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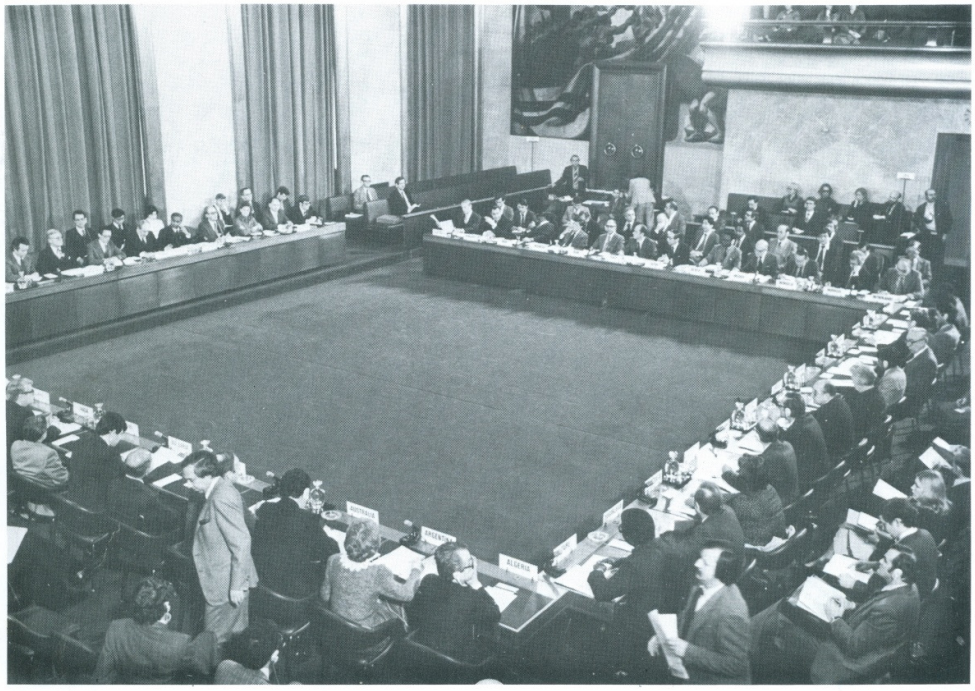

THE CONFERENCE ON DISARMAMENT

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LA CONFÉRENCE DU DÉSARMEMENT

THE CD AT THIRTY[1]

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In 1992 the Conference on Disarmament in Geneva turns thirty. At its opening session, on 14 March 1962, the Special Representative of the United Nations' Secretary-General stated:

> The role of the United Nations in the developments leading up to the establishment of the Disarmament Committee and to the convening of this Conference demonstrates once again the determination of the international community that every possible effort be made to end the intensifying armaments race. The Members of the United Nations, in exercising their responsibilities under the Charter in the field of disarmament, have recognized the usefulness of direct talks between the major Powers as well as the practical contributions which may be made by the less powerful nations and, in fact, by all Members of the Organization. The recent General Assembly resolutions related to disarmament questions would seem to indicate that the Members of the United Nations intend to persist in this field until the world's deep and growing concern has been transmuted into concrete achievements (ENDC/PV.1).

Has the Conference "persisted" in its pursuit of disarmament and has the "world's deep and growing concern" of 1962 "been transmuted into concrete achievements"?

The establishment of the Conference on Disarmament in 1978 was one of the tangible results of the UN General Assembly's first special session on disarmament (SSOD I). However, the CD was really the successor of the Conference established in 1962 not by the UN but by the Soviet Union and the United States with the help of the world body. The Conference of the Eighteen-Nation Committee on Disarmament (ENDC) was, in turn, the result of years of efforts by non-aligned and neutral countries to bring together in a negotiating forum representatives of the then two major military alliances: NATO and the Warsaw Pact. This finally came about in the early 1960s for two reasons: first, the Warsaw Pact nations had achieved parity with the NATO countries (i.e. they were finally being treated as military equals in the UN and elsewhere) and, secondly, there were some aspects of the arms race which the principal military powers wished to discuss with others. By then, the United States and the Soviet Union had reached the conclusion that the nuclear arms race was getting out of hand and had to be managed properly. Thus the SALT I agreements of 1972.

The ENDC began its work in Geneva in March of 1962. There were five countries from NATO, five from the Warsaw Pact and eight non-aligned or neutral nations. From the beginning France did not participate because of its opposition to the unusual institution of the US-USSR Co-chairmanship. The ENDC met uninterruptedly from 1962 to 1978. Its name changed to the Conference of the Committee on Disarmament when it was enlarged to 26 in 1969 and to 31 in 1975, maintaining the balance between the military blocs and the non-aligned countries.

At first the discussions in the ENDC were basically between the two military alliances. Little by little the Group of eight non-aligned countries began to function, first as a "moderating force" between the alliances and later, as it acquired greater cohesiveness, in a rather independent way.

It is true that a good part of the negotiations were carried out bilaterally (US and USSR) or trilaterally (with the UK). This occurred with the 1963 Moscow Treaty. But it is also true that

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other members of the ENDC, including the Group of 8, participated in the drafting of treaties, such as the NPT in 1967 and 1968. In fact it could be said that the role of non-aligned and non-nuclear-weapon States in general grew in the ENDC. This is evident in the enlargements of 1969 and 1975. By then, however, it was no longer possible to continue to grow symmetrically because of a very simple fact: with the entry of Hungary in 1969 all of the Warsaw Pact members were already in the Committee.

The expansions of 1969 and 1975 reflected the need to include certain militarily and/or economically important countries. They also were in response to the growing pressure of other UN members. That is why a more or less equitable geographic distribution was sought.

In 1978 the present Conference on Disarmament of forty States was set up: it included the 31 that had come to be members of the ENDC and CCD plus nine new ones. By that time, however, the United States and the Soviet Union had been negotiating bilaterally for several years outside not only of the CCD but of the UN as well. That tendency persists but seems to be changing in recent years with the renewed interest of both countries in the UN and in the machinery provided by its Charter for maintaining international peace and security.

Until recently the CD worked in a predictable way since its forty members were divided into more or less homogeneous groups according to the model derived from the Cold War: ten countries from the Group of Western European and Others (eight from NATO plus Australia and Japan); eight from the Group of Eastern European and Others (seven Warsaw Pact members and Mongolia); China; and the Group of 21 non-aligned or neutral countries from Africa, Asia and Latin America, as well as two from Europe (Sweden and Yugoslavia).

The end of military confrontation in Europe and the collapse of the Soviet Union have blurred the differences in the position of the countries members of NATO, on the one hand, and the ex-members of the Warsaw Pact and other neutral European countries, on the other. And, what can be said about the non-aligned? Non-aligned vis-à-vis whom? All over the world there is a re-ordering of priorities, economic development based on access to markets is emphasized and, with important exceptions, preparations are made for conversion from a war economy to a peace economy. These readjustments (not to say re-alignments) appeared in the CD's debates in 1990 and found concrete expression at the 45th UN General Assembly in the surprising changes in position regarding many questions, especially in the field of nuclear disarmament. One of the most interesting aspects of the two past sessions of the General Assembly has been the voting pattern of certain countries, especially from Eastern Europe.

It is obvious that the "balance" in the Conference has disappeared, a balance based on geopolitical and military realities that were consolidated in the 1950s and which lasted through the 1980s. The insistence in a symmetrical presence of the two principal military alliances resulted in the 1958 formula of 5+5 in the Ten-Nation Committee. But, faced with the impossibility of initiating a constructive dialogue, eight non-aligned or neutral countries were invited in 1962 in order, it was said, to contribute to the search of solutions to the disarmament problem. Thus the ENDC's formula of 5+5+8. In the CCD it was increased to 7+7+12 and later 8+8+15. In the CD the "balance" is now 10+8+21 and China.

The post-Cold War world is no longer comprised of opposing military blocs nor countries politically non-aligned. But, except in Europe, the world has yet to regroup into well-defined economic zones. The work in UNCTAD and the GATT'S Uruguay Round negotiations demonstrate this. The position of several CD members is thus becoming increasingly uncomfortable. Just as German unification came about with surprising speed and in the most unexpected way, the CD is faced with a de facto situation whose principal feature is the ever-increasing political rapprochement among almost all European countries and the consequenc-

es of this tendency on the other members of the CD. There are countries without a group and groups that no longer reflect the positions of all of their members.

For the developing countries the problem derives from a basic historical fact: the definition of their raison d'être in terms of a Europe divided militarily and a North economically different. With the disappearance of those divisions and differences, the non-aligned countries have lost their role as a "bridge" between the two military alliances. Nor are they any longer a homogeneous entity in multilateral economic negotiations. The problem not only affects developing countries, but it also has repercussions for other non-European nations in the CD. And, while Europeans, members or not of military alliances, appear to gravitate towards goals already identified, the rest of the countries have yet to define their own.

When examining possible changes in the CD's composition one should pose a number of questions. Are all the countries that should participate in this single multilateral negotiating organ represented in the CD? In 1978, when the General Assembly considered the composition of the future CD, several factors were borne in mind: the military importance of countries, the special responsibilities that some have according to the United Nations Charter, the role they play in the disarmament sphere, geographical balance, as well as political and ideological balance.

As shown by the ongoing negotiations on a chemical weapons convention, there are questions that are or should be of universal interest. How can this be reconciled with the need to maintain a limited size precisely in order to be able to negotiate agreements?

The CD will probably continue to be an indispensable forum for the negotiation of multilateral agreements on disarmament questions of a global character and thus of universal interest. The question today is, what balance should it have to be truly representative of the international community? This kind of analysis could lead one to the discussion of some rather delicate matters.

On the other hand, except for chemical weapons, the CD is doing little to tackle seriously the other items on its agenda: CTB, nuclear disarmament, prevention of an arms race in outer space, etc. Moreover, it seems oblivious to the real disarmament issues of today's world such as the non-proliferation of weapons of mass destruction and their delivery systems.

The CD must now decide where it wants to go. There is the feeling that it might close shop once the CW Convention is finished. It cannot continue with its annual ritual of discussing for weeks the text of a non-negotiating mandate for most of its agenda items. Its members shall have to find ways and means to explore some different paths, since the inertia of old habits is at times the CD's worst enemy. It would perhaps be advantageous to have an informal forum to air many of the questions which hamper or complicate its work and which can now only be dealt with in the presidential consultations on Wednesdays, in the slow process of talks within and among the various groups or, even worse, in time-consuming bilateral contacts. The President or the Secretary-General of the CD should periodically convene the heads of delegation to discuss --without papers, without summary records and without interpreters-- matters that are considered to be of general interest.

The relationship between the Conference on Disarmament and the "real world" outside the Council Chamber has been a leitmotiv of its debates. Over the past few years the CD has heard a number of statements in plenary regarding various aspects of the question of non-proliferation of weapons and weapon systems, especially nuclear weapons and other weapons of mass destruction and their delivery systems. Yet the CD has still not managed to address these matters in a proper format. Without prejudice to its formal agenda, the CD should consider the whole range of issues related to these matters. To that end an informal, open-ended

group could be established. No aspect of the subject would be excluded, and the group's informal character would allow the CD the opportunity of identifying questions that it could examine more closely and, if agreed, more formally. Since it would be an informal group, there would be no need to restate known positions on the subject, nor would it necessarily have to report to anyone on its work and results.

In sum, the CD's present structure has long ceased to make sense and is becoming an obstacle for making progress on substantive matters or, at least, for the expeditious resolution of organizational questions. Its methods of work are counter-productive and it cannot continue to maintain the fiction of having three groups (plus China) without prejudicing its future. Thirty years on from its creation and fourteen from its renaissance the Conference should, in its next incarnation, better reflect the structure of the world and have, amongst its members, those countries that have something to contribute to its deliberations and those that, because of their military might or political situation, it would be absurd to leave out.