

DRAFT REPORT OF THE CONFERENCE ON DISARMAMENT TO THE
GENERAL ASSEMBLY OF THE UNITED NATIONS

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I. INTRODUCTION

1. The Conference on Disarmament submits to the fifty-ninth session of the United Nations General Assembly its annual report on its 2004 session, together with the pertinent documents and records.

II. ORGANIZATION OF WORK OF THE CONFERENCE

A. 2004 Session of the Conference

2. The Conference was in session from 19 January to 26 March, 10 May to 25 June and 26 July to 8 September 2004. During this period, the Conference held [...] formal plenary meetings, at which Member States as well as non-Member States invited to participate in the discussions outlined their views and recommendations on the various questions before the Conference.

3. The following dignitaries addressed the Conference on Disarmament during its 2004 session: Mr. Kamal Kharrazi, Minister for Foreign Affairs of the Islamic Republic of Iran (CD/PV.944), Mr. Bill Graham, Minister for Foreign Affairs of Canada (CD/PV.951), Mr. Brian Cowen, Minister for Foreign Affairs of Ireland (CD/PV.951), Mr. Reaz Rahman, Minister of State for Foreign Affairs of Bangladesh (CD/PV.951), Ms. Laila Freivald, Minister for Foreign Affairs of Sweden (CD/PV.951), Mr. Bernard Bot, Minister for Foreign Affairs of the Netherlands (CD/PV.952) and Mr. Tyronne Fernando, Minister for Foreign Affairs of Sri Lanka (CD/PV.953). The Conference welcomed the addresses as the expression of support to its endeavours and to its role as a single multilateral disarmament negotiating forum of the international community.

4. The Conference also held [...] informal plenary meetings on its agenda, programme of work, organization and procedures, as well as on specific items of its agenda and other matters.

5. In accordance with Rule 9 of the Rules of Procedure, the following Member States assumed successively the Presidency of the Conference: Kenya; Malaysia; Mexico; Mongolia, Morocco and Myanmar.

6. The substantive Secretariat of the Conference on Disarmament was composed as follows: Mr. Sergei Ordzhonikidze, Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations; Mr. Enrique Román-Morey, Deputy Secretary-General of the Conference on Disarmament; and Mr. Jerzy Zaleski, Political Affairs Officer, Secretary of the Conference on Disarmament.

B. Participants in the Work of the Conference

7. The representatives of the following 65 Member States participated in the work of the Conference: Algeria, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Ecuador, Egypt, Ethiopia, Finland, France, Germany, Hungary, India, Indonesia, the Islamic Republic of Iran, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Malaysia, Mexico, Mongolia, Morocco, Myanmar, the Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Poland, the Republic of Korea, Romania, the Russian Federation, Senegal, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, the Syrian Arab Republic, Tunisia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela, Viet Nam and Zimbabwe.

C. Attendance and Participation of States not Members of the Conference

8. In conformity with Rule 32 of the Rules of Procedure, the States not Members of the Conference listed in the following paragraph attended its plenary meetings.

9. The Conference received and considered requests for participation in its work from 38 States not Members of the Conference. In accordance with the Rules of Procedure and its decision taken at its 1990 session on its improved and effective functioning (CD/1036), the Conference invited the following non-Member States to participate in its work: Albania, Azerbaijan, Bosnia and Herzegovina, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Georgia, Ghana, Greece, Guatemala, the Holy See, Iceland, Jordan, Kuwait, Latvia, Lebanon, the Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malta, Oman, the Philippines, Portugal, Qatar, San Marino, Saudi Arabia, Serbia and Montenegro, Singapore, Slovenia, Sudan, Thailand, The Former Yugoslav Republic of Macedonia, Uruguay and Yemen.

D. Agenda and Programme of Work for the 2004 Session

10. At its 943rd plenary meeting on 27 January 2004, the Conference adopted its agenda for the 2004 session in conformity with the Rules of Procedure. The agenda (CD/1725) reads as follows:

“Taking into account, inter alia, the relevant provisions of the Final Document of the First Special Session of the General Assembly devoted to disarmament, and deciding to resume its consultations on the review of its agenda, and without prejudice to their outcome, the Conference adopts the following agenda for its 2004 session:

1. Cessation of the nuclear arms race and nuclear disarmament.
 2. Prevention of nuclear war, including all related matters.
 3. Prevention of an arms race in outer space.
 4. Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.
 5. New types of weapons of mass destruction and new systems of such weapons; radiological weapons.
 6. Comprehensive programme of disarmament.
 7. Transparency in armaments.
 8. Consideration and adoption of the annual report and any other report, as appropriate, to the General Assembly of the United Nations.”
11. Subsequently, the President made the following statement: “In connection with the adoption of the agenda, I, as the President of the Conference, should like to state that it is my understanding that if there is a consensus in the Conference to deal with any issues, they could be dealt with within this agenda. The Conference will also take into consideration rules 27 and 30 of the rules of procedure of the Conference, as well as paragraph 23 of the report of the Conference on Disarmament to the General Assembly, contained in document CD/1718 of 10 September 2003.”
12. During the annual session, successive Presidents of the Conference conducted intensive consultations with a view to reaching consensus on the programme of work. In the course of these consultations, a number of informal proposals related to the programme of work were put forward. The Conference did not, however, agree on the programme of work and did not re-establish or establish any mechanism on any of its specific agenda items during the 2004 session.
13. During plenary meetings of the Conference, delegations and groups of delegations expressed their views on the issue of a programme of work, taking into account all relevant proposals, including CD/1624 and CD/1693/Rev.1. These are duly reflected in the plenary records.
14. The following document dealing with this item was submitted to the Conference:
- CD/1733, entitled “Letter dated 23 March 2004 from the Permanent Representative of Japan to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of the statement given as President of the Conference on the programme of work on 19 December 2003 in Geneva.”

E. Expansion of the Membership of the Conference

15. The important question of the expansion of the membership of the Conference was addressed by delegations in plenary meetings. Their views on the issue are duly reflected in the plenary records.

16. Requests for membership had been received, since 1982, from the following 23 non-Members, in chronological order: Greece, Croatia, Kuwait, Portugal, Slovenia, the Czech Republic, Costa Rica, Denmark, The Former Yugoslav Republic of Macedonia, Cyprus, Lithuania, Ghana, Luxembourg, Uruguay, the Philippines, Azerbaijan, the Libyan Arab Jamahiriya, Armenia, Thailand, Georgia, Jordan, Estonia and Latvia.

F. Review of the Agenda of the Conference

17. The importance of the review of the agenda of the Conference was addressed by delegations in plenary meetings. Their views on the issue are duly reflected in the plenary records.

G. Improved and Effective Functioning of the Conference

18. The importance of the improved and effective functioning of the Conference was addressed by delegations in plenary meetings. Their views on the issue are duly reflected in the plenary records.

19. At its 946th plenary meeting on 12 February 2004, under the presidency of Kenya, the Conference adopted the following decision with regard to enhancement of the engagement of civil society in the work of the Conference:

- "1. Non-governmental organizations (NGOs) shall continue to be allowed to attend formal plenary meetings of the Conference and to be seated in the public gallery.
- "2. NGOs shall be entitled, upon request, to receive official documents of the plenary meetings of the Conference.
- "3. NGOs shall be entitled, at their own expense, twice per annual session, to make written material available to the members of the Conference outside the conference hall.
- "4. After the Conference on Disarmament adopts a programme of work, it will allocate one informal plenary meeting per annual session to NGOs to address the Conference.

5. Only NGOs whose activities are relevant to the work of the Conference will be able to address the Conference on Disarmament. Therefore, a formal selection process will be put in place to consider requests from NGOs to address the Conference. Requests from NGOs will be made to the President of the Conference on Disarmament through the secretariat of the Conference on Disarmament. These requests will be considered at Presidential consultations and thereafter at a formal plenary meeting of the Conference.”

20. After the adoption of the above decision, the President made the following statement: “It is my understanding that with respect to the selection process on requests made by NGOs, the final decision for NGOs to address the Conference on Disarmament would be given by a formal plenary meeting of this Conference in the same way as it gives approval to decisions that are put before it by consensus.”

H. Communications from Non-Governmental Organizations

21. In accordance with Rule 42 of the Rules of Procedure, a list of all communications from non-governmental organizations and persons was circulated to the Conference (document CD/NGC/...).

III. SUBSTANTIVE WORK OF THE CONFERENCE DURING ITS 2004 SESSION

22. Significant contributions were made to promote substantive discussions on the issues on the agenda. The substantive work of the Conference during its 2004 session was based on its agenda. The list of documents issued by the Conference, as well as the texts of those documents, are included as Appendix I to this report. An index of the verbatim records, by country and subject, listing the statements made by delegations during 2004, and the verbatim records of the meetings of the Conference, are attached as Appendix II to the report.

23. The Conference had before it a letter dated 23 January 2004 from the Secretary-General of the United Nations (CD/1726) transmitting all the resolutions and decisions dealing with or related to disarmament and international security adopted by the General Assembly at its fifty-eighth session in 2003, including those making specific reference to the Conference on Disarmament:

- | | |
|-------|--|
| 58/35 | Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (operative paragraphs 2, 4 and 5) |
| 58/36 | Prevention of an arms race in outer space (operative paragraphs 2, 5, 6 and 8) |

- 58/38 Regional disarmament (operative paragraph 1)
- 58/39 Conventional arms control at the regional and subregional levels (operative paragraph 2)
- 58/40 Prohibition of the dumping of radioactive wastes (operative paragraphs 1, 4 and 5)
- 58/51 Towards a nuclear-weapon-free world: a new agenda (operative paragraphs 12, 13 and 14)
- 58/56 Nuclear disarmament (operative paragraphs 14, 15, 18, and 19)
- 58/57 The Conference on Disarmament decision (CD/1547) of 11 August 1998 to establish, under item 1 of its agenda entitled "Cessation of the nuclear arms race and nuclear disarmament", an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (operative paragraphs 1 and 2)
- 58/59 A path to the total elimination of nuclear weapons (operative paragraph 3(b), 3(c))
- 58/64 Convention on the Prohibition of the Use of Nuclear Weapons (operative paragraphs 1 and 2)
- 58/66 Report of the Conference on Disarmament (operative paragraphs 1, 2, 3, 4, 5, and 7)
- 58/67 Report of the Disarmament Commission (operative paragraph 2)

24. At the 941st plenary meeting on 20 January 2004, the Secretary-General of the Conference on Disarmament conveyed to the Conference a message from the Secretary-General of the United Nations at the opening of the 2004 session (CD/PV.941).

A. Cessation of the Nuclear Arms Race and Nuclear Disarmament

25. During plenary meetings of the Conference, delegations reaffirmed or further elaborated their respective positions on this agenda item, including on nuclear disarmament and on the prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices. These are duly recorded in the plenary records of the session.

26. The following documents dealing with this item were submitted to the Conference:

(a) CD/1719, entitled "Letter dated 1 October 2003 from the Permanent Representative of the Netherlands to the Conference on Disarmament addressed to the Secretary-General of the Conference on Disarmament transmitting a summary of the fifth open-ended informal meeting in the framework of the Netherlands' FMCT-exercise, on a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, held in Geneva on 26 September 2003";

(b) CD/1734, entitled "Letter dated 23 April 2004 from the Permanent Representative of the Netherlands to the Conference on Disarmament addressed to the Secretary-General of the Conference on Disarmament transmitting a summary of the sixth open-ended informal meeting in the framework of the Netherlands' FMCT-Exercise, on a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, held in Geneva on 2 April 2004";

B. Prevention of Nuclear War, including All Related Matters

27. During plenary meetings of the Conference, delegations reaffirmed or further elaborated their respective positions on the agenda item, and these are recorded in plenary records, previous annual reports of the Conference (in particular paragraphs 62-71 of the 1992 report to the General Assembly of the United Nations (CD/1173)), related official documents and working papers.

C. Prevention of an Arms Race in Outer Space

28. During plenary meetings of the Conference, delegations reaffirmed or further elaborated their respective positions on the agenda item. These are duly recorded in the plenary records of this session.

D. Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons

29. During plenary meetings of the Conference, delegations reaffirmed or further elaborated their respective positions on the agenda item. These are duly recorded in the plenary records of this session.

E. New Types of Weapons of Mass Destruction and New Systems of Such Weapons; Radiological Weapons

30. During plenary meetings of the Conference, delegations reaffirmed or further elaborated their respective positions on the agenda item, and these are recorded in plenary records, previous annual reports of the Conference (in particular paragraphs 79-82 of the 1992 report of the Conference to the General Assembly of the United Nations (CD/1173)), related official documents and working papers.

F. Comprehensive Programme of Disarmament

31. During plenary meetings of the Conference, delegations reaffirmed or further elaborated their respective positions on the agenda item, and these are recorded in plenary records, previous annual reports of the Conference (in particular paragraphs 83-89 of the 1992 report to the General Assembly of the United Nations (CD/1173)), related official documents and working papers.

32. During plenary meetings of the Conference, a number of delegations reaffirmed or further elaborated their respective positions on the issue of anti-personnel landmines, the detailed descriptions of which are duly recorded in the plenary records of this session.

33. The following document dealing with the issue of landmines was submitted to the Conference:

CD/1730, entitled "United States of America - New United States Policy on Landmines: Reducing Humanitarian Risk and Saving Lives of United States Soldiers".

G. Transparency in Armaments

34. During plenary meetings of the Conference, delegations reaffirmed or further elaborated their respective positions on the agenda item. These are duly recorded in the plenary records of this session.

H. Informal Plenary Meetings

35. While the priority of the Member States of the Conference on Disarmament is to reach an agreement on programme of work, they agreed to hold informal plenary meetings with a view to facilitating efforts to reach an agreement on programme of work.

36. A total of [...] informal plenary meetings were held on the issues on the agenda and on "new and additional issues related to the agenda of the Conference on Disarmament".

37. Under the presidency of Malaysia, one open-ended informal consultations was held on a work programme.

38. Under the presidency of Mexico, the following informal plenary meetings were held:

- on 13 May 2004 on agenda item 1: Cessation of the nuclear arms race and nuclear disarmament;
- on 18 May 2004 on agenda item 2: Prevention of nuclear war, including all related matters.

39. Under the presidency of Mongolia, the following informal plenary meetings were held:

- on 27 May 2004 on agenda item 3: Prevention of an arms races in outer space;
- on 3 June 2004 on agenda item 4: Effective international arrangements to assure non-nuclear weapon States against the use of threat of use of nuclear weapons;
- on 10 June 2004 on agenda items 4 and 5: Effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons (continued); and
New types of weapons of mass destruction and new systems of such weapons; radiological weapons;
- on 17 June 2004 on agenda item 6: Comprehensive programme of disarmament.

40. Moreover, under the presidency of Morocco, the following informal plenary meetings were held:

- on 24 June 2004 on agenda item 7: Transparency in armaments;
- on 5 August 2004 on “new and additional issues related to the agenda of the Conference on Disarmament”;
- on 10 August 2004 and 12 August 2004 on “methodology of the programme of work”.

41. Furthermore, under the presidency of Myanmar, the following informal plenary meeting was held:

- on 24 August 2004 on “how to move forward on substantive issue/programme of work”.

42. These informal plenary meetings were considered to be useful and constructive. Deep appreciation was expressed by all Member States of the Conference on Disarmament for the convening of these informal plenary meetings. There was a general feeling among the Member States of the Conference that efforts should be further intensified in conducting consultations and in exploring possibilities with a view to overcoming the current impasse in the Conference on Disarmament and reaching an agreement on programme of work.

I. Consideration of Other Areas Dealing with the Cessation of the Arms Race and Disarmament and Other Relevant Measures

43. During its 2004 session, the Conference also had before it the following documents:

(a) CD/1720, entitled "Letter dated 1 October 2003 from the Permanent Representative of Argentina addressed to the Secretary-General of the Conference transmitting the text of the press statement from the eighteenth plenary meeting of the Missile Technology Control Regime (MTCR), held at Buenos Aires, Argentine Republic, from 19 to 26 September 2003";

(b) CD/1721, entitled "Letter dated 23 October 2003 from the Permanent Representative of Cuba addressed to the Secretary-General of the Conference on Disarmament transmitting an information note on the signature by Cuba of the Comprehensive Safeguards Agreement with the International Atomic Energy Agency and of the Additional Protocol to that Agreement in Vienna on 18 September 2003";

(c) CD/1722, entitled "Letter dated 3 December 2003 from the Alternate Permanent Representative of Mexico addressed to the Secretary-General of the Conference on Disarmament informing the latter about the Government of the Republic of Guatemala's deposit on 26 November 2003 with the Government of Mexico, in its capacity as depositary of the Treaty of Tlatelolco, of the Government of the Republic of Guatemala's instrument of ratification of the amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)";

(d) CD/1723, entitled "Letter dated 6 December 2003 from the Permanent Representative of the Republic of Chile to the Conference on Disarmament addressed to the Secretary-General of the Conference on Disarmament transmitting a letter by the Minister of Foreign Affairs of Chile reporting on the current activities of the Hague Code of Conduct (HCOC) and the results of the second regular meeting of the subscribing States, held in New York on 2-3 October 2003;

(e) CD/1724, entitled "Letter dated 19 December 2003 from the Permanent Representative of Italy to the Conference on Disarmament on behalf of the European Union addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the EU strategy against Proliferation of Weapons of Mass Destruction, adopted by the European Council in Brussels on 12 - 13 December 2003;

(f) CD/1727, entitled "Letter dated 6 February 2004 from the Permanent Representative of Romania to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of the chair's summary of the Reay Group Workshop on 'Progress in meeting the aims of the Ottawa Convention in South Eastern Europe' held in Bucharest from 2 to 3 February 2004";

(g) CD/1728, entitled "Letter dated 12 February 2004 from the Permanent Representative of the United States of America to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of the remarks by President George W. Bush on Weapons of Mass Destruction Proliferation delivered at Fort Lesley J. McNair, National Defense University on 11 February 2004";

(h) CD/1729, entitled "Letter dated 13 February 2004 from the Permanent Representative of Cuba addressed to the Secretary-General of the Conference on Disarmament forwarding the text of the 'Havana Declaration' adopted in Havana, Cuba on 6 November 2003";

(i) CD/1731, entitled "Letter dated 1 March 2004 from the Permanent Representative of the Democratic People's Republic of Korea addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the statement by the spokesman for the Foreign Ministry on six-way talks in response to a question put by the Korean Central News Agency on 29 February 2004 in Beijing";

(j) CD/1732, entitled "Letter dated 19 February 2004 from the Permanent Representative of Malaysia addressed to the Secretary-General of the Conference on Disarmament transmitting a copy of the press statement issued on 13 February 2004 in Putrajaya, Malaysia by the Minister of Foreign Affairs of Malaysia in response to the remarks of President George W. Bush on Weapons of Mass Destruction Proliferation";

(k) CD/1735, entitled "Letter from the Permanent Representative of Kazakhstan to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of the communiqué of five Central Asian States adopted during the United Nations regional meeting on small arms and light weapons in Central Asia held from 16 to 18 March 2004 in Almaty, Kazakhstan";

(l) CD/1736, entitled "Letter dated 1 June 2004 from the Permanent Representative of Cuba addressed to the Secretary-General of the Conference on Disarmament transmitting a press release on the ratification by Cuba on 27 May 2004 of the Comprehensive Safeguards Agreement with the International Atomic Energy Agency and of the Additional Protocol to that Agreement";

(m) CD/1737, entitled "Note Verbale dated 4 June 2004 from the Permanent Mission of the Republic of Poland addressed to the Secretariat of the Conference on Disarmament transmitting the text of the Chairman's statement after the First Anniversary Proliferation Security Initiative Meeting that was held in Krakow, Poland on 31 May to 1 June 2004";

(n) CD/1738*, entitled "Letter dated 14 May 2004 from the Permanent Representative of the Republic of Turkey to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of the statement by the Ministry of Foreign Affairs of the Republic of Turkey issued in Ankara, Turkey on 1 May 2004";

(o) CD/1739, entitled "Letter dated 24 June 2004 from the Permanent Representative of Japan to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of the working paper on disarmament and non-proliferation education";

(p) CD/1740, entitled "Letter dated 7 July 2004 from the Permanent Representative of the Republic of Cyprus to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of the statement by the Ministry of Foreign Affairs of the Republic of Cyprus issued on 17 May 2004";

(q) CD/1741*, entitled "Letter dated 26 July 2004 from the Permanent Representative of the Russian Federation to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of the press release issued by the Ministry of Foreign Affairs of the Russian Federation on 20 July 2004";

[...]

J. Consideration and Adoption of the Annual Report of
the Conference and Any Other Report as Appropriate
to the General Assembly of the United Nations

44. With a view to commencing early substantive work during its 2005 session, the Conference requested the current President and the incoming President to conduct consultations during the intersessional period and, if possible, make recommendations, taking into account all relevant proposals, including CD/1693/Rev.1, views presented and discussions held, and to endeavour to keep the membership of the Conference informed, as appropriate, of their consultations.

45. The Conference decided that the dates for its 2005 session would be:

<u>First part:</u>	24 January – 1 April 2005
<u>Second part:</u>	30 May - 15 July 2005
<u>Third part:</u>	8 August – 23 September 2005

46. The annual report to the fifty-ninth session of the General Assembly of the United Nations, as adopted by the Conference on [...] September 2004, is transmitted by the President on behalf of the Conference on Disarmament.

Mya Than
Myanmar
President of the Conference
