The Reaching Critical Will Guide to the Conference on Disarmament

2006 Sessions

CD Sessions in 2006
First Session: 23 January to 31 March
Second Session: 15 May to 30 June
Third Session: 31 July - 15 September
Introduction...

Alert NGOs!

The Conference on Disarmament (CD), based in Geneva, is charged with a mandate to negotiate multilateral disarmament treaties. Past successes of the CD include the Comprehensive Test Ban Treaty (1996) and the Chemical Weapons Convention (1997).

The success of the CD in negotiating these crucial treaties depended largely upon the tireless efforts of non-governmental organizations (NGOs), which serve an immensely important role in an advisory or technical capacity, and in awareness building and public education roles during the negotiations.

Since the Chemical Weapons Convention (CWC), the CD has not been able to resume serious substantial work, and critical issues on their agenda have been left unresolved, much to the peril of international security. This means NGO attention to this body is needed more than ever.

The coming year, 2006, is a time to revitalize disarmament. With the failed 2005 Non-Proliferation Treaty Review Conference and a World Summit that could not agree on non-proliferation and disarmament text, progress in Geneva is imperative. NGOs must focus their energy on the diplomatic moves in Geneva, engage their country representatives and encourage substantive results in the CD.

Reaching Critical Will, a project of the Women's International League for Peace and Freedom, created this Guide as an advocacy and learning tool for everyone. In it, you can find a history of the CD, learn about the items on its agenda, a summary of the major issues, an overview of the current political context and much more.

If you or your organization would like to learn more about the CD, the issues, or what you can do to engage your representatives, please contact Reaching Critical Will at: info@reachingcriticalwill.org.

In peace,

The Reaching Critical Will Team

January, 2006

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About the CD

WHAT: The Conference on Disarmament (CD) is the world’s sole multilateral disarmament treaty negotiating body.

HOW: While the CD is independent of the United Nations, its secretary is appointed by the UN Secretary-General; it is required to consider recommendations from the General Assembly; and it submits reports at least annually to the General Assembly.

WHEN: The CD has three sessions each year. The first begins in the penultimate week of January and lasts for 10 weeks. The second begins in May and lasts 7 weeks, and the third in July lasts for 7 weeks.

ACCESS: The CD holds one public plenary per week, usually on a Thursday, although can have more if appropriate. In 2004, the CD took its first decision on NGO access, officially formalizing NGO access to these open debates.

CHAIR: The Chair of the Conference rotates every four working weeks following the English alphabetical list of membership. Decisions are made by consensus.

NEGOTIATIONS: When the CD is ready to begin negotiating a treaty, an ad hoc committee with a mandate is established and continues until the text is finalized. The meetings of ad hoc committees are held in private. The whole conference must agree by consensus to the mandate given to ad hoc committees.

PAST EFFORTS: In 1994, four ad hoc committees met: Nuclear Test Ban, Outer Space, Negative Security Assurances and Transparency in Armaments. In 1995 and 1996, only one ad hoc committee met: Nuclear Test Ban. In 1996, the CD completed the negotiations for the Comprehensive Test Ban Treaty. The final negotiations were difficult and divisive issues remained until the end. Nevertheless, the treaty was opened for signature September 24, 1996. In 1998 the CD agreed to a fissile material cut-off negotiating mandate but has been unable to establish an ad hoc committee needed to carry forward talks. (See FMCT page 5)

DANGER: No programme of work has moved forward since 1996, and this disappointing fact puts at risk the future of the consensus-based Conference on Disarmament.

What NGOs can do to activate the CD

❖write letters, send position and background papers urging the CD to work towards disarmament to your Minister of Foreign Affairs or the CD directly. The CD should begin substantive work this year, with or without a Programme of Work. NGO suggestions can spur them on. Also send a copy to your Ambassador in New York and Geneva. For a full listing, see the Governmental Contact Database: www.reachingcriticalwill.org/resources/govcontacts/govindex.html

❖make an appointment to speak with a representative at the Ministry of Foreign Affairs or equivalent in your country and encourage the Foreign Minister to attend the conference to publicly urge the CD members to agree on a work plan so that productive negotiations can begin;

❖attend the Conference on Disarmament meeting in Geneva, meet with your representatives personally to explain the issues, draw attention to some important problems and put pressure on the parties to achieve a successful outcome;

❖monitor the CD session through the Reaching Critical Will website and react to what your government does or does not say. Subscribe to receive RCW's free weekly email reports on the CD: info@reachingcriticalwill.org.

❖attract media attention and publicize your view and your government’s policies in the CD to the press in your country.

www.reachingcriticalwill.org
There are a number of groupings among countries within the CD. Some of these will work in cooperation with each other on specific issues rather than unilaterally.

**Western and Other Group (WEOG)**
- Australia
- Austria
- Belgium
- Canada
- Finland
- France
- Germany
- Israel
- Italy
- Netherlands
- New Zealand
- Norway
- Spain
- Sweden
- Turkey
- United Kingdom
- United States

**Non-Aligned Movement (NAM)**
- Algeria
- Bangladesh
- Cameroon
- Chile
- Colombia
- Cuba
- DPR Korea
- Ecuador
- Egypt
- Ethiopia
- India
- Indonesia
- Iran
- Iraq
- Kenya
- Malaysia
- Mongolia
- Morocco
- Myanmar
- Nigeria
- Pakistan
- Peru
- Senegal
- South Africa
- Sri Lanka
- Syria
- Tunisia
- Venezuela
- Vietnam
- Zimbabwe

**P5 (the five permanent members of the Security Council—also the five official Nuclear Weapon States)**
- China
- France
- Russia
- United Kingdom
- United States

**P4 (the five minus China)**
- France
- Russia
- United Kingdom
- United States

**Group of One**
- China often refers to itself as the Group of One

**Group of Eastern European States**
- Belarus
- Bulgaria
- Hungary
- Poland
- Romania
- Russian Federation
- Slovak Republic
- Ukraine

**Non-Member Participant States**
Every year there are general observers to the CD. They have the right to attend meetings of the CD Ad Hoc Committees, and can speak, circulate papers and make contributions, but cannot deny consensus on any issues. They have to renew their status as NMP states each year, whereas CD members maintain their status permanently.
Brief Chronology

1960

What is now the CD was first known as the Ten Nation Committee on Disarmament, and was formed in March 1960 in Geneva. The TNCD was made up of five Eastern Bloc countries (Bulgaria, Czechoslovakia, Poland, Romania and the Soviet Union) and five Western Bloc countries (Canada, France, Italy, UK and the US), jointly chaired by the US and the USSR. During this time it tried, unsuccessfully, to attain consensus on the many complex issues facing both sides on their way to general disarmament. TNDC's failure to reach agreement can be understood in the context of the strained relations between East and West at the time.

1960–1968

The institution became known as the Eighteen Nations Disarmament Committee (ENDC), jointly chaired by the US and USSR. The ENDC first convened in March 1961 following a resolution of the UN General Assembly in 1961, making the addition of eight “non-aligned” states. Parties of the ENDC were: Burma, Brazil, Bulgaria, Canada, Czechoslovakia, Ethiopia, France, India, Italy, Mexico, Nigeria, Poland, Romania, Sweden, United Arab Emirates, United Kingdom, United States and the Soviet Union.

1963

An accomplishment of the ENDC was the negotiation of the Limited Test Ban Treaty, which banned all nuclear-weapon tests in the atmosphere, in outer space, and under water. The US, USSR, and UK are signatories (and also depositaries). It was negotiated in six weeks.

1969–78

The institution became the Conference of the Committee on Disarmament, expanding to 30 members.

1970

The ENDC negotiated the nuclear Nonproliferation Treaty (NPT) halting the spread of nuclear weapons to countries that do not already possess them, and preventing the diversion of nuclear material from peaceful purposes. The nuclear Nonproliferation Treaty became international law in 1970. At that time there were five nuclear weapon states: US, UK, USSR, France and China. Since then, India, Israel and Pakistan have developed nuclear weapons and, with the dubious status of North Korea, remain the only countries outside the treaty.

1972

Negotiated the Biological and Toxin Weapons Convention (banning the development, production and stockpiling of bacteriological and toxin weapons). The Biological Weapons Convention entered into force in 1975 and has over 125 signatories. It builds on the protocols of the Geneva conventions that banned the use of gas in war. It is the first treaty to ban an entire category of mass destruction weapons. However, the BWC has no verification provisions. A verification protocol has been under negotiations since 1995. Hopes of progress during the 24th session (July 23 to August 17, 2001) were effectively dashed on the third day with the rejection of the current draft Protocol - the Chair's composite text - but also were further efforts to negotiate such an agreement.

1977

Negotiated the Environmental Modification Convention (banning all significant hostile use of environmental modification techniques). This Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques entered into force in 1977 and attempts to inhibit the development of new types of warfare.

1979

The Committee on Disarmament was established as a result of the first Special Session on Disarmament of the United Nations General Assembly held in 1978.

1983

The re-named Conference on Disarmament grew to 38.

1992

Negotiated the Chemical Weapons Convention. The Chemical Weapons Convention was opened for signature in 1993 and entered into force in April 1997. It has many signatories, including the US, Russia and China. It bans the "development, production, stockpiling and use of chemical weapons" (earlier agreements only banned the use). The treaty contains an extensive list of banned chemicals and precursors and provides for an elaborate and intrusive verification regime.

1994

Four ad hoc committees met on Nuclear Test Ban, Outer
Space, Negative Security Assurances and Transparency in Armaments.

**1995 and 1996**

Only one ad hoc committee met on the Nuclear Test Ban.

**1996**

The CD expanded to a membership of 61.

**1996**

Negotiated the Comprehensive Test Ban Treaty (banning nuclear weapons test explosions or any other nuclear explosions). The CTBT was negotiated in Geneva by the Conference on Disarmament and was adopted by the General Assembly as a resolution (A/RES/50/245) on 10 September 1996 and opened for signature. The Comprehensive Test Ban Treaty has been signed by 176 countries and ratified by 125.

**1999**

The membership of the Conference on Disarmament expanded once again to a membership of 65 countries.

**2001-present**

No program of activity has moved forward since 1996 and this disappointing fact puts at risk the future of the consensus-based Conference on Disarmament. Some issues look promising—such as the FMCT, but the Conference has yet to agree on a Programme of Work.

**CD Agenda**

The CD has a permanent agenda, known as the Decalogue which addresses the following:

* Nuclear weapons in all aspects;
* Chemical weapons (removed from agenda in 1993 after the CD completed the Chemical Weapons Convention on 3 September 1992);
* Other weapons of mass destruction;
* Conventional weapons;
* Reduction of military budgets;
* Reduction of armed forces;
* Disarmament and development;
* Disarmament and international security;
* Collateral measures; confidence building measures; effective verification methods in relation to appropriate disarmament measures, acceptable to all parties;
* Comprehensive programme of disarmament leading to general and complete disarmament under effective international control.

The terms of reference of the CD include practically all multilateral arms control and disarmament problems. Currently the CD primarily focuses its attention on the following issues:

* cessation of the nuclear arms race and nuclear disarmament;
* prevention of nuclear war; including all related matters;
* prevention of an arms race in outer space;
* effective international arrangements to assure non nuclear weapon States against the use or threat of use of nuclear weapons (security assurances);
* new types of weapons of mass destruction and new systems of such weapons including radiological weapons;
* comprehensive programme of disarmament and transparency in armaments.

In recent sessions, some States have discussed the idea of discussing "new issues" at the CD, including such as terrorism.
In December 1993 the UN General Assembly adopted by consensus a resolution recommending the negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

The issue of “existing stocks” blocked consensus on the negotiation of an FMCT. Some states, such as the NAM, believe that a cut-off level should include fissile materials already produced and stockpiled. Others, such as the US, UK, and Japan, favor instead a future production cut-off.

On January 25, 1994, the CD decided to appoint a Special Coordinator, Ambassador Gerald Shannon of Canada, to seek the views of members on the most appropriate arrangement to negotiate the type of FMCT requested by the UN General Assembly. In March 1995, the resulting “Shannon Mandate,” proposed that an Ad Hoc Committee, charged to pursue the negotiations, would settle the issue of “existing stocks.”

All of the States Parties to the NPT endorsed the immediate commencement and early conclusion of FMCT negotiations at the 1995 and 2000 NPT Review Conferences.

For years, China and Russia insisted on starting work on the Prevention of an Arms Race in Outer Space concurrent with work on an FMCT. In August, 2003, China and Russia broke from this position, and agreed to go forth with FMCT negotiations based on the Shannon Mandate.

The United States did not announce its position on an FMCT until July, 2004, when Ambassador Sanders declared that while the US supported negotiations on an FMCT, they did not believe that such a treaty would be verifiable. Many States believe that verification talks should be a part of the original negotiations and should not be left until later.

More Resources on the FMCT:

**Statements in the 2005 CD Session**
http://www.reachingcriticalwill.org/political/cd/speeches05/topic05.html#FMCT

**Working Papers**
Japan:
www.reachingcriticalwill.org/political/cd/speeches03/FMCTwp.pdf

**South Africa:**
http://www.reachingcriticalwill.org/political/cd/speeches02/safri fissilewpcd.html

**Shannon Mandate:**
http://www.reachingcriticalwill.org/political/cd/shannon.html

**NGO Experts on Fissile Materials:**
* Institute for Science and International Security: www.isi-online.org
* International Network of Engineers and Scientists Against Proliferation: www.inesap.org
* Oxford Research Group
http://www.oxfordresearchgroup.org.uk/nuclear/plutonium/FMCTproject.htm

**Prevention of an Arms Race in Outer Space (PAROS)**

A committee began work in 1985 to examine outer space arms control issues, including the current legal framework. The PAROS issue has been blocked in the CD due to the belief, particularly of the US, that existing legal regimes for outer space activities are adequate and that no changes are needed at this time. The Outer Space committee has not met since 1994.

China and Russia have traditionally maintained that the early establishment of an Ad Hoc Committee is necessary to start substantive work on preventing an arms race in outer space, with a view to concluding a more effective international treaty on this issue at an early date.

China and Russia have submitted numerous papers on the issue, including a recent non-paper on “Verification Aspects” and “Existing International Legal Instruments.” In 2003, they revised their working paper, CD/1679.

More Resources on PAROS:

**Statements in the 2005 CD Session**
www.reachingcriticalwill.org/political/cd/speeches05/topic05.html#PAROS

**China and Russia Working Paper**
www.reachingcriticalwill.org/political/cd/speeches03/PAROSwp.htm

**China and Russia Non-Paper on Verification**
www.reachingcriticalwill.org/political/cd/speeches04/PAROSverif.pdf
The A5 Agenda

In 2003, five CD ambassadors from Algeria, Belgium, Chile, Colombia and Sweden put forth a proposal for an agenda, now referred to as the A5 Proposal. With a balanced approach to the Decalogue, the CD mandate and the exigency of the times, the A5 agenda seeks to:

- establish an Ad Hoc Committee on Security Assurances;
- establish an Ad Hoc Committee on Nuclear Disarmament;
- establish an Ad Hoc Committee to negotiate an FMCT;
- establish an Ad Hoc Committee to identify and review elements of PAROS, "with the possibility of negotiating relevant international legal instrument";
- appoint a Special Coordinator on “new types of weapons of mass destruction and radiological weapons;”
- appoint a Special Coordinator on Comprehensive programme of Disarmament;”
- appoint a Special Coordinator on Transparency in armaments.

More Resources on the A5 Agenda:

Statements in the 2005 CD Session
http://www.reachingcriticalwill.org/political/cd/speeches05/topics05.html#A5

The A5 Agenda (Rev.1)
http://www.reachingcriticalwill.org/political/cd/A5.pdf

Nuclear Disarmament

One of the items on the CD’s agenda is that of Nuclear Disarmament, and many members of the CD have openly expressed their wish that the CD undertake multilateral negotiations in this area. Nuclear weapon states claim reductions in nuclear arms should be carried out directly by the states that possess them, in view of the many complexities involved. However, the CD has failed to respond to the calls made at the 2000 NPT Review Conference to start negotiations on a fissile material treaty and to establish a subsidiary body to deal with nuclear disarmament.

More Resources on Nuclear Disarmament:

Statements in the 2005 CD Session
http://www.reachingcriticalwill.org/political/cd/speeches05/topic05.html#disarm

NGO Experts on Nuclear Disarmament (Negotiations)

* Acronym Institute: www.acronym.org.uk
* Reaching Critical Will (WILPF): www.reachingcriticalwill.org
* Lawyers’ Committee on Nuclear Policy: www.lcnp.org
* Abolition 2000: www.abolition2000.org

See RCW’s NPT Page
Negative Security Assurances

A Negative Security Assurance (NSA) is an assurance from a nuclear weapons state to a non-nuclear weapons state that nuclear weapons will never be used against them. Currently, the only assurances that exist are non-legally binding, such as unilateral declarations, those contained within Nuclear Weapon Free Zone protocols and in Security Council Resolution 984 (1995).

The Non-Aligned members of the CD (the G-21) increased their demands for a legally binding instrument after the completion of the CTBT negotiations and the unconditional extension of the NPT in 1995.

Non-nuclear weapons states continue to demand a legally binding assurance, although the context of the assurance remains a debate. Iran tabled a working paper at the 2002 NPT Preparatory Committee conference which calls for NSAs to be negotiated at the CD. Other States, such as those in the New Agenda Coalition, argue that NSAs should only be given to and by States Parties to the NPT.

The NSA Ad Hoc Committee, while re-established in 1998, has not yet met.

More Resources on NSAs:

NSAs from RCW
http://www.reachingcriticalwill.org/legal/npt/issues.html#NSA

Statements in the 2005 CD Session
http://www.reachingcriticalwill.org/political/cd/speeches05/topic05.html#NSA

NGO Experts on NSAs
* Acronym Institute: www.acronym.org.uk
* Verification, Research, Training and Information Centre (VERTIC): www.vertic.org

Radiological Weapons

The CD also has on its agenda the negotiation of a ban on radiological weapons (RW), a new type of weapon of mass destruction which could disperse radioactive materials without a nuclear explosion. Such weapons could include waste material from peaceful nuclear applications such as spent reactor fuel. In 1979 the U.S. and USSR jointly submitted to the CD major elements of a treaty banning the development, production, stockpiling and use of radiological weapons. Conclusion of a multilateral treaty within the CD has been held up because no such weapons presently exist and because of questions about verifiability. Some states also insist that, under this agenda item, discussions be held on a treaty to ban attacks against nuclear facilities.

The RW item is currently not being discussed in the CD. The General Assembly First Committee passed the first RW resolution at its 60th session in 2005.

More Resources on Radiological Weapons:

NGO Experts on Radiological Weapons
* International Physicians for the Prevention of Nuclear War: www.ippnw.org
* Physicians for Social Responsibility: www.psr.org
* Nuclear Policy Research Institute: www.nuclearpolicy.org

Resources on Depleted Uranium
* Campaign Against Depleted Uranium: http://www.cadu.org.uk/
* The International Coalition to Ban Uranium Weapons: www.bandepleteduranium.org

Transparency in Armaments

In 1991 the United Nations General Assembly adopted resolution 46/36-L entitled “Transparency in Armaments” (TIA), which promoted openness and transparency in the field of military matters. One consequence of the resolution was the establishment of the UN Register of Conventional Arms. The resolution also requested the CD to take up the issue of TIA and specifically asked the CD to address interrelated issues arising from the excessive and destabilizing accumulation of arms. No time frame was attached to the CD’s work. The CD added TIA to its agenda in 1992, the first new agenda item in over ten years. TIA was also the CD’s first agenda item related to conventional arms control. Since the topic was new to the CD, member states decided to conduct a year of informal meetings as a way of introducing the CD to the subject. In 1993, the CD established the TIA Ad Hoc Committee, which began working to develop practical means for increasing openness and transparency in military matters. In 1994, the CD made little progress on this issue, and in 1995, the ad hoc committee was unable to reconvene. An experts group met in 1997 and there was agreement to promote transparency but not to expand the reporting requirements. The Ad Hoc Committee has not been re-established in the years since then.

NGO Experts on Transparency
* Institute for Defense and Disarmament Studies (IDDS) www.idds.org
* Arms Trade Resource Center (ATRC), www.worldpolicy.org/projects/arms/index.html
* Economists for Peace & Security (EPS), www.epsusa.org
Landmines

The Ottawa Treaty, which banned Anti-Personnel Landmines, came into force in 1998, yet it has still not been signed by many of the countries which are major APL producers and users. The CD has therefore agreed to add APL to its working agenda for the past several years, but has not yet agreed on a mandate for work in this area.

Since the signing of the Ottawa Treaty, most States use the CD to update their colleagues on the implementation of the treaty, or to inform the CD of their country’s position on landmines. In 2004, the US, a non-State Party to the Ottawa Convention, announced a proposal for a ban on all “persistent landmines,” a small category of APLs. This proposal was the first significant- and controversial- move on APLs since Canada offered to host the negotiations outside of a UN or CD framework.

More Resources on Landmines:

US Statement to the CD
http://www.reachingcriticalwill.org/political/cd/speeches04/29JulyUS.html

Canada’s response

Japan http://www.reachingcriticalwill.org/political/cd/speeches04/5AugustJapan.pdf

Australia http://www.reachingcriticalwill.org/political/cd/speeches04/12AugustAustralia.pdf

NGO Experts on Landmines

* International Campaign to Ban Landmines: www.icbl.org
* VERTIC: www.vertic.org

Terrorism

While terrorism is not an item on its agenda, nor envisioned as a topic for the CD in its Decalogue, since September 11th the United States and other Members have been broaching the idea of an official CD mandate on terrorism.

Normally referred to as a “new agenda item,” many States express concern that “terrorism” may eclipse other more “traditional” concerns such as nuclear weapons.

Statements in the CD 2005 Session

http://www.reachingcriticalwill.org/political/cd/speeches05/topic05.html#terror