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# Conference on Disarmament

28 May 2009

English

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## Final record of the one thousand one hundred and thirty-eighth plenary meeting

Held at the Palais des Nations, Geneva, on Thursday, 28 May 2009, at 10.20 a.m.

*President:* Mr. Idriss Jazaïry ..... (Algeria)

**The President** (*spoke in French*): I call to order the 1138th plenary meeting of the Conference on Disarmament.

Distinguished delegates, Secretary-General of the Conference, after considerable efforts I think we are now reaching a stage of what I hope are positive developments in our deliberations. The following speakers are on the list for today: Ireland, Italy, India, Bulgaria, Iraq and Belarus. So I will begin by giving the floor to the distinguished representative of Ireland, Mr. James O'Shea.

**Mr. O'Shea** (Ireland): My delegation fully associates itself with the remarks made on 22 May by the representative of the Czech Republic on behalf of the European Union, and we would like to add a few remarks in a national capacity.

Given Ireland's long history of activity in the areas of disarmament and non-proliferation, it may come as a surprise to some of the delegates present here to hear that my country became a member of the Conference on Disarmament only in 1999.

Five years later, on 16 March 2004, the current Irish Prime Minister, Mr. Brian Cowen, addressing the Conference in his then capacity of Minister for Foreign Affairs, recognized the outstanding contribution which the Conference had made in the area of arms control and disarmament, but pointed out that the inaction which prevailed at that time was "in stark contrast to that proud past". He remarked rather pointedly that, since joining the Conference in 1999, Ireland had "seen no work of any significance take place here". A further five years on, as Ireland marks a decade of membership of the Conference, the words spoken in 2004, unfortunately, remain valid.

It is for this reason that my delegation is very encouraged by the momentum which has built up in recent years towards finally getting the Conference back to work, beginning with the innovative approach introduced by the Polish presidency in 2006. We would like to express our appreciation to the 18 countries which held the presidency during the years 2006 to 2008, to all of those who served as coordinators, and to you, Mr. President, as well as your P-6 colleagues of 2009, for the tireless efforts made in pursuit of the resumption by the Conference of its core function of negotiation.

It is our hope that 2009 will be the year which sees all of those efforts come to fruition. The external environment is propitious. Positive evolutions in the positions of some States have increased expectations. This is indeed a window of opportunity. We need, collectively, to grasp this opportunity. History may not be kind to us if we fail to do so.

Of course, if each member of the Conference was individually given the task of drafting a programme of work, we would more than likely have 65 different proposals. Each country has its own priorities. It has been the unenviable task of successive Presidents to try to reconcile these often competing priorities and to produce a proposal with which all can agree. It is with understanding for the difficulty of this task that we have approached our consideration of the proposals put before this Conference, including, most recently, document CD/1863.

My delegation sees in document CD/1863 a realistic, practical proposal capable of finally breaking the stalemate and getting this Conference back to substantive work. In its own words, it "does not prejudice any past, present or future position, proposal or priority of any delegation, nor any commitment undertaken in any other multilateral forums related to disarmament". While it is unlikely that any delegation will be completely satisfied with it from a strictly national point of view, we must all bear in mind our shared responsibility to ensure that this Conference begins again to do the work for which it was established. It is for this reason that my delegation is happy to inform you of our support for the proposal contained in document CD/1863. We wish you and the other 2009 Presidents well in your efforts to reach agreement on a programme of work, and call on all other members of the

Conference to display the necessary flexibility so that agreement can be reached in the very near future.

**The President:** Thank you very much, and thank you in particular for referring to the contributions of many over the years to get us this close to a consensus. I now give the floor to the distinguished Ambassador of Italy.

**Mr. Manfredi (Italy):** Mr. President, as this is the first time I have addressed this Conference formally with you in the Chair, may I extend to you my sincere congratulations and pledge our support to your endeavours.

Italy aligns itself, of course, with the statement rendered on 22 May by the Czech Presidency of the European Union. I believe it would be useful, nevertheless, to make some additional comments in a national capacity directly to the Conference.

My delegation considers the draft programme of work for the Conference on Disarmament, formulated by you with the support of your colleagues in the P-6, a finely balanced compromise document containing all the necessary elements to finally break the decade-long deadlock that has so far, regrettably, characterized this body. It provides, among other things, for the start of negotiations on a verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. We were particularly pleased and honoured to have been able to contribute to this effort, as coordinators of the informal discussions of the Conference on this topic. I take this opportunity, therefore, to thank the Vietnamese and other Presidents for the trust they showed in us on that occasion.

The urgency of starting negotiations on a fissile material cut-off treaty within the Conference on Disarmament has been pointed out by most delegations who have already taken the floor at this and the last session. Many speakers before me have taken pains to point out the very favourable political climate for renewed international disarmament initiatives that we are now witnessing and the necessity not to waste this moment in sterile debate. We wish to put on record our full agreement with this assessment and our appreciation for the recent policy decisions and statements by the United States Administration that were instrumental in bringing this about.

As has been emphasized by a majority of delegations, most recently during the third session of the Preparatory Committee for the NPT Review Conference in New York, the fissile material cut-off treaty represents an essential element in moving forward international disarmament and non-proliferation efforts, which have for far too long been frozen by apparently irreconcilable political differences and sterile disputes on procedural issues. Such a treaty is also the natural complement to the new Strategic Arms Reduction Treaty (START) being negotiated by the United States and the Russian Federation and to the renewed efforts to achieve the formal entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

My delegation therefore commends your efforts, Mr. President, and can endorse CD/1863 and the programme of work therein. It is the intention of my delegation to support your efforts in reaching a consensus on this document and so to encourage the Conference on Disarmament to proceed with its statutory duties.

**The President:** I thank the distinguished Ambassador of Italy for his contribution, and it is now my pleasure to give the floor to the distinguished Ambassador of India.

**Mr. Rao (India):** We have requested the floor to convey India's position with regard to the draft decision regarding the programme of work for the 2009 session contained in CD/1863. We have noted that the draft decision provides the basis for commencement of the substantive work of the Conference, an objective that India has consistently supported.

India supports the establishment of a working group to negotiate a fissile material cut-off treaty. This is in keeping with our position since 1993, when India was a co-sponsor of General Assembly resolution 48/75 L. As a country possessing nuclear weapons, we are willing to conclude a universal, non-discriminatory and internationally verifiable treaty banning the future production of fissile material for nuclear weapons and other nuclear explosive devices.

India attaches the highest priority to nuclear disarmament and the elimination of nuclear weapons on a universal and non-discriminatory basis. While disappointed that the Conference on Disarmament has not been able to launch negotiations on nuclear disarmament, we believe that it should continue to explore all possible avenues to make progress so as to respond meaningfully to growing international opinion in favour of a vision of a world free of nuclear weapons.

India will not stand in the way of the adoption of the draft decision contained in CD/1863 in the hope that this will now allow the Conference to commence substantive work. We reserve the right, however, to make remarks on the substantive elements of the programme of work after its formal adoption by the Conference.

While conveying our appreciation for your dedicated efforts, Sir, we remain hopeful that our common efforts will bear substantive fruit in the near future.

**The President:** Thank you, Ambassador. I now have the pleasure to give the floor to the distinguished representative of Bulgaria.

**Mr. Gospodinov** (Bulgaria): Mr. President, my delegation wishes to express its deep appreciation to you for the commitment and the dedication with which you have been striving to make progress in the work of the Conference and which has resulted in the elaboration and submission of document CD/1863. We cannot but commend your and your fellow Presidents' efforts in conducting a wide range of consultations with the member States to that end.

My delegation fully subscribes to the statement made by the representative of the Czech Republic on behalf of the European Union on Friday, 22 May. At this juncture we feel it important to make some remarks in our national capacity in order to add our voice to those delegations who have already expressed support for the draft decision for the establishment of a programme of work for the Conference's 2009 session, as contained in document CD/1863, submitted by the P-6.

The reasons why Bulgaria supports CD/1863 are twofold. First, Bulgaria has always sought to play a very constructive role in this body and has supported every major initiative designed to overcome the deadlock in the Conference. Our support is equally an expression of our readiness to assume the responsibility to carry forward the spirit of your dedicated work to the year 2010, when Bulgaria will be part of the presidency of the Conference.

The merit of the draft decision itself is the other reason for our support. Our delegation finds it a well-balanced compromise that reflects efforts from previous years to narrow the differences on a programme of work. In our view, this document has the capacity to prompt consensus among member States and provide the basis for the Conference to resume its substantial work. We hope that will very soon be the case.

**The President:** I thank the distinguished representative of Bulgaria.

*(spoke in Arabic)*

I give the floor to the representative of Iraq.

**Ms. Al-Gailani** (Iraq) *(spoke in Arabic)*: Mr. President, at the outset, allow me to join all the speakers before me who have congratulated you on your assumption of this

office. I also congratulate you for the outstanding manner in which you utilized your diplomatic skills and professional experience while steering the deliberations of the Conference. I take this opportunity to express our utmost appreciation for your distinctive and tangible efforts with the other five Presidents of the P-6 to restore the effectiveness of the Conference and its true role of dealing with relevant disarmament and non-proliferation issues, through the initiative contained in document CD/1863 entitled "Draft decision for the establishment of a programme of work for the 2009 session".

Although there were no official negotiations with the presidency, because of your many preoccupations, I would like to emphasize the support of my country's delegation for the draft decision. It has our full support because at this stage it strikes a reasonable balance and represents a compromise that reflects the concerns of member States. We hope that this initiative will be a real point of departure in the adoption of the Conference on Disarmament's programme of work and the resumption of its work and activities that will save it from the current protracted stalemate so that it can embark on serious and realistic negotiations on the substance of the decision.

The Conference on Disarmament must be vigorous in dealing with the tasks entrusted to it, being the sole multilateral negotiating body on disarmament. I am pleased to express our appreciation through you to the members of the Conference for their flexibility and support of this initiative in order to make progress and achieve their common objectives in the field of disarmament, in particular nuclear disarmament, in a way that would serve international peace and security, particularly in regions of tension, including the Middle East.

We hope that all the members of the Conference on Disarmament will join in the consensus on this point and expedite the adoption of this document so that we can all realize our common aspiration. This opportunity must not pass us by. We have to seize this opportunity, which has arisen at the right time in an appropriate international environment, and take advantage of the current positive developments in the field of disarmament and non-proliferation.

Once again I reiterate the support of my delegation for the draft decision. We are ready to cooperate to make this draft a success.

We wish you and the other Presidents every success in discharging your task.

**The President** (*spoke in Arabic*): I extend my thanks to the distinguished representative of Iraq for her statement. As a matter of fact, it has not been possible to meet with me officially for bilateral consultations or with the other members of the P-6. I also thank her for expressing support for the proposal, which is an expression of confidence.

(*spoke in English*)

I now give the floor to the distinguished representative of Belarus.

**Mr. Ponomarev** (Belarus) (*spoke in Russian*): Mr. President, as our delegation is taking the floor for the first time during the second part of the 2009 session of the Conference on Disarmament, I would like to add my voice to all those delegations which have said how positively they assess your presidency and assure you and the other P-6 Presidents of full support from the Republic of Belarus in your unstinting efforts to achieve consensus on the programme of work of the Conference.

Thanks to your enthusiasm, diplomatic skills and intuition, in close cooperation with your colleagues in the office of President for 2009, we have managed to generate a proposal on the programme of work under the symbol CD/1863. We hope that this combination of figures will be a propitious one and will bring about the long-awaited breakthrough in the renewal of the substantive work of the Conference on Disarmament. In our opinion, there is

every reason to be hopeful. We believe that despite the fact that each member of the Conference on Disarmament has its own understanding of national security and its own priorities to ensure this, this document represents a common denominator which is in keeping with the current climate in international relations. Our position is that no State will be deprived of the right to uphold these priorities during the future substantive work of the Conference on Disarmament. As was quite rightly stated by the Secretary-General of the United Nations, Mr. Ban Ki-moon, last week, differences are not insurmountable and are no excuse for paralysis.

We would like to assure you and your fellow Presidents for 2009 of our cooperation and support in the task that awaits us of setting the Conference on Disarmament on the path of fruitful work.

**The President:** Thank you very much for your contribution. I now give the floor to the distinguished representative of Mexico.

**Ms. García-Guiza (Mexico)** (*spoke in Spanish*): Mr. President, allow me first of all to congratulate you for the way in which you have presided over the work of this forum and assure you that my delegation will provide all possible cooperation to yourself and the platform of the six Presidents for 2009 in performing your functions. I would also like to take this opportunity to thank your predecessors, the Ambassadors of Viet Nam and Zimbabwe, for the commitment they have displayed and the unstinting efforts they have devoted in order to agree a programme of work which would enable us to move the only multilateral negotiating forum that the international community has established in the field of disarmament out of stagnation.

We are pleased to hear such widespread support for draft decision CD/1863, containing a programme of work for this forum's 2009 session. My delegation would like to add its support to this document, because it is a realistic proposal and we are convinced that it could help to overcome the paralysis which has bedevilled the deliberations of this Conference in recent years.

My delegation feels it is particularly important that the draft programme of work contained in document CD/1863 should take into account a number of proposals made since 1999; include in the consideration of the agenda items views and proposals put forward or to be put forward by States; take on board a number of the issues and elements which were raised in prior discussions; call for the establishment of a working group to begin negotiations on a legally binding document to prohibit the production of fissile material for nuclear weapons and other explosive nuclear devices on the basis of document CD/1299 of March 1995 containing the Shannon report and mandate, which constitutes, in the opinion of my delegation, an important reference for discussions on this matter without diminishing the importance of other proposals; and lastly, make provision for the possibility of initiating future negotiations on any other item on the agenda.

My delegation would like to call on all member States of this Conference, as the Secretary-General last week said when he addressed this forum, to take advantage of the current international climate to revitalize the disarmament agenda. Let us take advantage of this favourable circumstance and get down to work on practical actions which would help us to achieve our common goal of a world free of nuclear weapons. Let us not allow this opportunity to pass. Let us give a clear sign of our political will and begin to create conditions which would enable the Conference on Disarmament to fulfil its mandate and contribute to efforts to achieve international peace and security.

**The President:** I thank the distinguished representative of Mexico for her contribution.

Are there any other speakers who would like to take the floor at this juncture? That does not seem to be the case. I will, after making an announcement, adjourn this meeting and resume our formal meeting, the last under my presidency, tomorrow at 10 a.m. in this meeting room.

I would like to take this opportunity to remind you that yesterday we distributed, through the regional coordinators, a document which follows up on an earlier decision of the Conference to have an informal plenary meeting with selected NGOs. The programme for this afternoon's meeting has been distributed, but if anybody does not have a copy of the programme, it will be at your disposal after I adjourn this meeting. This will be an informal meeting that will not constitute a precedent in any way for the future, but it will be an interesting experiment from which I hope we can draw some conclusions for the future.

If there are no other speakers asking for the floor, I will now adjourn this meeting. The meeting is adjourned.

*The meeting rose at 10.50 a.m.*