

CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE ONE THOUSAND AND SIXTY-SIXTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 15 May 2007, at 10.15 a.m.

President: Ms. Sarala FERNANDO (Sri Lanka)

The PRESIDENT: I declare open the 1066th plenary meeting of the Conference on Disarmament.

Allow me to take the opportunity to welcome you all back to Geneva, especially those of you who have been engaged in the various disarmament-related activities that took place outside Geneva and between the first and the second parts of this year's session. It is the hope of all of us, I believe, that this body can build on the predominantly good atmosphere that has existed throughout the initial months of 2007 and get down quickly to concentrated and productive work of the kind that we are all eagerly anticipating. I wish you all a fruitful continuation of this year's work.

I would like to draw the attention of the Conference first to the request of Ghana to participate in the work of the Conference during this session. This request is contained in document CD/WP.544/Add.5, which is before you.

This request was brought to the attention of the coordinators of the Groups and China at the Presidential consultations yesterday. In accordance with the established practice, I invite you to take a decision on this request without having first considered it at an informal plenary.

May I take it that the Conference decides to invite Ghana to participate in our work, in accordance with the rules of procedure?

It was so decided.

The PRESIDENT: I now invite the distinguished representative of Ghana to take the seat reserved for him or her in the chamber.

I would now like to report on the consultations that I conducted during the recess.

You will recall that at the last plenary of the Conference, on 30 March 2007, immediately before the break, I informed you that from the informal and formal plenaries held during the Sri Lankan presidency, it had become apparent that there was very broad support from delegations across the regions in support of the Presidential draft decision contained in document CD/2000/L.1.

At the same time, at the informal plenaries held on 29 and 30 March, it was also concluded that a few delegations needed more time to receive instructions from capitals on this draft decision.

The Conference also authorized the President to convene a special session in terms of rule 8 of the rules of procedure during the intersessional period before the end of April with a view to seeing the prospects for a decision on the Presidential draft decision L.1.

I accordingly informed the members of the Conference through the secretariat on 20 April that while no objection had been expressed to the holding of a special session on 3 and 24 April 2007, those member States who had requested more time had also informed me that they

(The President)

had nothing further to report. Therefore, I continued to consult with these delegations with regard to ascertaining their readiness to move forward to a decision on document CD/2007/L.1.

May I ask if there are any new developments in this regard? I give the floor to the Ambassador of Ireland.

Mr. KAVANAGH (Ireland): Madam President, I have the honour to take the floor on behalf of the members of the New Agenda Coalition: Brazil, Egypt, Mexico, New Zealand, South Africa, Sweden and my own country, Ireland.

As we begin the second part of the annual session of the Conference, allow me to assure you of the confidence which these seven delegations have in your leadership and that of your colleagues, the other Presidents of the Conference for 2007.

Many of us here have spent the past two weeks in Vienna, at the first meeting of the Preparatory Committee for the 2010 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons.

You will, no doubt, be aware that many positive and encouraging references were made in Vienna to the work of the six Presidents of this Conference. In this context, I would like to inform you that, in its remarks on the issue 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 New Agenda Coalition expressed itself to be encouraged by the recent constructive discussions on this matter in Geneva, and we specifically welcomed the efforts currently being exerted in the CD, including the P-6 proposal, to enable negotiations to get under way. The Coalition pointed out that for such a treaty to be meaningful it should include a verification mechanism and cover existing stocks. It further noted that the negotiation and conclusion of a fissile material treaty would limit the expansion of existing nuclear arsenals and, therefore, could be understood as a significant step in a phased programme towards the total elimination of nuclear weapons.

It is our fervent hope, as members of the New Agenda Coalition, that this Conference will seize the opportunity to end the stalemate of the past 10 years and to move forward into substantive work. The Coalition has every confidence that, under the effective leadership of your colleagues and you yourself, and with a responsible and flexible approach on the part of all member States, it will be possible to do so.

The PRESIDENT: I thank the Ambassador of Ireland for the kind remarks addressed to the presidency as well as the six Presidents, and I also take this opportunity to acknowledge with appreciation the encouragement I received from civil society for the L.1 proposal.

In order to consult with member States on Presidential draft decision L.1, I will now suspend this formal plenary and resume in an informal meeting. Thereafter, we will resume the formal plenary. This meeting is now suspended for five minutes.

The meeting was suspended at 10.30 a.m. and resumed at 12.25 p.m.

The PRESIDENT: The formal plenary meeting is resumed.

I now wish to inform you of the outcome of the informal plenary. I gather that there is no consensus as yet on draft decision L.1. As some delegations have indicated, they need more time to receive instructions. The presidency will therefore continue its consultations to ascertain the readiness of delegations to move forward towards a decision on L.1, which remains on the table. We will continue to further address any queries delegations may have on L.1. We urge all delegations to convey to capitals the eagerness of the Conference to get back to substantive work, and I hope that positive instructions will be received soon. I also wish to state that the P-6 continue to have full confidence in their proposal as well as the process which preceded the tabling of L.1.

Having said this, I would now like to ask delegations whether they wish to intervene in this formal session before I make the announcement with regard to the next plenary.

The Ambassador of Egypt has the floor.

Mr. SHOUKRY (Egypt): Madam President, allow me to express our deep appreciation for the excellent manner in which you and Ambassador Mtshali of South Africa and Ambassador March of Spain have presided over the Conference during the first part of its session. The efforts you have exerted with the other Presidents and the notable enthusiasm which you have generated to revitalize the Conference on Disarmament are both commendable and praiseworthy.

As we commence the second part of the CD session I would like to reassure you of my delegation's support as we embark on a significant mission to restore the vitality of the Conference and commence its substantive work.

My delegation welcomes the efforts of the P-6 in developing the proposal tabled at the plenary meeting held on 23 March. It is indeed gratifying to see that after several years of the intolerable deadlock of the CD a ray of light is finally gaining visibility at the end of the tunnel.

We are all aware of the history of the Conference and the circumstances that resulted in the situation that we need to break from. It is important to learn from the lessons of the past if we are to advance. We must temper our positions with pragmatic realism to guarantee our progress. We must all capitalize on this momentum and work constructively in order to profit from this important development in the CD, which my delegation is positively eager to engage with.

Despite this significant development in the CD, we remain concerned by the delay in creating a structured, inclusive, transparent and multilateral consultative process or mechanism, whether in a formal or informal setting, to openly address the Presidential draft decision.

My delegation is disappointed that a sustained consultative process was not created during the intersessional period in which all member States could have voiced in a multilateral setting practical suggestions and concerns in an open, transparent manner, so that they may be addressed and accommodated.

(Mr. Shoukry, Egypt)

After all, the Conference on Disarmament is a multilateral negotiating body, and consequently, by definition, requires a multilateral engagement. In order for the Conference on Disarmament to commence its substantive work and embark on a positive start, all member States need to feel satisfied that their concerns, both procedural and substantive, have been sufficiently addressed.

We believe that a structured, inclusive and transparent consultative process can provide an appropriate setting to address the Presidential proposal, and we urge you, Madam President, to create such a mechanism. This would certainly consolidate the proposal and reinforce our collective ownership of it.

I wish to conclude by reiterating that the delegation of Egypt will spare no effort to constructively engage with the membership of the Conference with the aim of commencing substantive work at the CD. We believe that it is necessary to capitalize on the existing momentum and develop it in such a way that could promote the interests of all member States rather than the interests of some at the expense of others.

The PRESIDENT: I thank the Ambassador of Egypt.

I wish to state now in the formal plenary that delegations will recall that each and every member State has been consulted by one of the P-6, and in some cases a second round of consultations was carried out under the Spanish presidency before the tabling of L.1.

During my presidency, we invited delegations who had queries for several rounds of consultations, on 27 March, 16 and 17 April, and 8 May. I have also been in telephone contact with these delegations to ascertain their readiness to move forward, and I am providing this detailed information as a matter of transparency and to underline the unfailing endeavour of the presidency to engage with the delegations concerned and to find the means to respond to their concerns.

Having said this, I now give the floor to the Ambassador of India.

Mr. PRASAD (India): Madam President, at the start of the second part of the 2007 annual session of the Conference, I should like first to thank you and the Ambassadors of South Africa and Spain for your leadership of the Conference. My delegation shares the sense of forward movement that is prevailing in the Conference this year.

For India, at the current stage of the CD's activities, establishing a programme of work remains the top priority, and we are supportive of initiatives that would facilitate reaching consensus on it. We are happy to note that the Presidential draft decision contained in document CD/2007/L.1 focuses on this issue.

You, Madam President, clarified in the plenary that the draft decision and schedule of activities together "will for all practical purposes constitute a programme of work". For us, certainly, it does constitute a programme of work. To ensure the smooth conduct of negotiations,

(Mr. Prasad, India)

there should be sufficient understanding on the fundamental parameters of the unfolding programme of work, especially on its substance. This is required so that we embark upon a successful venture and for a positive outcome of the substantive work that we hope to undertake in the Conference.

The true vocation of the Conference has been to engage in negotiations to arrive at multilateral, non-discriminatory legal instruments on the disarmament issues listed in the Conference agenda. The Conference has also engaged in exploratory discussions that precede negotiations, such as the identification of issues, which is something that we carried out the whole of last year and in the first part of the current annual session, as also clarification of objectives on which an understanding amongst the constituents of the Conference is a prerequisite for successful negotiations.

Since we are engaged in that process now, it would be appropriate for my delegation to reiterate that on FMCT, we attach great importance to the negotiation of a universal, non-discriminatory and effectively and internationally verifiable treaty, and that it would be desirable for this to be clarified by the presidency, in line with documents CD/1299 and CD/1547.

India was supportive of the mandate on FMCT contained in United Nations General Assembly resolution 48/75 L, which indeed India had co-sponsored. This support was reiterated by India at important moments when the CD considered the matter, in 1995, following the adoption of CD/1299, and in 1998, following the adoption of CD/1547.

We sincerely hope that there is sufficient common understanding on this fundamental issue as we proceed towards negotiations on an FMCT in the Conference.

In order to protect the negotiating position of my delegation, it would have been ideal to engage in FMCT negotiations in an ad hoc committee and not have negotiations presided over by a Coordinator. You, Madam President, clarified that the functions of the Coordinators would be comparable to those of a subsidiary body. Since the Coordinators could not be designated as such, it might help very much if the clarification provided by you earlier could be incorporated, even in summary form, in the complementary Presidential statement.

My delegation would encourage the presidency to continue consultations so that the Conference is able to arrive at a decision that takes into account the interests and concerns of all delegations. We have to go beyond appealing to the good sense and wisdom of delegations. It is only through a consultative process that the presidency can engender ideas that would persuade all CD members to arrive at a consensus. India will continue to participate constructively in the ongoing efforts to reach a consensus on the CD's programme of work.

The PRESIDENT: I thank you. Is there any other delegation that wishes to take the floor? I give the floor to Pakistan.

Ms. JANJUA (Pakistan): Madam President, we would also like to take this opportunity at the beginning of the second part of the 2007 session of the CD to express our great appreciation for the dedication and energy with which you have presided over the work of the Conference. We would also take this opportunity to thank Ambassador Mtshali and Ambassador March for the effective manner in which they presided over the Conference in the earlier part of this year.

We expressed our particular concerns with regard to L.1 in the informal consultations that were held earlier. We would just like to add a few points that we stated there just to reiterate our understanding of the discussions that took place earlier in the year.

We understand that during the first part of this year, in the discussions that were held in informal and formal settings, there was a broad expression of support for taking forward the four core issues in this second session. Discussions on all agenda items reflected divergences in perspective as well as in approach. The momentum that was created should have been utilized to narrow gaps and to develop better understanding of issues that were raised on different agenda items. This, we believe, could have helped us also further in developing a comprehensive and balanced programme of work.

We understand that there was clear support for establishing ad hoc committees for the four core issues, and in this context we would like to recall that a majority of Conference members expressed their readiness to begin negotiations on a fissile material treaty on the basis of the report of the Special Coordinator, CD/1299, on the mandate contained therein, which called for a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. We believe that we should continue to adhere to these agreed parameters in order to launch sustained FMT negotiations.

If Conference members want to determine priorities in the sequencing of issues in order to achieve the objectives of nuclear disarmament and non-proliferation, NSA should be the priority issue. Pursuance of nuclear disarmament continues to be the *raison d'être* of the Conference. This would help build the confidence of non-nuclear-weapon States, strengthen the non-proliferation regime and thus lay solid foundations for nuclear disarmament.

The next step should be a comprehensive programme on nuclear disarmament, which would include an FMT and a clear road map for future steps. This, in our view, is the most robust and durable way of reviving the CD, which is the common objective of all of us present here today.

We believe that L.1 needs to have a relook at. Space has to be created for open-ended consultations, and in this context we strongly support the proposal made by the distinguished Ambassador of Egypt to allow for multilateral engagement that would set up a structured process that would be inclusive and where the concerns of all countries could be expressed. This would allow for the collective ownership of L.1.

(Ms. Janjua, Pakistan)

Pakistan believes in the importance of multilateralism. We are committed to making the CD work and will do our best to revive it through negotiations in accordance with its rules of procedure.

Our capital is in the process of analysing and evaluating the draft decision and the specific mandates proposed therein. We have not yet completed this policy review. We therefore reserve the right to take a look at L.1 and, if required, submit amendments to the text, for which we would again reiterate the importance of having discussions in a structured, inclusive process, as has been said by the Ambassador of Egypt.

The PRESIDENT: Thank you. I give the floor to the Ambassador of Iran.

Mr. SAJJADPOUR (Islamic Republic of Iran): Madam President, allow me to express my appreciation to you and to the other Presidents of the CD. I am confident that under your able presidency and with your diplomatic skills, the work of the Conference will lead to a successful outcome.

I take the floor to present a few comments regarding the subject matter under consideration by the CD. We believe that in order to provide a comprehensive and balanced programme of work, open and full cooperation in accordance with the rules of procedure of the CD is highly required. The views expressed by the members of the CD should be taken carefully into account in this regard.

My delegation has also comments and questions regarding the procedural aspects as well as the substance of document CD/2007/L.1. Those concerns should be dealt with in an open negotiating process in the CD. With regard to the substance, we are working with the capital to receive the relevant instructions.

I would now like to reiterate some of the important points which, in the view of my delegation, are of particular importance.

The four core issues identified earlier by the CD have equal value, and none of them are less or more important than the others. Therefore, equal treatment is needed to be applied to the four core issues. It is not understandable why the CD should postpone serious negotiations on NSA and nuclear disarmament as the highest priorities of the international community. Any further delay in this regard would indeed be a source of concern and regret.

As expressed on different occasions, the position of my delegation on FMCT is based on a verifiable, comprehensive and non-discriminatory treaty. Past and present stockpiles are to be covered under the scope of the treaty. Such a treaty should be a step towards nuclear disarmament and cannot be considered in the area of non-proliferation. We stress that such a process should be within the framework of the Shannon mandate.

The PRESIDENT: I thank the Ambassador of Iran, and I give the floor now to the representative of Algeria, followed by the Ambassador of the United Kingdom, who will be the last speaker.

Mr. KHELIF (Algeria) (spoke in Arabic): First of all, I should like to express the gratitude of the delegation of Algeria to you, Madam President, for the efforts that you and the other members of the P-6 have made to reach a consensus on a comprehensive and balanced programme of work for the Conference on Disarmament.

The delegation of Algeria stated its position at informal meetings held during the first part of the 2007 session. It has also declared its position on document L.1. We appreciate the positive aspects of this proposal, which includes the four core issues before the Conference, namely nuclear disarmament, negative security assurances, a fissile material cut-off treaty and PAROS.

At the same time, the delegation of Algeria made several comments on the form and content of the initiative either during informal consultations or during bilateral consultations. The delegation of Algeria looks forward to seeing the P-6 make every effort to overcome the differences that remain and to reach a consensus on L.1.

We listened very carefully to the many comments by delegations on the procedural and substantive aspects of this proposal. In principle, we concur with some of these comments. That is why, Madam President, the delegation of Algeria urges you and the other members of the P-6 to devise an appropriate formula for the proposal by the distinguished Ambassador of Egypt to hold multilateral consultations, here at the CD, on your proposal and on any comments or amendments that delegations may wish to make in order to reach a consensus on a comprehensive programme of work that would satisfy all the parties at the CD.

The PRESIDENT: I thank you and I now give the floor to the Ambassador of the United Kingdom.

Mr. DUNCAN (United Kingdom of Great Britain and Northern Ireland): Madam President, may I join others in expressing support to you and to fellow members of the P-6 in what is being shown to be a difficult and tortuous discussion in trying to get this organization back to work?

I must admit some puzzlement by the intervention by one delegation about the lack of structure in the intersessional period, to which you responded, but others will recall that it was the same delegation which inserted an amendment to the decision at the end of the last session which had the effect of creating a situation where no extraordinary plenary meeting could be held unless there was consensus on L.1. A clever move, but perhaps unwise, in view of the latter remarks we have heard today.

It is in the interest of all of us - and I think that is generally accepted - that getting the CD back to work is in our collective interests, both those possessing nuclear weapons and those who are non-nuclear-weapon States. Some nations have asked for more time. While one might express some surprise that seven weeks is insufficient to get instructions on such an issue, having been discussed for a number of years, one has to accept that nations do need time and will, we hope, come soon with specific requests and specific issues that they wish to raise, so that they

(Mr. Duncan, United Kingdom)

can receive clarifications from you and the Presidents and from others in the room, and we will be able to move forward in the same way that our distinguished colleague from India has so notably done so today.

Of course, we require good faith if we are to move forward in taking this issue to its conclusion, but I would wish to raise - and none others have today, but it is something that we wish to draw attention to - a practical aspect here. In a matter of a few weeks' time, there will not be time to carry out L.1 in a meaningful way on any of the issues covered by this decision. And as colleagues in the NAM have remarked in other forums, the CD is not a seminar. Therefore, we do urge that our colleagues and friends in other delegations who have asked for more time do come to the table quickly and give us their precise issues that they wish clarification on, so that we can all collectively move forward.

The PRESIDENT: Thank you, and if there are no other speakers ... Ambassador, may I ask you, just in two minutes, because the interpreters will not bear with us. Egypt, you have the floor, and I ask you please to be very brief.

Mr. SHOUKRY (Egypt): Madam President, I am sorry to take the floor once again, but I do so in the hope that all members will heed your appeal and that made by other delegations to preserve the positive spirit that has usually characterized the work of the Conference. I believe that only through a frank exchange of views and equal consideration of the interests of all members can we arrive at a positive outcome of our common interests and objectives.

I believe my delegation has displayed, on every occasion, an openness rather than any efforts to represent the work of the Conference or the decisions that might be taken at other than face value, and we will continue to do so.

The PRESIDENT: I thank you. I have only one announcement to make now, and that is that the next plenary will be held on Tuesday, 22 May 2007, at 10 a.m.

This plenary meeting is adjourned.

The meeting rose at 12.55 p.m.