
Conference on Disarmament

22 May 2009

English

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

Held at the Palais des Nations, Geneva, on Friday, 22 May 2009, at 10.15 a.m.

President: Mr. Idriss JAZAÏRY (Algeria)

The President: I declare open the 1136th plenary meeting of the Conference on Disarmament.

Last Tuesday we had a very full house for the resumption of our work after the recess, and I would like to express my gratitude to all the member States present who were represented at the highest level by ambassadors during that memorable session, at which the Conference on Disarmament was addressed by the Secretary-General of the United Nations, the Minister for Foreign Affairs of Switzerland — who came to the Conference for the first time to express her support and the support of her country for our deliberations — and the Minister for Foreign Affairs of Algeria. I would suggest, if you agree, that I send those three dignitaries a letter expressing our appreciation for their inspirational contributions to our deliberations.

We are now moving to a new stage in our consultation process, with the submission of document CD/1863 to this assembly in the name of the P-6. We will proceed by holding meetings with regional groups to try to ascertain their responses to this draft proposal. We have already started on this exercise, having met with the Group of Western European and Other States and with the G-21. We are going to meet on Monday with the Group of Eastern European States and on Wednesday with China. We feel that this rotation between informal meetings with regional groups and formal meetings of the Conference is useful in order to be able to take on board at informal meetings the positions expressed during the formal sessions and thus to progress progressively towards a consensus.

It is clear at this stage that it is still early days and that we do not have a consensus. Nor would we expect, on the first day of the first meeting after the presentation of a document like CD/1863, any regional group to announce consensus. However, it would be useful if member States who would like to give us some signals or suggestions would do so. They may do so, of course, next Tuesday or Thursday or any time in the future. I do not anticipate any time limit for this exercise. You know that we have been engaged in this exercise for 12 years. I hope it will not be another 12 years before we complete it! The P-6 is a collegial group and therefore I am just one of the actors; the process will continue with my successors.

So, with these comments, I would now like to give the floor to the speakers on the speakers' list. The first is the distinguished Ambassador of Brazil.

Mr. Macedo Soares (Brazil): Mr. President, my delegation wishes to thank you for your efforts that led to the presentation of document CD/1863, containing a draft programme of work for the Conference on Disarmament. Brazil supports the adoption of the programme of work along the lines proposed by you in this document.

Not much explanation is needed concerning our position. Your proposal — in spirit and in several aspects in its form — follows a long debate in this forum. It echoes, for example, the proposal made here 10 years ago by the then Permanent Representative of Brazil, currently Minister for External Relations, Mr. Celso Amorim. That proposal was nearly adopted, but fell short of the necessary consensus at the time. Others followed in the ensuing years, but likewise were not adopted by the Conference. The reason for that did not lie in the content of the proposals themselves, but in the prevailing political conditions, at the heart of which were always questions related to international security.

We understand that a change may now be taking place, and that these “waves in the air” are being picked up by a sensitive body like the Conference on Disarmament. Your proposal, moreover, was not formalized without painstaking consultations, and the other five presidents of this year's session played an important part in this effort.

In order to achieve consensus, a proposal does not have to correspond fully to each member State's position. You know that the ambitions of Brazil go beyond the limits that

we have been accepting in a realistic and pragmatic way. Your proposal stays within those boundaries. My delegation, for example, let it be known that it considers the issue of providing negative security assurances by means of a legally binding instrument as ripe for negotiations. My delegation favours the negotiation of a treaty to prohibit the placement of weapons in outer space. It is true that your proposal does not fulfil these expectations. However, it does not preclude them. My delegation will certainly pursue these aims in the relevant subsidiary bodies.

It is of the utmost importance for the Conference on Disarmament to resume its active negotiating role, primarily for one universal and perennial reason: the need for peace and security. The current political atmosphere is not exempt from threats and many disturbances, but it is positive and conducive to progress and understanding. If the Conference on Disarmament fails to pick up on the changing threats, this will impede the prospects for a better world.

The first special session of the General Assembly devoted to disarmament established specific machinery. There is no other machinery available. The matters that fall within the remit of the Conference on Disarmament have a wide scope and could not be taken up in a voluntary way by a group of like-minded States or any alternative channel. That is why we should consider very seriously and very positively document CD/1863 and promptly adopt it.

The President: Thank you very much, Mr. Ambassador. I now give the floor to the distinguished Ambassador of the Czech Republic, speaking on behalf of the European Union.

Mr. Husák (Czech Republic): Mr. President, the European Union thanks you and the other P-6 members for document CD/1863, entitled "Draft decision for the establishment of a programme of work for the 2009 session". We welcome the ongoing P-6 consultations with all delegations. We warmly welcome the important message of the Secretary-General of the United Nations, Mr. Ban Ki-moon, at the opening of the second part of this year's session of the Conference and his assessment of the document we have before us. His message is a clear reminder to all of us that the time to act is now.

The European Union hopes that all members of the Conference will respond positively to your proposal. You can count on our support in taking your efforts forward. We urge all members of the Conference to seize this moment and enable the Conference to resume its substantive work.

The President: I thank the distinguished Ambassador of the Czech Republic, speaking on behalf of the European Union. I now give the floor to the distinguished representative of Tunisia.

Mr. Ben Kefi (Tunisia) (*spoke in French*): Mr. President, my delegation would like to express its full appreciation for all the efforts you have made to move the work of the Conference forward, efforts that have led us to the preparation of document CD/1863, a draft decision for the establishment of a programme of work. Your experience and commitment and your consultations have made a significant constructive contribution to ensuring that the document is balanced, which makes us optimistic about the future work of the Conference.

Given the positive climate that has evolved in recent years, as the Secretary-General noted, my country gives its full support to document CD/1863 and expresses the hope that a consensus that it should be adopted will emerge.

The President: I thank the distinguished representative of Tunisia for his statement. I now give the floor to the distinguished Ambassador of Indonesia.

Mr. Djani (Indonesia): Mr. President, at the outset allow me also to congratulate you on your active role and determination in moving forward the programme of work of the Conference on Disarmament. The role played by you and the other P-6 Presidents has brought us to this critical juncture. We are also greatly encouraged by the words that we heard from ministers and from the Secretary-General of the United Nations on 19 May 2009. Their words of wisdom have strengthened our conviction that the time has come for us to step up our collective endeavours to get on with the substantive work of the Conference after more than a decade of stalemate.

Last week in New York, the subsection of the Preparatory Committee for the 2010 NPT Review Conference concluded in a positive atmosphere and has certainly given positive signs that concrete results can be achieved in our global disarmament efforts. We should preserve this conducive environment, which can be expected to give a further positive impetus to our work at the Conference on Disarmament.

Non-proliferation efforts have indeed had some success in containing the proliferation of weapons of mass destruction. However, this success has not been matched in the area of nuclear disarmament. It is important that efforts aimed at non-proliferation should be mirrored by simultaneous efforts in disarmament. Otherwise such efforts will be doomed to failure, since there will always be the risk of proliferation as long as these weapons continue to exist.

In this context it is worth noting the 1995 report of the Canberra Commission on the Elimination of Nuclear Weapons, which stated that “the possession of nuclear weapons by any State is a constant stimulus to other States to acquire them”. Indeed, the existence of nuclear weapons in the name of one country’s security undermines the security of others.

As we have already given up our option to go nuclear, it is reasonable and justifiable for us to expect those who possess those weapons to fulfil their obligations in taking concrete measures to eliminate them in an internationally verifiable manner. The longer we keep these weapons the longer we continue to expose ourselves to their possible use and threat of use and the more likely we are to be at risk for various reasons, among others from accidental uses and terrorist acts.

It is in this context that my delegation supports the initiative taken by the President in proposing the draft decision for the establishment of a programme of work. We acknowledge the role played by the President in facilitating and conducting this inclusive consultation with a view to reaching agreement on a programme of work. We know that the draft is based on a number of past proposals, statements and inputs from various parties, following intensive consultations. My delegation therefore considers the proposal to be a good compromise package, which can be a starting point for our work in the very near future. We support the package, which includes the start of negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, on the basis of document CD/1299 of 24 March 1995 and the mandate contained therein.

As nuclear disarmament is the highest priority on our agenda, the future treaty must serve as an instrument that will ultimately lead to nuclear disarmament. In the same vein, and as indicated in the Final Document of the Ministerial Meeting of the Non-Aligned Movement Coordinating Bureau in Havana in April 2009, members of the Conference on Disarmament were encouraged to consider positively the proposal made by the Algerian President of the Conference.

We therefore appeal to members of the Conference on Disarmament to support the proposal and the programme of work so that we can begin to take certain collective steps towards the attainment of our ultimate objective: to rid the world of nuclear weapons.

In line with the notion of a balanced and comprehensive programme of work, Indonesia also considers other items on the agenda of the Conference as equally important. Therefore, negotiations on one item should not preclude possible substantive outcomes from discussion under other items.

To conclude, it is time for us to move from frustration and deadlock to agreement and progress. Indonesia stands ready to cooperate closely with other member States in moving towards consensus. My delegation is strongly committed to this objective and supportive of your efforts to achieve it.

The President: I thank the distinguished Ambassador of Indonesia for his contribution. I now give the floor to the distinguished representative of Poland.

Mr. Rapacki (Poland): Mr. President, Poland associates itself fully with the statement delivered by the representative of the Czech Republic on behalf of the European Union. At the same time, please allow me to supplement it with some remarks in my national capacity.

Poland, together with the other five 2006 presidents, has been involved in the efforts to reinvigorate the work of the Conference which resulted in the establishment of the P-6 platform. We note with satisfaction that this unique form of cooperation has been carried over through the years. The mechanism has proved to be effective in building an atmosphere of confidence among the members of the Conference and in creating an opportunity for the exchange of substantive views and providing continuity.

Poland has constantly supported the efforts undertaken by all the presidents as well as all the proposals aimed at starting substantive discussions in the Conference. We believe that despite more than 10 years of what was once called "hibernation", the Conference is the unique negotiating forum in the field of disarmament and thus still has its role to play.

Taking into account Poland's commitment to the Conference, my delegation feels strongly committed to, and responsible for, the success of the process undertaken by you, Mr. President, and your colleagues in the 2009 P-6. For these reasons, Poland welcomes the draft decision on a programme of work for the Conference contained in document CD/1863. We firmly believe that this document is the result of careful consideration and constitutes a balanced compromise. When adopted it will allow us to resume substantive negotiations and discussion within the Conference, without, as is stated therein, prejudice to any past, present or future position, proposal or priority of any delegation or any commitment undertaken in any other multilateral forums related to disarmament.

I hope that all members of the Conference will demonstrate their flexibility and will respond positively to the proposal. It is really high time to take this important step.

The President: I thank the distinguished Ambassador of Poland for his contribution. I now give the floor to the distinguished Ambassador of Pakistan.

Mr. Akram (Pakistan): Mr. President, my delegation welcomes your efforts and the efforts of your P-6 colleagues to draft document CD/1863. This is a finely balanced document and my delegation can support the initiation of the work of the Conference on its basis. I should like to take this opportunity to state this formally at this session of the Conference.

The President: I thank the distinguished Ambassador of Pakistan for his contribution. I now give the floor to the distinguished representative of South Africa.

Mr. Kellerman (South Africa): Mr. President, please allow me, like most of the delegations that have spoken before me, to place on record the thanks of my delegation, especially to you and the other five 2009 Presidents for the initiative you have taken to formally introduce document CD/1863, which contains a draft decision for the

establishment of a programme of work for the remainder of the Conference's 2009 session. In the view of my delegation, the introduction of CD/1863 is a purely logical follow-up to the presidential non-paper that you circulated to members on 26 March of this year.

In the view of my delegation, the proposed draft decision seeks to focus on the so-called four core issues that have long engaged the Conference during its search over a number of years for that elusive programme of work. As such, my delegation views it as a product of compromise that also reflects past efforts to narrow down the differences on a programme of work. In this regard, it would probably be fair to say that some delegations, including my own, might ideally wish to have seen the proposal strengthened in certain areas.

This having been said, my delegation nevertheless believes that the draft decision contained in document CD/1863 represents a delicate compromise that deserves the support of all members of this body. In our view, it is a realistic proposal for the adoption of a programme of work and my delegation would appeal to all members to show a spirit of flexibility, as well as the necessary commitment, to ensure that this body, as the sole multilateral negotiating forum in the field of disarmament, lives up to expectations.

As we all know, the Conference on Disarmament has the primary role in substantive negotiations on priority questions of disarmament. The Conference therefore has a particular and special responsibility for finding a way out of the present impasse and leading the international community in resolving the challenges in the area of non-proliferation, disarmament and arms control issues in the world today. We cannot — and in fact should not — allow the inactivity of this important body to continue any longer. It is time to act decisively: not only in the interest of the international community, but also to salvage the integrity of the Conference on Disarmament. And, in the view of my delegation, the time to act is now. It is incumbent upon us all to rise to the challenges that face us and to allow the Conference to be what it ought to be, namely the sole multilateral negotiating forum in the field of disarmament.

My delegation is very much aware that member States of the Conference often have different national priorities and concerns. However, as the delegation of South Africa has pointed out in the past in this very meeting room, different priorities need not necessarily be mutually exclusive. We believe that if the members of the Conference showed some flexibility and compromise, it should be possible for us all to work with — and not against — each other. In this spirit, my delegation stands ready to join a consensus on document CD/1863, which in our view represents what is possible and practical under the present circumstances.

The President: I thank the distinguished representative of South Africa for his contribution. I now give the floor to the distinguished Ambassador of Senegal.

Mr. Mbaye (Senegal) (*spoke in French*): Mr. President, I should first like to express my warm congratulations to you and to your colleagues who make up this year's P-6 for your unflagging commitment to your duties at such a crucial point in the history of the Conference on Disarmament. I commend in particular the spirit of dialogue and the sense of compromise that have led you to take courageous and pertinent initiatives that have allowed the Conference to make some headway.

Mr. President, at the inaugural meeting of the second part of the Conference's 2009 session you introduced on behalf of the six Presidents a proposed programme of work for the year, contained in document CD/1863.

My delegation believes that this working document constitutes a balanced and realistic proposal. In fact, it would seem to contain all the elements that are needed to start substantive work on the four key items on our agenda while holding serious discussions on

other agenda items without prejudice to the past, present or future positions of any delegation.

With regard to fissile materials, we welcome the fact that the proposed mandate for negotiation contemplates the adoption of a non-discriminatory multilateral and internationally verifiable instrument on the basis of document CD/1299, from 1995.

As for nuclear disarmament, which is for us a top priority, we welcome the fact that the work proposed in document CD/1863 is likely to allow a genuine exchange of views on practical measures relating to progressive and practical efforts to reduce nuclear weapons with a view to their complete elimination, including approaches that may ultimately lead to a multilateral undertaking. We also think it very positive that the proposed working groups will have competence to engage in unrestricted substantive consideration of negative assurances and the prevention of an arms race in outer space.

These issues are extremely important to us. With regard to negative security assurances, we welcome the fact that the negotiation of a legally binding instrument is being contemplated within the framework of the proposed working groups. For some time there have been calls, both within and outside the Conference on Disarmament, for a resumption of the Conference's substantive work. In the view of my delegation, this positive development is due largely to a recognition of the need to find satisfactory responses to the new challenges that have emerged in the twenty-first century.

We are thinking in particular about the danger that the existence of nuclear devices poses for mankind's existence and about the need to promote human security through general and complete nuclear disarmament. We believe that this forum must seize the historic opportunity offered by this favourable environment in order to extricate ourselves from the impasse in which we have been stuck for so long and to finally begin real substantive negotiations, in keeping with the Conference's task and *raison d'être*.

This is why my delegation fervently hopes that we will be able to turn this proposal into a programme of work. To this end, we would encourage the President to hold consultations that are as broad as possible and to intensify them to ensure that all members agree that this proposal constitutes a solid basis for our work and can be adopted by the Conference by consensus.

We favour such a course of action, and my delegation finds the aforementioned document acceptable.

The President: I thank the distinguished Ambassador of Senegal for his contribution. I would now like to give the floor to the distinguished representative of Peru.

Mr. Schialer (Peru) (*spoke in Spanish*): Thank you, Mr. President. My delegation would like first of all to thank you and through you the other members of the P-6 for 2009 for the commendable efforts that they have undertaken jointly, formal efforts that have led to the issuance of document CD/1863, which is before us today. Peru believes that although it does not cover everything we would have liked to see dealt with in such a document, it offers a solid and balanced basis on which to start the substantive work of this distinguished body after more than 10 years of inaction.

Accordingly, I should like formally to express to you and, through you, to the Conference on Disarmament our full support for this document.

The President: I thank the distinguished representative of Peru for his contribution. The distinguished representative of Israel has the floor.

Mr. Itzhaki (Israel): Mr. President, I would just like to put on record that on 25 March my delegation requested a meeting with the President of the Conference on

Disarmament and up to now, almost two months later, has not received any reply to its request. So this is just to put on record that this delegation was not consulted.

The President: I thank the distinguished representative of Israel. There is probably a difference in perception in the assessment of the situation. For 2009, as for 2008, the P-6 members have shared the task and responsibility of consulting with different member States. This year the P-6 agreed that one member, Australia, would be entrusted with the task of consulting the following countries: Colombia, Kazakhstan, Ecuador and Israel. The other members felt they were consulted. Israel feels it was not consulted. I would remind the distinguished representative of Israel that this was the approach followed this year. Had the President decided to respond to the request that he should meet with the Ambassador of Israel, he would likewise have had to meet, in order to be even-handed, with all the other 18 members who were consulted by other P-6 members, and to do that would have been offensive to the P-6 ambassadors themselves, who had agreed, as I said at the beginning, that they are a collegial group. There are six ambassadors; there is no chief and Indians. We are all ambassadors deciding in a collegiate manner to share the work. So, such is the position. I see we have different perceptions, but I thank the distinguished representative of Israel for his comment.

I do not have any other speakers on my list. I would like to thank all of you for your contributions this morning. We will continue, as I said, our consultations on a geographical group basis, and we will resume our meeting on Tuesday. I think the response today was extremely helpful, and I hope that we will get more responses next Tuesday. In the meantime, we will continue consulting informally. I thank you all very much for your contributions today.

The meeting is adjourned.

The meeting rose at 11 a.m.