



General Assembly

Sixty-fourth session

First Committee

22nd meeting

Friday, 30 October 2009, 10 a.m.
New York

Official Records

Chairperson: Mr. José Luis Cancela (Uruguay)

The meeting was called to order at 10.20 a.m.

Agenda items 86 to 103 (continued)

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

The Chairperson (*spoke in Spanish*): In accordance with its programme of work and timetable, the Committee will begin its work this morning with cluster 7, “Disarmament machinery”, and will take a decision on draft resolution A/C.1/64/L.41, which appears in informal paper 2, revision 1.

After taking relevant action on the draft resolutions under cluster 7, the Committee will take a decision on draft resolutions contained in informal papers 3 and 4, for which we will proceed cluster by cluster.

Before proceeding to take action on the draft resolution contained in cluster 7, I shall give the floor to the Secretary of the Committee for an announcement.

Mr. Alasaniya (Secretary of the Committee): As members know, each year the Department for General Assembly and Conference Management (DGACM) prepares a survey on conference services. This year, 2009, we have prepared a new format for the survey. The survey’s purpose is to evaluate the quality of ongoing services provided by the Department; that evaluation is carried out by Member States.

The 2009 survey will be accessible online from Monday, 2 November, through Sunday, 8 November. It

will be available in all six languages on the DGACM website — www.un.org/depts/dgacm — and on the iSeek page for representatives. The survey will also be posted on eMeets: emeets.un.org/dgacm/emeets.nsf. A link to the survey will be posted on the Quickfirst website as well, beginning Monday, 2 November.

The Department thanks members and is looking forward to their feedback.

The Chairperson (*spoke in Spanish*): The Committee will now proceed to take action on draft resolution A/C.1/64/L.41. I call on the Secretary of the Committee.

Mr. Alasaniya (Secretary of the Committee): The Committee is taking action on draft resolution A/C.1/64/L.41, entitled “Report of the Conference on Disarmament”. The draft resolution was introduced by the representative of Austria at the 18th meeting, on 23 October 2009. The sponsors of the draft resolution are listed in document A/C.1/64/L.41.

With the permission of the Chairman, I shall now read out for the record the oral statement by the Secretary-General regarding the financial implications that accompany draft resolution A/C.1/64/L.41, entitled “Report of the Conference on Disarmament”.

Under the terms of operative paragraph 6 of draft resolution A/C.1/64/L.41, the General Assembly would request the Secretary-General to continue to ensure and strengthen, if needed, the provision to the Conference of all necessary administrative, substantive and conference support services.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506. Corrections will be issued after the end of the session in a consolidated corrigendum.



It is recalled that resources for the substantive and Secretariat support of the Conference on Disarmament are included under section 4, "Disarmament", and, for conference services, under section 2, "General Assembly, Economic and Social Council affairs and conference management", of the proposed programme budget for the biennium 2010-2011.

Subject to a decision taken at the 2010 session of the Conference on Disarmament to establish a substantive programme of work for 2010 and to establish any subsidiary bodies for its implementation, strengthening of all necessary administrative, substantive and conference support services to the Conference, as requested in operative paragraph 6 of the draft resolution, may entail additional resource requirements under the proposed programme budget for the biennium 2010-2011. Established procedures regarding statement of programme budget implications will be followed, as necessary, in the context of actions to be taken by the Conference on Disarmament.

Accordingly, adoption of draft resolution A/C.1/64/L.41 would not give rise to any programme budget implications under the proposed programme budget for the biennium 2010-2011 at this time.

The Chairperson (*spoke in Spanish*): The sponsors have expressed the wish that the draft resolution, as orally revised, be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to proceed accordingly.

Draft resolution A/C.1/64/L.41, as orally revised, was adopted.

The Chairperson (*spoke in Spanish*): I now call on those representatives who wish to speak in explanation of position on the draft resolution just adopted.

Mr. Momen (Bangladesh): I would like to speak on draft resolution A/C.1/64/L.41, entitled "Report of the Conference on Disarmament". Bangladesh joined the consensus and takes this opportunity to thank all member countries for adopting the draft resolution.

Bangladesh is committed to general and complete disarmament and is a party to all major disarmament conventions, including the Treaty on the Non-Proliferation of Nuclear Weapons and the Comprehensive Nuclear-Test-Ban Treaty. It was among

the first 20 countries whose ratification brought the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction into force. Bangladesh appreciates the proactive role of Secretary-General Ban Ki-moon in the area of nuclear disarmament, especially his five-point plan of action, which has received overwhelming support among the members of the Conference on Disarmament. We hope that the Secretary-General will continue his efforts in that regard.

Bangladesh is a strong believer in the multilateral approach to disarmament under the auspices of the United Nations. We also strongly believe that the Conference on Disarmament should play its mandated role as the sole multilateral negotiating body on disarmament.

Bangladesh is going to be the President of the Conference on Disarmament in January next year. As the next President of the Conference, Bangladesh is making all the preparations, as advised in the draft resolution, to conduct consultations during the intersessional period and to gather recommendations, taking into account all relevant proposals.

I would like to assure the Committee that Bangladesh will try its best to reach consensus on the programme of work during the first few weeks of the 2010 session. We happily note that, during informal discussions, the other Presidents of the 2010 session strongly encouraged the Bangladesh presidency to try to get an early consensus so that the momentum created this year will not be lost.

We believe that a strong political will to bring peace can make a better world for us and future generations. I solicit cooperation from all concerned.

Mr. Çobanoğlu (Turkey): I would like to speak in explanation of Turkey's position on draft resolution A/C.1/64/L.41, "Report of the Conference on Disarmament", adopted under cluster 7.

Turkey attaches great significance to the work of the Conference on Disarmament and sincerely hopes that the Conference will be able to resume its negotiating role as the primary multilateral disarmament forum. We expect the remaining obstacles standing in the way of the implementation of the Conference's programme of work to be removed soon so that the Conference can embark on its substantive

work on the fissile material cut-off treaty, negative security assurances and the prevention of an arms race in outer space.

Again this year, the draft resolution, which has just been adopted without a vote, contains a reference to the question of the expansion of the Conference on Disarmament membership. We believe, however, that the expansion of its membership is not a priority at this stage. As is rightly pointed out in the fifth preambular paragraph of the draft resolution, the Conference on Disarmament has a number of urgent and important issues for negotiation, and we believe that its expansion is not one of them. In particular, at a time when the Conference has not yet overcome the existing stalemate, we should all strive to work to ensure its effective functioning rather than dedicate our precious time and energy to matters of less significance and urgency.

This, of course, should not be interpreted as Turkey's categorical opposition to the enlargement of the Conference on Disarmament. Rather, we believe that that matter should be addressed on a case-by-case basis, with due consideration to be given to the contributions of candidates to international peace and security.

The wording in the tenth preambular paragraph of the draft resolution should therefore not be construed as a prompting a change in Turkey's well-known position on this question.

Mr. Najafi (Islamic Republic of Iran): I have taken the floor to explain the position of my delegation regarding draft resolution A/C.1/64/L.41, which was just adopted by the Committee.

We have supported the reactivation of the Conference on Disarmament based on a balanced and comprehensive programme of work responsive to the priorities of all Member States. We are of the firm conviction that the existence of thousands of nuclear weapons is the greatest threat to the security of all nations. Therefore, negotiations on nuclear disarmament remain the highest priority of my delegation in the work of the Conference on Disarmament. In carrying forward the programme of work of the Conference, balance and equilibrium should be observed and the rules of procedure of the Conference should be fully respected.

I would also like to thank the main sponsor of the draft resolution for its efforts to accommodate the views of all Member States and to reach consensus on the draft.

The Chairperson (*spoke in Spanish*): We shall now take action on the draft resolutions listed in informal paper 3 under cluster 1.

I give the floor to the representative of Morocco to make a general statement.

Mr. Loulichki (Morocco) (*spoke in French*): On behalf of the French and Moroccan delegations, I take the floor to stress the importance that our countries attach to the Comprehensive Nuclear Test-Ban Treaty (CTBT). Our devotion, as members know, was demonstrated by the co-presidency of our two Ministers for Foreign Affairs of the sixth Conference on Facilitating the Entry into Force of the CTBT here in New York on September 24 and 25.

The Conference and the adoption of its Final Declaration were high points in the process of the entry into force of the Treaty. The very high-level participation of States parties and countries signatory in these efforts attest to the favourable position that nuclear disarmament and non-proliferation issues occupy among the priorities of the international community. We particularly welcome the declarations of the United States President and Secretary of State, reiterating their country's commitment to ratifying the CTBT soon, and we appreciate the positive impact that this ratification will have on the political decisions of other countries to become States parties to the Treaty and enable it to come into force.

We also stress the urgency for nine of the 44 countries listed in annex 2 to the Treaty to ratify the CTBT, thus opening the way for the implementation of a universal verification system. We recall that such a system has advantages in other areas, notably the prevention of natural disasters.

We are convinced that the entry into force of the Comprehensive Nuclear Test-Ban Treaty, which the Security Council called for in September, will decisively strengthen the international non-proliferation system and our disarmament efforts. We sincerely welcome that strengthening. Moreover, a halt to experimental explosions will help to reduce regional tensions and create confidence. The international community can no longer be satisfied with a voluntary moratorium on

nuclear tests. It is up to us to find the strength and conviction to ensure that the CTBT will be ratified by all nations and finally come into force.

The Chairperson (*spoke in Spanish*): I now give the floor to the representative of Australia to introduce draft resolution A/C.1/64/L.47/Rev.1.

Mr. Quinlan (Australia): It is a privilege for me to present, with co-authors Mexico and New Zealand, draft resolution A/C.1/64/L.47/Rev.1 on the Comprehensive Nuclear Test-Ban Treaty (CTBT). The draft resolution, of course, is designed to achieve the earliest possible entry into force of the Treaty. It urges all States not to carry out nuclear weapon test explosions or any other nuclear explosions, to maintain existing moratoriums on testing, and to refrain from acts that would defeat the object and purpose of the CTBT.

In a singular outcome for global security, the draft resolution is presented with the unanimous support of the permanent five members of the Security Council: the United States, China, the United Kingdom, Russia and France. This is the first time in the history of this draft resolution that we have had such a powerful affirmation of the CTBT.

The year 2009 has been an encouraging one of re-engagement by the international community on nuclear disarmament and on the goal of a world free of nuclear weapons. The Security Council met on 24 September, as we know, to focus on nuclear non-proliferation and disarmament — the first time there has been such a meeting on the subject since 1992. It was the first time that the Security Council unanimously adopted a resolution (1887 (2009)) on those key matters.

For the first time in many years, we have achieved consensus adoption in this Committee of a draft resolution calling for early negotiations towards a fissile material cut-off treaty (A/C.1/64/L.1/Rev.1). The entry into force of the CTBT and progress towards a fissile material cut-off treaty are two crucial steps towards achieving a world free of nuclear weapons, and it is imperative that we all maintain the momentum that we have now begun to achieve.

Australia itself has a history of determined activism in support of nuclear disarmament and non-proliferation, and these remain fundamental national objectives for us. Today, I am extremely

pleased to present this draft resolution with the unanimous support of the permanent five and more than 70 other sponsors. The authors are particularly grateful to Member States for their overwhelming support for this very important draft resolution.

The Chairperson (*spoke in Spanish*): I now give the floor to the representative of Kazakhstan to make an oral revision.

Mrs. Aitimova (Kazakhstan): I am taking the floor in regard to the draft resolution entitled “International Day against Nuclear Tests”, contained in document A/C.1/64/L.14/Rev.1, introduced by my delegation. Based on additional consultations with Member States after we submitted the revised text of the draft resolution, I would like to make the following oral revision to the paragraph 1.

In the second line of paragraph 1, the phrase “nuclear tests” should be replaced by “nuclear weapon test explosions or any other nuclear explosions”. The revised paragraph 1 will read as follows:

“Declares 29 August as the International Day against Nuclear Tests, devoted to enhancing public awareness and education about the effects of nuclear weapon test explosions or any other nuclear explosions and the need for their cessation”.

This revision serves specification purposes and reflects the views of the majority of delegations. It is our hope that the draft resolution will receive the full support of Member States and be adopted without a vote.

The Chairperson (*spoke in Spanish*): I give the floor to the representative of Nigeria to introduce draft resolution A/C.1/64/L.32/Rev.2.

Mr. Obisakin (Nigeria): I take the floor on behalf of the African Group to introduce draft resolution A/C.1/64/L.32/Rev.2.

First and foremost, I would like to say that Africa appreciates all the congratulatory messages addressed to it on the occasion of the entry into force of the Treaty of Pelindaba, which has now made the whole territory of Africa a nuclear-weapon-free zone. As most Committee members are aware, the Treaty entered into force on 15 July 2009. By virtue of that, we are inviting the Committee to celebrate with us the entry into force of the Treaty of Pelindaba today at 1.15 p.m. in conference room 4.

Having said this, on behalf of the African Group, I wish to introduce draft resolution A/C.1/64/L.32/Rev.2 on the United Nations Regional Centre for Peace and Disarmament in Africa. Members will recall that at the last session the Committee adopted this same draft by consensus. The draft resolution this year differs only by a few technical details in the fourth preambular paragraph, which we have added for the Committee's good information on the revitalization of the Centre that will enable it to cover the whole African region. It is the wish of the African Group that the Committee adopt the draft resolution by consensus.

The Chairperson: I call on the representative of India to make an oral amendment.

Mr. Rao (India): We have requested the floor to convey India's perspective on the draft resolution contained in document A/C.1/64/L.14/Rev.1, entitled "International Day against Nuclear Tests". The sponsors of the draft resolution have an oral amendment to propose.

We note that the original draft was entitled "International Day for a World Free of Nuclear Weapons". The revisions made today by the Kazakhstan delegation have modified the focus of the draft resolution. In our view, the proposed changes take the draft even further away from the original focus on nuclear disarmament. We note that the sponsor of the draft resolution has proposed an oral revision from the floor. Under rule 120 of the rules of procedure, the Chairperson may permit consideration of amendments even if the amendments have not been circulated earlier, or have only been circulated the same day. Since the Chair has permitted the amendment proposed by Kazakhstan, we would also like to suggest an amendment to the draft resolution.

India would like to suggest inserting, at the end of paragraph 1 of draft resolution A/C.1/64/L.14/Rev.1, the following language: "as a means of achieving the goal of a nuclear-weapon-free world". With this addition, the fully amended paragraph 1 would read as follows:

"Declares 29 August as the International Day against Nuclear Tests, devoted to enhancing public awareness and education about the effects of nuclear weapon test explosions or any other nuclear explosions and the need for their cessation as a means of achieving the goal of a nuclear-weapon-free world".

The language we have suggested is based on the language that already exists in the third preambular paragraph of the draft resolution. It is also consistent with the policies of a vast majority of countries. We have suggested that this amendment be made to the operative part of the resolution in perspective and in keeping with the priority attached to nuclear disarmament by a vast number of delegations in this Committee.

We express the hope that the oral amendment proposed by India will be included in the draft resolution and receive the positive support of the Committee.

The Chairperson (*spoke in Spanish*): I give the floor to the representative of Egypt.

Mr. Aly (Egypt): I take the floor to briefly comment on the proposal kindly put forward by the representative of India regarding draft resolution A/C.1/64/L.14/Rev.1. While of course we welcome the putting forward of the proposal, taking into account the very late consideration of the draft resolution, which has already been the subject of extremely extensive exchanges throughout the entire month in which we have been meeting, I just want to put on record an appeal to my Indian colleague to reconsider the submission of the proposal as it stands.

Regarding the overall package of the draft resolution as something that could be taken all together, the delegation of Egypt believes that altering operative paragraph 1 in a manner that presents enhancing awareness and education about the negative effects of nuclear testing as actually the means to achieve a nuclear-weapon-free world is perhaps not the best way to do so. In a spirit of cooperation, we perhaps could look at changing the words "as a means of achieving the goal of a nuclear-weapon-free world" to "as a step towards achieving". Nuclear testing cessation is a very important step, but, still, there are many other crucial and much more important steps that need to be taken in order to achieve a nuclear-weapon-free world, and we find it very misleading to consider nuclear testing cessation as the means towards a nuclear-weapon-free world.

The Chairperson (*spoke in Spanish*): I wish to consult the representative of India as to whether he accepts the suggestion made by the representative of Egypt. If that is not the case, we will put the proposed amendment to the vote.

Mr. Rao (India): We have considered the language very carefully. Actually, it is taken from the third preambular paragraph and the wording is “a means”, not “the means”. That is how the language should stay. We were very careful in choosing the word.

The Chairperson (*spoke in Spanish*): I give the floor to the representative of Egypt.

Mr. Aly (Egypt): It is difficult to see how repeating the reference in the third preambular paragraph in operative paragraph 1 would add much, but I think that, in that case, I would also like to propose replacing the words “as a means” with “as a step” towards achieving the goal of a nuclear-weapon-free world.

The Chairperson (*spoke in Spanish*): In accordance with the statement made by the representative of India, I understand that the delegation of India wishes its proposed amendment to remain as read out in the room. That being the case, the two proposals will be put to the vote.

I give the floor to the representative of Egypt.

Mr. Aly (Egypt): My delegation was not rushing into a voting exercise. We just want to make sure that we are delivering a draft resolution that is coherent and solid and serves the objectives of all. We have no problem with putting the Indian proposal to the vote. I just want perhaps to propose that we use the language in the third preambular paragraph: “one of the means”. Why “a means”? If we can use that language, perhaps we would even find everything in the Indian proposal acceptable, since the representative of India has just highlighted in his intervention that what was meant is “one of the means”. If India would very kindly accommodate our concern there, I think we would be very appreciative. Otherwise, we will leave it to them.

The Chairperson (*spoke in Spanish*): I give the floor to the representative of India.

Mr. Rao (India): Actually, the suggestion made by the representative of Egypt merits consideration. That was our intention. We would have no difficulty in taking on board the suggestion made just now by the representative of Egypt: “as one of the means” instead of “as a means”.

The Chairperson (*spoke in Spanish*): Thus, in accordance with the proposal just made, the wording retained will be “one of the means”.

The Committee will now proceed to take action on the draft resolutions in cluster 1.

I call on those delegations wishing to explain their position or vote on the draft resolutions in cluster 1.

Mr. Hellgren (Sweden): I have the honour to speak on behalf of the European Union (EU). The European Union is ready to join consensus on draft resolution A/C.1/64/L.14/Rev.1 on the International Day against Nuclear Tests. As a matter of clarification, we would like to underline that we understand “nuclear tests” in the sense laid out in the more precise terminology of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), which refers to “any nuclear weapon test explosion or any other nuclear explosion”. This is now also reflected in paragraph 1 of the orally amended draft resolution.

The European Union has expressed its strong and continued support for the CTBT and the important and advancing work of the Provisional Technical Secretariat of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) to further develop the Treaty’s verification regime.

One of the most recent occasions on which the European Union underscored its dedication to the CTBT was at the sixth Conference on Facilitating the Entry into Force of the CTBT held in New York on 24 and 25 September and co-chaired by France and Morocco. The high profile accorded to that meeting is a further testament to the universally recognized importance of the CTBT to nuclear disarmament and non-proliferation. Its entry into force will significantly strengthen the international security architecture built upon the foundation of the Treaty on the Non-Proliferation of Nuclear Weapons.

The near-universality of the CTBT, although not yet in force, has resulted in the Treaty’s establishing a strong global norm against nuclear test explosions. The European Union continues to appeal to the States that have not yet signed and ratified the Treaty to do so without further delay, and in particular to the nine States listed in annex 2 to the CTBT whose ratification is necessary for its entry into force.

Therefore, the EU salutes the new momentum towards further ratifications created by the announcement of President Obama that the United States Administration will immediately and aggressively pursue United States ratification. The EU's commitment to the CTBT is a clear expression of its conviction that the time has come for the world to end all nuclear test explosions for good and for the Treaty to enter into force once and for all.

Although hesitant regarding the creation of international days, we express our hope that the creation of an international day against nuclear tests will increase the attention given to the entry into force of the CTBT and speed up the achievement of this crucial goal.

Mr. Choe Il Yong (Democratic People's Republic of Korea): The delegation of the Democratic People's Republic of Korea wishes to clarify its position on draft resolution A/C.1/64/L.47/Rev.1*.

Since the first nuclear test by the United States, on 16 July 1945, over 2,000 tests have been conducted and the number of nuclear-weapon States has increased to nine. Of those, the United States has recorded the greatest number of nuclear tests, amounting to more than 1,000. This notwithstanding, the United States nuclear tests have never been made an issue in the Security Council.

That country divided Korea into two parts, inflicting immeasurable suffering and national division on the Korean people for over half a century and blackmailing the Democratic People's Republic of Korea with nuclear weapons, pursuant to the deeply rooted hostile policy towards the Democratic People's Republic of Korea. Its attempt has gone to the lengths of depriving the Democratic People's Republic of Korea of the right to peaceful space development. The Democratic People's Republic of Korea's second nuclear test was a self-defensive reaction to such extremely hostile acts as the aforementioned on the part of the United States.

We have never recognized Security Council resolutions 1718 (2006) and 1874 (2009) and take this opportunity to reiterate our strong rejection of them. The Democratic People's Republic of Korea does not pursue a nuclear arms race. Denuclearizing the world, including the Korean peninsula, is our consistent stand. While possessing nuclear weapons, the Democratic People's Republic of Korea will act in a responsible

manner in the management, use, non-proliferation and disarmament of nuclear weapons.

For those reasons, my delegation suggests that the draft resolution be put to a vote and will vote against it as a whole.

The Chairperson (*spoke in Spanish*): The Committee will now take action on draft resolution A/C.1/64/L.14/Rev.1. I give the floor to the Secretary of the Committee.

Mr. Alasaniya (Secretary of the Committee): Draft resolution A/C.1/64/L.14/Rev.1, entitled "International Day against Nuclear Tests", was introduced by the representative of Kazakhstan at the 10th meeting, on 14 October 2009. The sponsors of the draft resolution are listed in documents A/C.1/64/L.14/Rev.1 and A/C.1/64/CRP.4/Rev.4.

The representative of Kazakhstan introduced an oral revision to operative paragraph 1, whereby the phrase "nuclear tests" would be replaced by the phrase "nuclear weapon test explosions or any other nuclear explosions". The representatives of India and Egypt then introduced an oral amendment whereby the phrase "as one of the means of achieving the goal of a nuclear-weapon-free world" would be added to the end of paragraph 1.

The final version of paragraph 1 would therefore read:

"Declares 29 August as the International Day against Nuclear Tests, devoted to enhancing public awareness and education about the effects of nuclear weapon test explosions or any other nuclear explosions and the need for their cessation as one of the means of achieving the goal of a nuclear-weapon-free world."

In addition, Burkina Faso and Gambia have become sponsors of the draft resolution.

The Chairperson (*spoke in Spanish*): The sponsors have expressed the wish that the draft resolution, as orally amended, be adopted without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/64/L.14, as orally amended, was adopted.

The Chairperson (*spoke in Spanish*): The Committee will now proceed to take action on draft resolution A/C.1/64/L.47/Rev.1*.

(*spoke in English*)

A recorded vote has been requested. A separate recorded vote has been requested on paragraph 5. I give the floor the Secretary of the Committee to conduct the voting.

Mr. Alasaniya (Secretary of the Committee): Draft resolution A/C.1/64/L.47/Rev.1*, entitled “Comprehensive Nuclear-Test-Ban Treaty”, was submitted by the representative of Australia at the 21st meeting, on 29 October 2009. The sponsors of the draft resolution are listed in document A/C.1/64/L.47 and A/C.1/64/CRP.4/Rev.3.

The Committee is now taking a separate vote on operative paragraph 5 of draft resolution A/C.1/64/L.47/Rev.1*, which reads as follows:

“*Recalls* Security Council resolutions 1874 (2009) and 1718 (2006), calls for their early implementation, and calls for early resumption of the Six-Party Talks”.

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, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania,

Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Democratic People’s Republic of Korea

Abstaining:

Cuba, Iran (Islamic Republic of), Nicaragua, Syrian Arab Republic, Venezuela (Bolivarian Republic of)

Paragraph 5 was retained by 166 votes to 1, with 5 abstentions.

[Subsequently, the delegation of Ethiopia advised the Secretariat that it had intended to vote in favour.]

Mr. Alasaniya (Secretary of the Committee): The Committee is now voting on draft resolution A/C.1/64/L.47/Rev.1* as a whole.

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, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba,

Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Democratic People's Republic of Korea

Abstaining:

India, Mauritius, Syrian Arab Republic

Draft resolution A/C.1/64/L.47/Rev.1 was adopted by 175 votes to 1, with 3 abstentions.*

[Subsequently, the delegation of Ethiopia advised the Secretariat that it had intended to vote in favour.]

The Chairperson (*spoke in Spanish*): The Committee will now take action on draft resolution

A/C.1/64/L.51. I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Alasaniya (Secretary of the Committee): Draft resolution A/C.1/64/L.51, entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*", was introduced by the representative of Malaysia at the 18th meeting, on 23 October 2009. The sponsors of the draft resolution are contained in documents A/C.1/64/L.51 and A/C.1/64/CRP.4/Rev.4. In addition, the following countries have become sponsors: Ghana, Burkina Faso, Senegal and Ecuador.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Belgium, Bulgaria, Czech Republic, Estonia, France, Georgia, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Luxembourg, Montenegro, Netherlands, Norway, Palau, Poland, Portugal, Russian Federation, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Andorra, Armenia, Australia, Azerbaijan, Belarus, Canada, Croatia, Cyprus, Finland, Japan, Kazakhstan, Kyrgyzstan, Liechtenstein, Marshall Islands, Micronesia (Federated States of), Republic of Korea, Republic of Moldova, Romania, Tajikistan, Ukraine, Uzbekistan

Draft resolution A/C.1/64/L.51 was adopted by 126 votes to 29, with 22 abstentions.

The Chairperson (*spoke in Spanish*): I shall now call upon delegations wishing to explain their vote on the draft resolutions just adopted.

Mr. Hallak (Syrian Arab Republic) (*spoke in Arabic*): My delegation abstained in the voting on draft resolution A/C.1/64/L.47/Rev.1*, entitled "Comprehensive Nuclear-Test-Ban Treaty".

Syria continues to reaffirm that a treaty of such importance and criticality for the future for all Member States, and the commitments that flow from it, should in no way disregard the legitimate concerns of non-nuclear States, which represent the overwhelming majority of the countries of the world and have received no guarantees about the use or the threat of use of nuclear weapons. Nor are these States authorized to obtain peaceful advanced technology in all its forms, which is indispensable to accelerate the process of development.

The important and fair comments on the text of the Treaty all agree that the text contains no commitment on the part of nuclear-weapon States on the elimination of their nuclear arsenals within a reasonable period of time. Nor does the text explicitly mention the illegality of the use or threat of the use of nuclear weapons, or reaffirm the need for the universality of the Non-proliferation Treaty in order to put an end to proliferation in all its aspects.

Those comments all agree that the text is limited to banning only nuclear detonations, not laboratory experiments or qualitative improvements in nuclear weapons and the production of new types thereof. Furthermore, those remarks all agree that the system of verification and on-site inspection could open the way for abuses in the data obtained by the national control regimes and their use for political purposes.

What is even stranger is that the text of the Treaty makes it possible for signatories to take measures against non-signatory States, which could include action by the Security Council in accordance with Chapter VII of the Charter of the United Nations. This violates the sovereign rights of States to choose whether or not to become party to the Treaty. The Syrian Arab Republic feels that this is a tremendous and disturbing lacuna, because Israel is the only State in the region that possesses nuclear weapons and all other weapons of mass destruction, strives to develop them in quantity and quality, and refuses to join the NPT and to submit its nuclear facilities to the verification and control regime of the International Atomic Energy Agency. All this is likely to impede and threaten the efforts to create a nuclear-weapon-free zone in the Middle East. It places the region and the world under an Israeli nuclear threat, with no reaction on the part of the international community.

Mr. Akram (Pakistan): Pakistan has consistently supported the objectives of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). We have voted in favour of this resolution in the Committee, and have done so again on this year's draft resolution, in A/C.1/64/L.47/Rev.1*.

In keeping with our policy of restraint and responsibility, Pakistan has observed the unilateral moratorium on nuclear testing, which we believe is in line with the objectives and purpose of the CTBT.

My delegation continues to believe that the objective of the call in the resolution for promoting signatures and ratifications leading to the entry into force of the CTBT will be facilitated when the major erstwhile proponents of the CTBT decide to restore their support.

Acceptance of the CTBT obligations in South Asia will also help expedite its entry into force.

Mr. Itzhaki (Israel): I should like to give an explanation of vote regarding draft resolution

A/C.1/64/L.47/Rev.1*, entitled “Comprehensive Nuclear-Test-Ban Treaty”.

Recent years have shown the severity of the nuclear proliferation challenges faced by the world today. They have been demonstrated by, inter alia, non-compliance cases, the majority of which occurred in the Middle East. Today’s challenges emphasize the importance of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the possible future contribution of this Treaty to security and stability in the nuclear sphere.

Israel’s signature of the CTBT in September 1996 reflected its longstanding policy to bring itself closer, wherever possible, to international norms on nuclear safety, security and non-proliferation.

Since the establishment of the Preparatory Commission of the CTBT in November 1996, Israel has participated actively in the development of all elements of the CTBT verification regime. In addition, Israel transfers data from its certified seismic stations to the International Data Centre and participates in all training workshops and exercise activities related to the On-Site Inspections (OSI).

Israel appreciates the significant progress made in the development of the CTBT verification regime, whose completion is a prerequisite of the entry into force of the Treaty. However, completion of the verification regime still requires additional efforts. Major steps required include the continued build-up of the International Monitoring System stations and the completion of OSI readiness. It is Israel’s view that the Treaty’s verification regime should be robust in order to detect non-compliance with its basic obligations, be immune to abuse and, at the same time, allow each State signatory to protect its national security interests.

For Israel, completion of the verification regime constitutes a major consideration for ratification. In addition, Israel’s status in the policymaking organs of the Treaty, including those connected to the geographical region of the Middle East and South Asia, and in the Executive Council of the future CTBT Organization must be addressed. Sovereign equality must be ensured.

Israel’s third consideration is connected to the regional state of affairs and the importance Israel attaches to the compliance with the Treaty by the States of the Middle East.

As it has done in previous years, Israel has continued to vote in favour of the draft resolution pertaining to the CTBT. Our position stems from the importance Israel attaches to the objectives of the CTBT.

Mr. Suda (Japan): I would like to explain Japan’s position on our abstention vote on the draft resolution contained in A/C.1/64/L.51, entitled “Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*”.

Japan highly appreciates the sincere efforts of Malaysia and the other sponsors and their commitment to the goal of achieving nuclear disarmament, which led to the introduction of draft resolution A/C.1/64/L.51. Japan also believes that, because of their immense power to cause destruction, death and injury to human beings, the use of nuclear weapons is clearly contrary to the fundamental humanitarianism that provides the philosophical foundation of international law. Therefore, we would like to stress that nuclear weapons should never be used again and that continuous efforts should be made towards achieving a world free of nuclear weapons.

At the same time, it is noted that the advisory opinion of the International Court of Justice, which this draft resolution addresses, clearly demonstrates the complexity of the subject. Japan supports the unanimous opinion of the judges of the Court on the existing obligations under international law to pursue nuclear disarmament and to conclude the negotiations on the matter in good faith. To that end, we must take concrete measures to achieve steady, step-by-step progress in nuclear disarmament and non-proliferation. We believe that such steady, incremental progress should be made prior to our embarking upon the negotiations that paragraph 2 of draft resolution A/C.1/64/L.51 calls upon all States to commence. This is the reason for Japan’s abstention in the vote on the draft resolution.

Mr. Najafi (Islamic Republic of Iran): I would like to explain the position of my delegation on draft resolution A/C.1/64/L.47/Rev.1*, entitled “Comprehensive Nuclear-Test-Ban Treaty”. The Islamic Republic of Iran, as one of the States signatories to the Comprehensive Nuclear-Test-Ban Treaty (CTBT), has been actively participating in the preparatory work of the future CTBT Organization. We voted in favour of the draft resolution.

However, my delegation was obliged to abstain in the voting on one of the paragraphs of the draft because of the language of the text and the way the draft resolution was drafted. Regrettably, the main sponsor of the draft resolution did not hold any transparent consultations on substantive changes in the draft. This is the first time in history of the First Committee that there was no inclusive consultation on the CTBT draft resolution. The draft resolution belongs to all Member States, particularly all signatory States, and not to a few nuclear-weapon States or possessors of unsafeguarded nuclear facilities, which are the only ones with which the sponsor consulted.

When several delegations, including mine, conveyed their concerns on the draft resolution, unfortunately the sponsor paid no attention. Therefore, my delegation was compelled to abstain in the voting on one paragraph. In principle, in our view the General Assembly can and must express its views on any matter independently, and there is no need to refer to the work of other organs that has been carried out in a different context.

Mr. López-Trigo (Cuba) (*spoke in Spanish*): Allow me to explain Cuba's vote on draft resolution A/C.1/64/L.47/Rev.1* on the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and its paragraph 5. Our views were explained at the time when the draft resolution was presented.

Cuba has always maintained a clear, transparent and coherent position in favour of the prohibition and full elimination of weapons of mass destruction, including nuclear weapons. We also oppose all nuclear tests, in particular those conducted via supercomputers or sophisticated explosives. For that reason, Cuba has always voted in favour of the draft resolution on the CTBT, which is presented every year in the First Committee, and has done so once again this year.

At the same time, we believe that the inclusion of paragraph 5 divorces the draft resolution even further from the eminently technical nature it should have, thus setting a negative precedent for this Committee.

Everyone is aware of the complexities inherent in this delicate matter, and the Security Council's decisions in this regard do not help to resolve this problem. The Security Council, as is well known, is an organ of limited composition that the major Powers have been able to manoeuvre politically into adopting a selective approach and double standards in addressing

non-proliferation. This has led the Council to adopt sanctions and coercive measures in some cases while, in others, it ignores reality and remains silent and inactive.

We reiterate our opposition to attempts to lead the First Committee to adopt a narrow focus that has little in common with the negotiated, multilateral approach that should prevail in international relations.

We firmly believe that efforts aimed at diplomacy and dialogue through peaceful means should continue in order to reach long-term solutions to the nuclear problem on the Korean peninsula.

We also reiterate our deep concern at the slow progress being made towards nuclear disarmament and the lack of progress on the part of nuclear-weapon States to fully eliminate their arsenals.

We hope that, in the future, the sponsors of this draft resolution will keep the focus of the text on issues relevant to the CTBT and avoid including controversial and easily manipulated elements that make it more difficult to reach consensus on this issue.

Ms. Medina-Carrasco (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The Bolivarian Republic of Venezuela would like to explain its vote on draft resolution A/C.1/64/L.47/Rev.1* and its paragraph 5.

The Bolivarian Republic of Venezuela, as a party to the Comprehensive Nuclear-Test-Ban Treaty and the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), voted in favour of draft resolution A/C.1/64/L.47/Rev.1*, entitled "Comprehensive Nuclear-Test-Ban Treaty", on the basis of its commitment to these legal instruments and the principles of nuclear disarmament and non-proliferation. In that regard, our country believes that multilateral efforts towards nuclear disarmament and non-proliferation should be carried out simultaneously under the auspices of the United Nations with a view to the total elimination of nuclear weapons.

While Venezuela rejects the conduct of nuclear tests, we also believe that the existence of nuclear weapons poses a threat to the survival of humankind and that the only real guarantee against their use or threat of use is their total elimination. We therefore advocate the non-development of new nuclear weapons and the destruction of those that exist.

With regard to paragraph 5, we note that the General Assembly is the Organization's sole independent, democratic and universal body with the full authority to make any pronouncement on this and other issues related to international peace and security. We are therefore concerned that, given that this is a technical draft resolution, a decision was made to refer in paragraph 5 to decisions adopted by the Security Council. As we are all aware, the Council has its own area of responsibility, in which the decision-making process is limited exclusively to its permanent members.

In addition, we reiterate that nuclear-weapon States should implement the 13 practical steps set out in the Final Document of the 2000 Review Conference of the Parties to the NPT. It is also crucial that they provide non-nuclear-weapon States with effective guarantees on the non-use or threat of use of such weapons.

We are convinced that the most effective way to achieve a world free of nuclear weapons is for every State, without exception, to adhere to the multilateral agreements that have been negotiated on this issue and to respect and implement their provisions. The international community must therefore not let up its efforts to achieve the universality of the Treaty on the Non-Proliferation of Nuclear Weapons and the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

Mr. Halter (Switzerland) (*spoke in French*): I take the floor to explain our position on draft resolution A/C.1/64/L.14/Rev.1, entitled "International Day against Nuclear Tests".

Switzerland joined the consensus on the draft resolution, although we remain sceptical as to the usefulness and value added of such an international day, in particular given the growing multiplicity of such days and, in the end, their low level of visibility.

Mr. Laudi (Germany), Acting Chairperson, took the Chair.

With regard to its substance, my country believes that the scope of the draft resolution is clearly limited to the issue of nuclear-weapons tests and other nuclear explosions. Its provisions are not applicable to other areas, in particular the peaceful use of nuclear energy in the field of scientific research. Switzerland views

the draft resolution in the specific context of the First Commission.

In conclusion, we encourage every country that has not yet done so to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty, especially States listed under annex 2.

Ms. Skorpen (Norway): Norway has maintained its vote from previous years on draft resolution A/C.1/64/L.51, entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

Norway fully supports paragraph 1 of the draft resolution. We are fully committed to the overall objective set by the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) to achieve a world free of nuclear weapons. We are also convinced that, at some point, there will be a need to develop a convention or legally binding instrument to ensure that nuclear technology will be used only for peaceful purposes. For the time being, our focus should be on securing a positive and forward-looking outcome to the 2010 Review Conference of the Parties to the NPT and on creating conditions conducive to the elimination of nuclear weapons. Norway considers the NPT to be a disarmament treaty as much as a non-proliferation treaty.

With respect to the preambular part of the draft resolution that addresses the role of the Conference on Disarmament, Norway has on a number of occasions questioned the functionality and universality of the Conference. We do not believe that negotiations and treaties that affect the whole of humankind should be limited only to 65 countries.

Norway also regrets that draft resolution A/C.1/64/L.51 does not reflect the new windows of opportunity that are emerging with respect to nuclear disarmament and non-proliferation, such as the progress in the strategic talks between the United States and the Russian Federation and the Security Council summit that led to the adoption of resolution 1887 (2009).

The Chairperson returned to the Chair.

The Chairperson (*spoke in Spanish*): We now turn to the draft resolution under cluster 7 in informal working paper 3.

I give the floor to the representative of Nigeria to make a general statement.

Mr. Obisakin (Nigeria): With regard to draft resolution A/C.1/64/L.32/Rev.2, entitled “United Nations Regional Centre for Peace and Disarmament in Africa”, I would just like to appeal to all representatives to consider adopting the draft resolution by consensus, as they have always done. I would also like to remind delegations that the Centre has been revitalized and that the draft resolution entails no budgetary implications this year. I again appeal to all delegations to adopt it by consensus.

The Chairperson (*spoke in Spanish*): The Committee will now proceed to take action on draft resolution A/C.1/64/L.32/Rev.2. I give the floor to the Secretary of the Committee.

Mr. Alasaniya (Secretary of the Committee): Draft resolution A/C.1/64/L.32/Rev.2, entitled “United Nations Regional Centre for Peace and Disarmament in Africa”, was introduced by the representative of Nigeria on behalf of the States Members of the United Nations that are members of the Group of African States at the 22nd meeting, on 30 October. The sponsor of the draft resolution is listed in document A/C.1/64/L.32/Rev.2.

With the permission of the Chairperson, I shall now read out for the record the oral statement by the Secretary-General with regard to the financial implications that accompany the draft resolution.

In connection with draft resolution A/C.1/64/L.32/Rev.2, entitled “United Nations Regional Centre for Peace and Disarmament in Africa”, I wish to put on record the following statement of financial implications on behalf of the Secretary-General.

Under the terms of paragraphs 8 and 9 of draft resolution A/C.1/64/L.32/Rev.2, the General Assembly would request the Secretary-General to facilitate closer cooperation between the Regional Centre and the African Union, in particular in the areas of peace, security and development; and also request the Secretary-General to continue to provide the necessary support to the Regional Centre for greater achievements and results.

The implementation of the requests contained in paragraph 8 of the draft resolution would be carried out within the resources provided under section 4,

“Disarmament”, of the proposed programme budget for the biennium 2010-2011. With regard to operative paragraph 9, provisions under section 4, “Disarmament”, of the proposed programme budget for the biennium 2010-2011 cover one P-5 post for the Director of the Centre, one P-3 post, two local-level posts and general operating expenses. The programme activities of the Regional Centre would continue to be financed from extrabudgetary resources.

Accordingly, should the General Assembly adopt draft resolution A/C.1/64/L.32/Rev.2, no additional requirements would arise under the proposed programme budget for the biennium 2010-2011.

The Chairperson (*spoke in Spanish*): The sponsor of the draft resolution has expressed the wish that it be adopted without a vote. Unless I hear any objection, I shall take it that the Committee agrees to proceed accordingly.

Draft resolution A/C.1/64/L.32/Rev.2 was adopted.

The Chairperson (*spoke in Spanish*): We have thus concluded our consideration of the draft resolutions listed under clusters 1 and 7 in informal paper 3.

In accordance with our programme of work, we shall now proceed to consider the draft resolutions listed in informal paper 4 under cluster 4.

I call on the representative of the United Kingdom to introduce draft resolution A/C.1/64/L.38/Rev.1.

Mr. Duncan (United Kingdom): I am taking the floor on behalf of Australia, Argentina, Costa Rica, Finland, Japan, Kenya and my own country, the United Kingdom, to introduce resolution A/C.1/64/L.38/Rev.1, entitled “The arms trade treaty”.

The draft resolution is the result of a series of discussions on the arms trade treaty that have taken place within the United Nations over the past three years. Our aim this year was to establish a clear timetable — a framework to begin negotiations on an international instrument to regulate the international trade in conventional weapons. The draft resolution reflects this and we hope that it will generate overwhelming support.

We listened carefully, Sir, to your opening remarks at the beginning of this session of the First Committee and have tried hard to produce a draft

resolution that could be adopted without a vote. It has not been an easy task, building the various bridges among different constituencies in the room. Indeed, some may say we have gone a bridge too far, whilst others believe we could go further. We are grateful for the flexibility many delegations have shown and it is with this in mind that we believe this is a balanced draft resolution that charts a middle course between the Scylla of those who are still unsure of the need for an arms trade treaty and the Charybdis of those who see this as an urgent and pressing priority.

The Chairperson (*spoke in Spanish*): I call on those representatives who wish to make general statements.

Mr. Hellgren (Sweden): I am making a general statement on behalf of the European Union (EU) in relation to draft resolution A/C.1/64/L.38/Rev.1, entitled "The arms trade treaty".

The European Union attaches great importance to an arms trade treaty and will vote in favour of the draft resolution before us. Each day, everywhere in the world, people are affected by irresponsible transfers of arms. Unregulated transfers of conventional weapons and their diversion to the illicit market have a negative impact on peace, security, respect for human rights and sustainable development.

Although the negative impact from irresponsible transfers is most severe in developing countries, the problem is global. The European Union has consistently stressed that there must be a global solution to this global problem, and we welcome the fact that the report of the first two sessions of the Open-ended Working Group towards an Arms Trade Treaty (A/AC.277/2009/1) also recognizes this fact. It is the firm conviction of the European Union that only a comprehensive arms trade treaty in the form of a legally binding instrument can prevent the unregulated transfer of conventional arms by ensuring the use by all States of the highest possible common international standards for the import, export and transfer of conventional arms.

The commitment of the European Union to the elaboration of an arms trade treaty has been demonstrated, inter alia, by our active participation in the Open-ended Working Group and by our support to the work of promoting the discussion on the subject worldwide, including through regional seminars.

After fruitful and exhaustive discussions in the General Assembly, in the Group of Governmental Experts and most recently in the Open-ended Working Group, there is now consensus that international action is necessary. Against this background, the European Union believes that it is high time that real negotiations start on the elements of a treaty.

The draft resolution we have before us paves the way for the launch of the negotiating process, setting a clear timeline for the work ahead. The European Union strongly supports the convening of a United Nations conference on the arms trade treaty in 2012. It is crucial that the preparatory process leading up to this important conference be inclusive and able to make concrete recommendations on the elements of a future treaty.

Our objective remains agreement at the United Nations conference in 2012 on a strong, robust and legally binding treaty, that will create real, credible and effective commitments for States to respect and implement agreed standards. We are confident that this is a goal shared by all United Nations Member States.

Mr. Obisakin (Nigeria): I am making a general statement on behalf of the 15 countries members of the Economic Community of West African States (ECOWAS).

ECOWAS, of which Nigeria is the current Chair, appeals to all Member States to adopt a strong, effective and legally binding arms trade treaty capable of regulating trade in conventional arms and of effectively combating the illicit circulation of conventional weapons, especially small arms and light weapons, which to us represent an inimical, politically destabilizing factor and pose a serious threat to human lives and our socio-economic development in West Africa.

A strong arms trade treaty would be in consonance with the spirit of the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition, and Other Related Materials, which our 15 heads of State and Government adopted at Abuja, Nigeria, on 14 June 2006. About 400 million people of West Africa therefore appeal to us to adopt a strong, effective and legally binding arms trade treaty.

The Chairperson (*spoke in Spanish*): I now call on those representatives who wish to speak in

explanation of vote on the draft resolutions under cluster 4.

Mr. Ruddyard (Indonesia): My delegation has requested the floor to explain its vote on draft resolution A/C.1/64/L.38/Rev.1, entitled “The arms trade treaty”.

After thorough consideration, we have decided to lend our support to draft resolution A/C.1/64/L.38/Rev.1 not only to avoid standing in the way of reaching consensus, but also in the firm belief that future negotiations will provide more ample room for flexibility and bring on board all views of all Member States.

However, we would like to put on record our disappointment with the draft resolution as currently drafted. As we proposed on a number of occasions during the informal consultations conducted by the authors, we continue to believe that A/C.1/64/L.38/Rev.1 should clearly reaffirm the right of all States to maintain their territorial integrity and political independence.

As it stands now, draft resolution A/C.1/64/L.38/Rev.1 does not sufficiently recognize that States have that right. In the fifth preambular paragraph, the authors of the draft resolution recall only a commitment to the principle of what is unequivocally an inherent right of all States to maintain their territorial integrity and political independence. The present language relegates that integral right to merely a commitment to the principle. It is utterly insufficient and therefore remains a matter of serious concern to my delegation.

Compared to the other three rights of States recognized in A/C.1/64/L.38/Rev.1 — the right to self-defence in the case of inter-State conflict, which is recognized in the fourth preambular paragraph; the right to manufacture and transfer arms recognized in the sixth preambular paragraph; and the right to regulate internally arms arrangements recognized in the seventh preambular paragraph — the right of a State to maintain its territorial integrity has been diluted. Our position is very clear. In the fifth preambular paragraph, too, the right of a State to maintain its territorial integrity must be recognized on a par with the other three rights of States that have been mentioned. Our reasoning is widely shared by other Member States.

During our informal consultations, one of the authors of A/C.1/64/L.38/Rev.1 maintained the position that the right of a State to maintain its territorial integrity is not recognized under international law. According to that interpretation, official documents of international law only recognize the reference to territorial integrity as a principle, not as a right.

We are not convinced by that view. There are legally binding documents, customary international law and legal opinions that support our position. One of the many examples can be seen in article I of the Final Act of the Conference on Security and Cooperation in Europe, also known as the 1975 Helsinki Declaration, to which, I believe, two of the authors of draft resolution A/C.1/64/L.38/Rev.1 are party. Let me quote article I of that Agreement:

“The participating States will respect each other’s sovereign equality and individuality as well as all the rights inherent in and encompassed by its sovereignty, including in particular the right of every State to juridical equality, to territorial integrity and to freedom and political independence.”

As we are going to support draft resolution A/C.1/64/L.38/Rev.1 as currently drafted, it is our firm position that, in future negotiations on an arms trade treaty, Indonesia will continue to pursue the inclusion of a clear and unequivocal reference to the right of all States to maintain their territorial integrity and political independence.

While we support draft resolution A/C.1/64/L.38/Rev.1, we are not sponsoring it, as we did General Assembly resolution 63/240. Let me affirm that Indonesia will continue to engage actively and constructively in the future deliberations and negotiations on an arms trade treaty.

Mr. Hassan (Sudan) (*spoke in Arabic*): I would like to make a statement in explanation of vote on behalf of the Kingdom of Bahrain, the United Arab Emirates, Saudi Arabia, Qatar, the Syrian Arab Republic, the Libyan Arab Jamahiriya, Egypt, Yemen, Kuwait and my country, the Sudan. Those countries will abstain in the voting on draft resolution A/C.1/64/L.38/Rev.1, entitled “The arms trade treaty”, because it deliberately disregards the ongoing lack of consensus within the Open-ended Working Group towards an Arms Trade Treaty, in accordance with

General Assembly resolution 63/240, on the feasibility, scope and draft parameters of the proposed treaty.

Whereas resolution 63/240 established the Working Group for three years, draft resolution A/C.1/64/L.38/Rev.1 would, after one year, transform the Working Group into a preparatory committee for a United Nations conference to adopt the treaty in 2012. That would be anticipating certain issues and disregarding positions repeatedly expressed since the start of discussions on this issue in the context of the Group of Governmental Experts set up to consider the proposed feasibility, scope and draft parameters of the proposed treaty.

While the aforementioned countries welcome that, they welcome paragraph 5 of the draft resolution, whereby the 2012 conference would adopt decisions on the basis of consensus. However, the draft resolution makes no clear reference to the preparatory committee's adopting decisions by consensus, which would ensure that such discussions are based on the principles of transparency and comprehensiveness.

That is a very sensitive issue for us with regard to the export, import and manufacture of conventional weapons for legitimate self-defence. That applies to all countries of the Middle East, in particular given that one country, Israel, possesses nuclear weapons, continues to pursue illegitimate and ambiguous nuclear activities outside all international control, and occupies Arab territories, continuously threatening the security of its neighbours in violation of the rules of international law and the United Nations Charter.

The countries on whose behalf I speak express reservations about the unjustified linkage between the right enunciated in the draft resolution to import, export and manufacture arms and certain disputed United Nations standards, including the right to sustainable development and human rights. Certain political interests are being put into play, although the treaty should create balanced responsibilities. We believe that hurrying the work to achieve the proposed treaty will only weaken its substantive content and reduce its potential to achieve universality, not to mention create an imbalance in its commitments and subject it to politicization that would harm the interests of developing countries.

While we understand that there are many challenges to the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons and the

disarmament conventions and treaties, we also note the effort to establish a new order that seeks to consolidate the competitive ability of certain arms-producing countries to sell weapons, with no balance between the responsibilities of the great Powers that produce weapons, on the one hand, and of those that import conventional weapons for legitimate self-defence, on the other. The arms-importing States would be targeted by the treaty, especially if the treaty, as proposed, should permit the major Powers that export and produce weapons to judge unilaterally the practices of other countries in such areas as human rights or sustainable development in a politicized way that does not achieve balance or equity.

In light of this, the States on whose behalf I have the honour to speak will abstain in the voting on draft resolution A/C.1/64/L.38/Rev.1. This does not mean, however, that we would boycott the Working Group and its meetings. On the contrary, we will engage seriously in those meetings, consider all proposals and comments, and give the work the importance and attention it is due.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): The Russian delegation would like to speak on draft resolution A/C.1/64/L.38/Rev.1, "The arms trade treaty".

Russia shares fully the view that the time has come to bring order to the international conventional arms trade. As we see it, it is above all necessary to close the channels whereby such arms fall into illicit circulation and thence into the hands of terrorists, extremists, illegal armed groups, organized crime and States that are under embargo by the Security Council. Thousands of weapons come into their possession through illegal brokers, air carriers, non-State entities, unlicensed pirated production and illegal re-export.

We consider the fact that the international community has seriously addressed the extremely complex task of controlling the flow of arms to be an important step in the right direction. We welcomed the Secretary-General's report (A/63/334) to the General Assembly at its sixty-third session, prepared on the basis of the conclusions and recommendations of the Group of Governmental Experts. As a result of this work, resolution 63/240 was adopted, establishing the Open-ended Working Group towards an Arms Trade Treaty.

Both documents are oriented towards gradual, step-by-step, painstaking work; outline the elements for consideration within the framework of the Working Group; and clearly define the mandate and tasks of the Group. The logical ensuing steps, taken within the framework of the practical ideas developed for the treaty, have yielded results. Today, it is clear that most Member States wish to achieve concrete results towards resolving the problem of the international arms trade and that the outline of a strategic direction has begun to take shape.

We consider counterproductive the notion of discarding as wasted effort the conclusions and recommendations of the Working Group, the provisions of the Secretary-General's report and resolution 63/240. We have not yet agreed on the goals and tasks of a possible document on which its implementation directly will depend. We have not analysed the key problems in the area of transfer of arms that should determine the goals and tasks of the document. We have not defined its orientation, scope or parameters. In essence, what is proposed is to embark on negotiations on the text of a document that has no goals, tasks, parameters or scope, and to skip certain stages that are necessary to its preparation. The result of such negotiations may not live up to the expectations of those who seek to hurry the negotiating process.

In light of this, Russia cannot support the draft resolution in its current form. We call for a continuation of the gradual, step-by-step work on the document, which will give the Open-ended Working Group the possibility of conclude its current work and to return to the question of convening a conference once the Group has finished. We propose that the Working Group concentrate its efforts in 2010 on determining and agreeing on the goals, scope and parameters of the possible document, with a view to ensuring that those goals are concrete, clear, feasible and based on the key problems of the international arms trade. The scope and parameters should reflect the agreed-on goals.

The Chairperson: The Committee will now take action on draft resolution A/C.1/64/L.38/Rev.1. A recorded vote has been requested. I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Alasaniya (Secretary of the Committee): Draft resolution A/C.1/64/L.38/Rev.1, "The arms trade

treaty", was introduced by the representative of the United Kingdom at the 22nd meeting, on 30 October 2009. The sponsors of the draft resolution are listed in document A/C.1/64/L.38/Rev.1.

With the permission of the Chairperson, I shall now read out for the record the oral statement by the Secretary-General regarding financial implications that accompany the draft resolution.

In connection with draft resolution A/C.1/64/L.38/Rev.1, entitled "The arms trade treaty", I wish to put on record the following statement of financial implications on behalf of the Secretary-General. Under the terms of operative paragraphs 4, 6, 8 and 12 of the draft resolution, the General Assembly would decide to convene the United Nations Conference on the Arms Trade Treaty to sit for four consecutive weeks in 2012 to elaborate a legally binding instrument on the highest possible common international standards for the transfer of conventional arms; further decide to consider the remaining sessions of the Open-ended Working Group, established through resolution 63/240, throughout 2010 and 2011, as a preparatory committee for the United Nations Conference on the Arms Trade Treaty; decide to establish a fifth session of the Preparatory Committee in 2012 of up to three days' duration to decide on all relevant procedural matters, including the composition of the Bureau, the draft agenda and the submission of documents, for the United Nations Conference on the Arms Trade Treaty; and request the Secretary-General to render the Preparatory Committee and the United Nations Conference on the Arms Trade Treaty all necessary assistance, including the provision of essential background information and relevant documents.

Pursuant to the request contained in paragraph 4 of the draft resolution, it is envisaged that the United Nations Conference on the Arms Trade Treaty would be held for four weeks in July 2012 in New York. The conference servicing costs for the United Nations Conference on the Arms Trade Treaty in July 2012, to be held in New York, have been estimated at \$1,871,275 at current rates for 2012. In addition, non-conference servicing requirements — which include travel of experts and cost of consultants for the substantive servicing of the Conference — have been estimated at \$56,800 at current rates for 2012.

Summary records have also been requested for the plenary meetings of the Conference. In that regard, it should be noted that, according to General Assembly resolution 37/14 C, the General Assembly confirmed that summary records shall not be provided to special conferences and their preparatory organs, with the exception of legal codification conferences, for which the needs will be determined in each case.

As regards the request contained in paragraphs 8 and 12 of the draft resolution, it is envisaged that the Preparatory Committee for the United Nations Conference on the Arms Trade Treaty would hold a fifth session of up to three days' duration in February 2012 in New York. The conference servicing costs for the Preparatory Committee for the United Nations Conference on the Arms Trade Treaty in February 2012, to be held in New York, have been estimated at \$339,300 at current rates for 2012. In addition, non-conference servicing requirements — which include overtime, travel of experts and cost of consultants for the substantive servicing of the Preparatory Committee — have been estimated at \$31,350 at current rates for 2012.

Provisions for the requirements pertaining to the Preparatory Committee and the United Nations Conference on the Arms Trade Treaty in February 2012 will be considered in the context of the proposed programme budget for the biennium 2012-2013 under section 2, "General Assembly and Economic and Social Council affairs and conference management"; section 4, "Disarmament"; section 28 D, "Office of Central Support Services"; and section 28 E, "Administration, Geneva".

The requirements pertaining to the decision contained in paragraph 6 of the draft resolution have already been included in the context of the proposed programme budget for the biennium 2011-2012.

Accordingly, should the General Assembly adopt draft resolution A/C.1/64/L.38/Rev.1, no additional requirements would arise under the proposed programme budget for the biennium 2010-2011.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belgium, Belize, Benin,

Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Zambia

Against:

Zimbabwe

Abstaining:

Bahrain, Belarus, China, Cuba, Egypt, India, Iran (Islamic Republic of), Kuwait, Libyan Arab Jamahiriya, Nicaragua, Pakistan, Qatar, Russian Federation, Saudi Arabia, Sudan, Syrian Arab Republic, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen

Draft resolution A/C.1/64/L.38/Rev.1 was adopted by 153 votes to 1, with 19 abstentions.

The Chairperson (*spoke in Spanish*): I shall now call on those representatives who wish to speak in explanation of vote on the draft resolution just adopted.

Before proceeding to give the floor to speakers, I wish to draw their attention to the fact that we have barely 20 minutes' meeting time left and that we still have one draft resolution to be voted on, in accordance with informal paper 4, which was distributed yesterday. Therefore, I strongly urge representatives to be as brief and concise as possible in their statements.

Mr. Rao (India): I have requested the floor to explain India's vote on draft resolution A/C.1/64/L.38/Rev.1, entitled "The arms trade treaty".

India shares the concerns of the international community about the negative effects of the unregulated nature of the international arms trade, particularly in view of the dangers posed by the diversion of conventional arms, including small arms and light weapons, from the legal trade to the hands of terrorists, organized crime and other criminal activities.

India participated actively in the two sessions of the Open-Ended Working Group towards an Arms Trade Treaty, held in 2009. We note that that the Group acknowledged that respective responsibilities exist for exporters and importers alike to address the current situation, based on the principles established in the United Nations Charter in a non-discriminatory manner. The Open-Ended Working Group also recognized the need to address the problems relating to the unregulated trade in conventional weapons and their diversion to the illicit market. Considering that such risks can fuel instability, international terrorism and transnational organized crime, the Group supported the recognition that international action should be taken to address the problem.

India is a responsible member of the international community and has vital interests as both an importing and an exporting country. India believes that future consideration of the arms trade treaty at the United Nations should be part of a step-by-step process in an open and transparent manner, with no artificial deadlines, while recognizing that the prospects for an instrument of universal acceptance would be enhanced through a consensus-driven decision-making process and outcome. It is vitally important that any such instrument be consistent with the right of self-defence of States and their right to protect their legitimate foreign policy and national security interests.

Calling a United Nations conference, as this draft resolution does, is a major step. We had hoped that its sponsors would proceed in an inclusive manner, with greater clarity on the process and outcomes, thus creating the necessary support among all Members of the United Nations. The draft resolution was not able to fill these gaps. It is for this reason that India abstained in the voting on it.

Mr. Yaroshevich (Belarus) (*spoke in Russian*): Belarus abstained in the voting on draft resolution A/C.1/64/L.38/Rev.1, "The arms trade treaty". Our delegation also abstained in the voting on General Assembly resolution 63/240.

Belarus participated actively in the work of the first and second sessions of the Open-ended Working Group towards an Arms Trade Treaty, which were carried out in a positive climate and were substantive in character. For example, a substantive part of the Group's report (A/AC.277/2009/1), adopted at the second session, includes a number of elements around which it would have been possible to build work needed in preparing further for the treaty, directly within the framework of the Group. In this regard, we consider somewhat premature, and inadequately prepared, the decision to expand the mandate of the Working Group and establish a Preparatory Committee for the Conference on the Arms Trade Treaty.

We agree that the goals, tasks and parameters of the Treaty are still undefined. At the same time, we support the spirit of a number of elements in the draft resolution, particularly paragraph 5, which establishes that the proposed United Nations Conference will be undertaken on the basis of consensus. Belarus is convinced that the universality of the treaty can be ensured only by the consensus adoption of decisions on its elements. A treaty that is not universal in character cannot have serious international significance.

I take this opportunity to note that inventing new parameters and principles that go beyond the framework of the United Nations Charter and the norms of international law will hinder the achievement of universality for the treaty. Furthermore, we believe that giving the treaty too broad a scope with respect to the types of armaments addressed and to the treaty's principles and parameters, will make achieving agreement considerably harder. Belarus will continue to take an active part in the work of the Open-ended Working Group towards an Arms Trade Treaty.

Mr. Holbach (Liechtenstein): I am taking the floor to explain Liechtenstein's vote on the draft resolution contained in document A/C.1/64/L.38/Rev.1, entitled "The arms trade treaty".

My delegation voted in favour of the draft resolution because of our support for the negotiation of a strong, robust and legally binding arms trade treaty. We are pleased with the increased interest on the part of United Nations Member States and civil society in negotiating such a treaty. It is our hope that this interest will translate into constructive engagement in the preparatory process, and that the Conference will take place in 2012.

Paragraph 5 of the draft resolution refers to the United Nations Conference on the Arms Trade Treaty being "undertaken in an open and transparent manner, on the basis of consensus, to achieve a strong and robust treaty". Liechtenstein is concerned about a possible negative impact of this provision in the negotiations and on the outcome. In our view, it is unusual for a General Assembly resolution to attempt to shape in this way the manner in which a treaty-making conference will operate. The issue would be more properly resolved during the preparatory process and confirmed at the Conference itself, as is usually done with all rules-of-procedure issues.

In the negotiation of any multilateral treaty, we believe that every effort should be made to reach general agreement, and that this principle of course also applies in the case of the arms trade treaty. However, in Liechtenstein's view paragraph 5 does not impose an absolute requirement that decisions be taken only by consensus. Work should rather be based on a genuine attempt to reach a consensual outcome, with the rules of procedure serving as a means of facilitating general agreement rather than as a potential obstacle to progress. We would also like to point out that the fifth session of the Preparatory Committee, according to paragraph 8 of the draft resolution, would decide on "all relevant procedural matters", including, of course, the rules of procedure.

The importance of the treaty should not automatically lead to an absolute rule of consensus. Many important treaties — such as the United Nations Convention on the Law of the Sea, the Rome Statute of the International Criminal Court and, perhaps most important in this context, the Treaty on the Non-Proliferation of Nuclear Weapons — have been

adopted by a vote. In contrast, the Conference on Disarmament, which was bound by such a rule, has only recently managed to agree on its first programme of work in 13 years, but not on its implementation. The fact that even the Open-ended Working Group towards an Arms Trade Treaty adopted a consensus report (A/AC.277/2009/1) without being bound to do so is a testament to the potentially agreement-facilitating nature of majority-voting rules. We will remain actively engaged in all efforts to achieve a strong and robust treaty.

Mr. Hoffmann (Germany): My delegation is taking the floor to explain its vote after the adoption of draft resolution A/C.1/64/L.38/Rev.1, entitled "The arms trade treaty".

Germany fully supports the statement delivered by the representative of Sweden on behalf of the European Union (EU). Along with our EU partners, my delegation voted in favour of the draft resolution as an expression of our long-established and unwavering support for the negotiation of a strong, robust and legally binding arms trade treaty, establishing the highest possible common international standards for the transfer of conventional arms and capable of making a real difference on the ground.

The draft resolution adopted today is proof of the increased interest on the part of United Nations Member States and public opinion in negotiating an arms trade treaty. We hope that the interest to which the draft resolution gives expression will translate into constructive engagement by all Member States in the preparatory process and at the Conference to take place in 2012.

As for paragraph 5, we welcome the amendments introduced by the sponsors of the draft resolution. From the outset, we would have preferred to leave this issue to the work on the rules of procedure of the Conference during the preparatory process, but we understand and respect the fact that this issue was important to other delegations. We are confident that the new formula gives the upcoming negotiations room to find the widest possible agreement on all issues among all interested States, and we firmly believe that this formula, if applied in good faith, will ultimately allow us to arrive at good, workable solutions for a strong and robust treaty.

Mr. Bavaud (Switzerland) (*spoke in French*): My delegation voted in favour of draft resolution

A/C.1/64/L.38/Rev.1, entitled “The arms trade treaty”. We thus reiterate our continued support for an arms trade treaty that is effective, inclusive and legally binding.

Switzerland is aware that drafting such a treaty will not be easy. We welcome the marked interest of States and civil society in this process. We hope that this interest will be translated into concrete action through an inclusive process in which all States, starting with the major weapons exporting and importing States, will be fully involved.

Paragraph 5 of the draft resolution establishes that the United Nations Conference on an Arms Trade Treaty will be undertaken in an open and transparent manner, on the basis of consensus, to obtain a strong and robust treaty. Switzerland is grateful for the efforts of the authors to draft a paragraph that is acceptable to all. We must, however, highlight that we do not believe that paragraph 5 is a condition stipulating that decisions must be taken on the sole basis of consensus.

In addition, my country wishes to highlight two specific concerns with regard to the potential consequences of such a paragraph. We doubt that, in general, a precondition demanding that consensus be reached on any decision in the negotiation process of a multilateral treaty could lead to a satisfactory result. On the contrary, Switzerland is afraid that such a precondition would lead us to settle for the lowest common denominator.

We also believe that it is not customary for a resolution of the General Assembly to prejudge and determine the functioning of a diplomatic conference that is aimed at negotiating a treaty. My country would prefer to stick to the established practice of allowing the preparatory process to determine the functioning of the conference and that the conference itself confirm this.

To conclude, my country believes that a consensus-based result would benefit all the parties involved in the negotiations. However, a need for consensus should not hinder the very process that should lead us to a strong, effective and legally binding treaty.

Ms. Medina-Carrasco (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The delegation of the Bolivarian Republic of Venezuela takes the floor to

explain its vote on draft resolution A/C.1/64/L.38/Rev.1.

The Bolivarian Republic of Venezuela was compelled to abstain in the voting on the draft resolution entitled “The arms trade treaty”, which was previously entitled “Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms”.

The delegation of the Bolivarian Republic of Venezuela wishes to stress that the draft resolution seriously undermines the atmosphere of trust that the General Assembly wisely decided to create by establishing an open-ended working group and a process of phased discussions on the issue, which is closely linked to the national defence issues of a number of countries. That is especially true at a time when Latin America and the sovereignty of the Bolivarian Republic of Venezuela in particular are being threatened by harassment by the world’s biggest military Power through its establishment of military bases.

The Working Group made progress and produced an initial report, but did not adopt any decision. The only outcome was the decision to continue with the meetings scheduled, the objectives of which were defined in terms of the viability, parameters and objectives of a potential instrument on shared international standards for the import, export and transfer of conventional arms.

In this regard, we believe it completely inappropriate to substitute the four remaining discussion sessions for 2010 and 2011 with meetings for a preparatory conference. This prejudices the result of the discussion process and distorts the Group’s original mandate, as laid out in resolution 63/240.

We do not understand how the main proponent of this draft resolution can ignore the constructive proposals on the provision of assurances and guarantees for all States as to the direction in which our work is leading. My delegation presented a series of proposals aimed at laying the basis for dialogue and confidence-building among States. For our delegation, it is of particular importance to incorporate the right of States to legitimate self-defence, the defence of sovereignty and territorial integrity, as well as a paragraph that specifically rejects coercive unilateral measures. We should also agree that we will draft a non-paper on the parameters of such an international

instrument on conventional arms at the sessions to be held in 2010 and 2011, before moving forward to the Conference.

However, everything seems to indicate that the main sponsor is not very interested in generating confidence or in providing guarantees to States. My delegation would like to express its concern over such blatant intransigence at work here and the attempt to insist on the convening of the United Nations Conference on the Arms Trade Treaty. That not only affects our chances of agreeing on a treaty that takes the interests of all States into account, but may even undermine the progress achieved under the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

We regret that there is nothing to be happy about in this draft resolution.

Mr. Ochoa (Mexico) (*spoke in Spanish*): Mexico attaches the highest importance to the negotiation of a legally binding, strong and robust international treaty to regulate the arms trade on the basis of the joint responsibility of manufacturers and consumers. For this reason, my delegation voted in favour of draft resolution A/C.1/64/L.38/Rev.1. We will work hard to ensure that the treaty whose negotiation is provided for in the draft resolution will establish mechanisms to put a stop to the diversion of arms to the illicit market, and will help to strengthen universal respect for human rights and international humanitarian law.

The process established by the draft resolution is an opportunity to resume negotiations on arms control and disarmament within the United Nations. Unfortunately, in recent years, the negotiations on this issue have been paralysed by a minority of States that have chosen to abuse the rule on consensus.

The paralysis in the Conference on Disarmament is unacceptable and undermines the *raison d'être* of that body. The improper use of the consensus rule has compelled a very large number of States, including Mexico, to opt to negotiate treaties outside the framework of the United Nations, which has proved successful. The Ottawa Convention on anti-personnel mines and the recently adopted Convention on Cluster Munitions are proof of that.

Multilateral work presupposes working to achieve consensus. However, that cannot be interpreted

as a right of veto for all States. That would be contrary to the rules of the General Assembly. Historically, the abuse of the right of veto has prevented the majority of the international community from taking the decisions necessary to bring about a safer world and to foster international peace and security.

In that regard, Mexico wishes to make clear that paragraph 5 of the draft resolution that we have just adopted can in no way be interpreted as an instruction that constrains the decision-making of the 2012 negotiating conference to universal agreement, although it is a strong appeal to States to make the utmost effort to achieve general and, where possible, universal agreements, as they have done at other thematic conferences.

Mexico is convinced that the work towards an arms trade treaty will be successful if it is conducted on the basis of good faith. My country will make every effort to reach general and, where possible, universal agreements. If that should not occur, however, we will have the options to act under the rules of the General Assembly.

Finally, we must not forget that important treaties that have emerged from the framework of the Organization, such as the Convention on the Law of the Sea, the United Nations Convention on the Law of Treaties and the Rome Statute of the International Criminal Court, were adopted by vote. The case of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which was adopted in 1968 with 95 votes in favour, four against and 21 abstentions, is of particular note in this discussion. It should be underscored that although all the States that voted against it are today party to the Treaty, there remain States that still do not adhere to it. If we had waited to reach a consensus, the NPT would not be a reality today. Mexico is convinced that the world is safer with that Treaty than without it. Perhaps, the number of States parties to the NPT confirms that view.

Ms. Kelly (Ireland): My delegation takes the floor to explain its vote on draft resolution A/C.1/64/L.38/Rev.1, entitled "The arms trade treaty".

Ireland voted in favour of the draft resolution because of our long-established and unwavering support for the negotiation of a strong, robust and legally binding arms trade treaty that would make a real difference on the ground. We are pleased at the increased interest on the part of the States Members of

the United Nations and of public opinion in negotiating an arms trade treaty. It is our hope that this interest will translate into constructive engagement in the preparatory process and at the Conference to take place in 2012.

Paragraph 5 of the text refers to the United Nations Conference on the Arms Trade Treaty being undertaken in an open and transparent manner, on the basis of consensus, to achieve a strong and robust treaty. We are concerned about its potential impact on the negotiations and on the outcome. In our view, it is unusual for a General Assembly resolution to attempt to shape in this way the manner in which a treaty-making conference will operate. That would more properly be worked out during the preparatory process and confirmed at the Conference itself.

Ireland does not believe that a requirement of consensus would facilitate the negotiation of a strong and robust arms trade treaty. Time and again, both in disarmament and in other forums, we have seen how a consensus rule has led to the agreement of lowest common denominator outcomes or, often, to no outcome at all. On the contrary, some of our most important treaties, including the Treaty on the Non-Proliferation of Nuclear Weapons, have been achieved in its absence. It is also worth noting that in many cases where treaties have been adopted by consensus, the achievement of consensus has been facilitated by the rules of procedure providing for the possibility of a vote.

As with the negotiation of any multilateral treaty, we believe that every effort should be made to reach general agreement on matters of substance, and we are committed to doing so in the case of the arms trade treaty. However, we are strongly of the view that paragraph 5, as drafted, should not be interpreted as imposing a requirement to take decisions only by consensus.

Ireland will remain actively engaged in all efforts to achieve a strong and robust arms trade treaty.

Mr. Graça (Portugal): My delegation takes the floor to explain its vote after the adoption of draft

resolution A/C.1/64/L.38/Rev.1, entitled "The arms trade treaty". Portugal aligns itself with the statement on this draft resolution delivered earlier by the representative of Sweden on behalf of the European Union. Allow me now to add a few remarks in my national capacity.

Portugal, as a staunch supporter of a strong, robust, effective and legally binding arms trade treaty, voted in favour of the draft resolution. Nevertheless, we would have preferred to leave the consideration of the subject matter addressed in paragraph 5 of the draft resolution to a later stage.

In Portugal's view, we would all benefit from more exhaustive consultations and discussions on such an issue, providing for a more in-depth collective analysis of the best procedural ways and means to achieve a strong and robust legally binding treaty, taking into account all relevant provisions of the United Nations Charter, as well as the legal framework and practice of past United Nations conferences similar to that to be held on the arms trade treaty in 2012.

The Chairperson (*spoke in Spanish*): I wish to inform representatives that the Bureau has received a proposed amendment to draft resolution A/C.1/64/L.46. The proposed amendment will be officially published on Monday and will also be posted on the Internet immediately after this meeting.

With the Committee's permission and in accordance with the powers granted to me under rule 120 of the rules of procedure, I propose to allow that amendment to be discussed on the same day as its publication, namely, next Monday, 2 November, at 3 p.m. At that time, the Committee will also consider the proposed programme of work for 2010, as set out in document A/C.1/64/CRP.3, which was circulated to delegations on Thursday.

The Chairperson (*spoke in Spanish*): We will continue with the list of speakers at our meeting on Monday, when the Committee will take action on draft resolution A/C.1/64/L.46/Rev.1 and on the proposed amendment thereto that has just been introduced.

The meeting rose at 1.15 p.m.