Committee on Disarmament (1969-1978).¹

9.3 The CD's terms of reference include practically all multilateral arms control and disarmament issues, including a focus at the present time upon:

1 United Nations Office at Geneva, 'An introduction to the Conference', viewed 17 August 2009, <<http://www.unog.ch>>.

- cessation of the nuclear arms race and nuclear disarmament;
- prevention of nuclear war, including all related matters;
- prevention of an arms race in outer space;
- effective international arrangements to assure non nuclear weapon states against the use or threat of use of nuclear weapons;
- new types of weapons of mass destruction and new systems of such weapons including radiological weapons; and
- a comprehensive programme of disarmament and transparency in armaments.²

9.4 The CD operates solely on the basis of consensus. It has a limited membership of 65 states, which includes the five NPT nuclear weapon states (China, France, Russia, UK, US), the three nuclear-capable states outside the NPT (India, Israel and Pakistan) and a cross-section of states from all regions.³

9.5 The CD reports to the United Nations General Assembly and takes account of the recommendations of the Assembly and proposals of its members, but adopts its own rules of procedure and agenda. Its budget is included in that for the UN.⁴

Work program

9.6 While progress has been made in other areas of its work, until May this year, nuclear disarmament negotiations in the CD had been stalled for over a decade. The CD had been unable to agree on a work program since 1999 and had not negotiated a treaty since the Comprehensive Nuclear-Test-Ban Treaty in 1996.⁵

9.7 However, on 29 May 2009 the CD adopted by consensus a program of work, breaking 12 years of stalemate. The CD agreed to the establishment of several working groups, including one that is tasked with negotiating a

2 United Nations Office at Geneva, 'An Introduction to the Conference', viewed 24 August 2009, <<http://www.unog.ch>>.

3 Ms Caroline Millar, *Transcript of Evidence*, 14 May 2009, p. 18.

4 United Nations Office at Geneva, 'An introduction to the Conference', viewed 17 August 2009, <<http://www.unog.ch>>.

5 Ms Caroline Millar, *Transcript of Evidence*, 14 May 2009, p. 18.

treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices.

9.8 The other working groups will address:

- practical steps to reduce nuclear weapons with the ultimate goal of their elimination, including on approaches toward potential future work of multilateral character;
- prevention of an arms race in outer space; and
- negative security assurances.⁶

9.9 The CD also resolved to appoint special coordinators to seek the views of its members and report on:

- weapons of mass destruction and new systems of such weapons;
- radiological weapons;
- a comprehensive programme of disarmament; and
- transparency in armaments.⁷

9.10 A delegation of the Committee attended the plenary session of the CD on 2 July 2009. It was very clear to the delegation that while United States acceptance of a verifiable FMCT has removed a key obstacle, there are a number of procedural matters to be addressed, such as the appointment of the working group chairs and special coordinators, and the schedule of activities.

9.11 At the plenary session, some delegations argued that the momentum generated by agreement on a work program should be seized and substantive work commenced as soon as possible. Others, however, raised procedural concerns. For example, China's representative used the analogy of building a solid foundation for the 'high rise' that is the work program, emphasising unresolved issues relating to the rotation of chairs and special coordinators, the length of their mandate, their terms of reference and how meetings will be arranged.⁸ Pakistan and Iran expressed similar positions. Pakistan's representative advocated a

6 Conference on Disarmament, CD/1864, 29 May 2009, pp. 1-2.

7 Conference on Disarmament, CD/1864, 29 May 2009, pp. 2-3.

8 An unofficial transcript of these comments is available at http://www.reachingcriticalwill.org/political/cd/speeches09/2session/02July_China.html, viewed 17 August 2009.

cautious and calculated approach and, like China, identified procedural issues it considered needed to be addressed.⁹

- 9.12 The Committee understands that since reconvening in August, the CD has been unable to progress substantive work on any part of the agreed work program. The Committee notes a statement by Ambassador Magnus Hellgren on behalf of the European Union on 10 August 2009:

...since May 29, the CD has again been bogged down in endless consultation over mainly practical and procedural issues related to the implementation of the Programme of Work. Despite the enormous efforts by the P6 ... the implementation of the 2009 Programme of Work has not yet begun. None of the office-holders have been confirmed and no meetings of the subsidiary bodies have been held. We find this hard to understand and even harder to explain to our political leaders.¹⁰

- 9.13 The Committee agrees that the opportunities and momentum created by agreement on a work program after so many years of stalemate must be seized. Notwithstanding the other elements of its work program, the CD faces a formidable task in negotiating a FMCT. The Committee supports strong diplomatic efforts on the part of Australia to progress the work program in the CD.

Recommendation 12

The Committee recommends that the Australian Government undertakes strong diplomatic efforts to progress the work program of the Conference on Disarmament.

9 *Statement by Ambassador Zamir Akram, Pakistan's Permanent Representative to the UN at the conference on Disarmament, Conference on Disarmament, 2 July 2009. A copy of this statement is available at <<http://www.unog.ch>>.*

10 *Statement by the Swedish Presidency on behalf of the European Union, Ambassador Magnus Hellgren, Conference on Disarmament, 10 August 2009, viewed 19 August 2009, <http://www.reachingcriticalwill.org/political/cd/speeches09/3session/10August_Sweden.pdf>.*