
Conference on Disarmament

27 August 2009

English

Final record of the one thousand one hundred and fifty-fifth plenary meeting

Held at the Palais des Nations, Geneva, on Thursday, 27 August 2009, at 10.20 a.m.

President: Mr. Strohal(Austria)

The President: I declare open the 1155th plenary meeting of the Conference on Disarmament.

I have several names on my list of speakers, so I would like to give the floor to the first speaker on my list, Ambassador Akram of Pakistan.

Mr. Akram (Pakistan): Mr President, I am making this statement on the instructions of my Government. I would like to begin by congratulating you on assuming the presidency of the Conference on Disarmament as we enter the final and crucial phase of our deliberations for 2009. Your country and your delegation have always demonstrated a strong commitment to the objectives of this august body. Your personal commitment, dedication and diplomatic skills are going to be especially important at this stage of our work.

I would also like to express our deep appreciation to the outgoing President, the Ambassador of Australia, for the commitment and dedication with which she conducted the deliberations of this Conference. My delegation is grateful for the cooperation and understanding she extended to us.

I take this opportunity to welcome the Ambassador of Kazakhstan to the Conference on Disarmament, and look forward to working with him in the best traditions of the friendly relations between our two countries.

I am addressing the Conference on Disarmament at a critical time. The only way for us to move forward is on the basis of consensus – by recognizing and accommodating the interests of all delegations.

As is the case of every country present here, the policies we pursue in the Conference on Disarmament are guided by our supreme national interest.

During the last few plenary sessions a number of delegations have expressed their views on the prevailing situation in the Conference on Disarmament. We have listened carefully to their statements and deeply respect their views.

Pakistan is committed to the goals of nuclear disarmament and non-proliferation. We attach great significance to the work of the Conference on Disarmament, which is the sole negotiating forum on disarmament issues in the United Nations. We would like to see the Conference on Disarmament make meaningful progress on all the four core issues.

Pakistan joined the consensus on CD/1864, despite substantive difficulties with the text, in good faith to enable the Conference on Disarmament to make across-the-board progress on all the core issues. It was our expectation that these issues would be addressed in the implementation of the decision.

But immediately after the adoption of the programme of work, we were unfortunately confronted with disappointing and alarming manoeuvres, even on procedural issues, on the part of some delegations. We therefore remain concerned over efforts to ensure that the mandates of the Working Groups would remain static without progressing towards negotiations on all four core issues in the future. We are alarmed by arguments that the rotation of the Chairs of all bodies cannot be accepted as a principle, and that there can be no understanding on the time frame for rotation either. Similarly, our rules of procedure, which require negotiating the programme of work at the beginning of every year, were sought to be bypassed, with suggestions that the present programme should be rolled over for next year and perhaps even beyond.

Some delegations have even gone to the extent of proposing that the fundamental basis of our work, the principle of consensus, may have to be reconsidered if they do not get their way. Equally alarming has been the implied threat that if the Conference on Disarmament does not make progress, as defined by some delegations, it may be necessary

to take negotiations on issues such as fissile materials out of the Conference. These are ideas and propositions that are firmly opposed by Pakistan, and we will continue to do so.

For these reasons, in the discussions on the implementation of the Conference on Disarmament's programme of work, Pakistan has proceeded on the basis of principles to ensure that deliberations on the four core issues are meaningful and are taken forward in a manner that is conducive to assuring substantive outcomes on all core issues. We have sought to address our concerns by constructively engaging with the President and other members of the Conference on Disarmament, and we will continue to do so.

For us, as for many other delegations, substance and procedure are inseparable, since issues of substance and procedure are inextricably linked. This principle was clearly established when the Conference on Disarmament's rules of procedure were formulated. Hence, it follows that the rule of consensus must be applied on both issues of procedure and of substance.

The four core issues on the Conference on Disarmament agenda are all crucial to the disarmament agenda and global peace and security. The demand for balanced progress on all the four issues is not an extraneous negotiating link but a normative, legal and substantive correlation established freely, voluntarily and collectively. Our position is based on principles espoused by the international community.

The objectives of international peace and stability can be achieved only by a non-selective and non-discriminatory approach to addressing the sensitive and substantive issues. Pakistan has always believed in the equal and undiminished security of all States. Security is indivisible. Asymmetries in levels of security need to be addressed at all levels: subregional, regional and global.

It is the right of every delegation in the Conference on Disarmament to have its concerns reflected in any decision adopted. And it is for Conference on Disarmament member States to discuss these amendments in open-ended, informal consultations. The issues on the Conference on Disarmament agenda are relevant to the collective as well as the individual security interests of all States. If all States have an equal voice, they should be able to exercise their right to have their concerns addressed.

Pakistan will continue to exert every effort to build consensus or at least an understanding of the necessity for measures to adopt goals that we all espouse.

As a measure of our flexibility and constructive approach, Pakistan accepted most of the amendments proposed by the previous President, and responded by putting forward a minimum request to reflect our views in revised subparagraph (d) of the chapeau as originally drafted and circulated by the previous President. Allow me to read for the benefit for all member States the text of our revised subparagraph (d). It reads: "The Conference will ensure, without any discrimination, balanced outcomes in the consideration of all agenda items, particularly the four core issues, while recognizing the principle of undiminished security for all."

From the discussions that we have held with a number of delegations we understand that this formulation is acceptable to several of them. Unfortunately, our revised text as I have just read out has not yet been formally shared with all delegations, and no effort has been made so far to determine whether and which delegations have any objection to this formulation.

One delegation stated at the previous plenary that outcomes could not be predicted. Our response to this contention is that in CD/1864 the chapeau clearly outlines the possibility of negotiations on all the four core issues. The Conference on Disarmament, therefore, being a negotiating forum, must ensure outcomes that would balance the interest of all member States.

Moreover, paragraph 29 of the final document of SSOD-1 reads: "The adoption of disarmament measures should take place in such an equitable and balanced manner as to ensure the right of each State to security and to ensure that no individual State or group of States may obtain advantages over others at any stage. At each stage the objection should be undiminished security at the lowest possible level of armaments and military forces."

Clearly, the formulation we have used is not our invention but based on principles that have been clearly accepted by the international community.

Moreover, another delegation has claimed that national security does not exist in isolation and could not be invoked to undermine or affect that of others. I would respectfully like to point out that my delegation has repeatedly called for the recognition of the principle of equal and undiminished security for all States. I think this clearly speaks for itself.

Great impatience has also been expressed over the loss of eight weeks' time since the adoption of CD/1864. Perhaps these colleagues could attempt to revive the same level of patience that they demonstrated over the last 12 years, when the Conference on Disarmament was in a state of stalemate due to the policies of some delegations owing to which there was no consensus on the programme of work.

Allow me to conclude by reiterating the willingness of my delegation to seek consensus even at this late stage. We have, in a spirit of flexibility and compromise, accepted several of the amendments proposed to us. We have a right to ask for similar flexibility from others. The absence of such flexibility can only lead us to the conclusion that our concerns, which we have tried to address, are justified.

The President: I thank the Ambassador of Pakistan for his statement and for his kind words to the presidency, and I give the floor to the next speaker on my list, Ambassador Baeidi Najad of the Islamic Republic of Iran.

Mr. Baeidi Najad (Islamic Republic of Iran): The Conference on Disarmament today in our assessment is at one of its most important sessions in recent years. If this meeting can adopt a plan for the implementation of the programme of work, a real breakthrough will occur in the work of the Conference on Disarmament, and consequently the Conference, after 13 years of deadlock, can enter into the real substantive phase of its work, the goal that all of us have tried our best to realize. But if the meeting today cannot adopt a plan for the implementation of its programme of work, practically speaking and taking into account the time schedule of the 2009 annual session, there will be no further opportunity to implement the programme of work and we should accept the reality that the stalemate at the Conference on Disarmament will continue further without a bright immediate prospect for the future. In this framework we have today, all of us, a special responsibility for the fate of the Conference on Disarmament in its future work.

The adoption of the programme of the work of the Conference in May this year, under the able presidency of Ambassador Jazaïry, opened up unprecedented optimism and hope that the Conference could commence its substantive work after a long deadlock. Immediately following the adoption of the programme of work, efforts were made to prepare the necessary draft decision to implement that programme of work. Different approaches and views, different formulations and language were presented by various delegations in this regard, the result of which is mainly reflected in draft CD/1870/Rev.1 submitted by your predecessor, Mr. President, the distinguished Ambassador of Australia. The draft was, however, subjected to additional discussion, and in particular the delegation of Pakistan proposed certain amendments. We are happy that constructive engagement was started, and after intensive consultations at a high political level, there is a clear understanding and agreement on many elements of the proposals by Pakistan, and we appreciate the fact that Pakistan has shown flexibility on some of the language that they

have already suggested. Based on our reading, as it was reiterated today by the distinguished Ambassador of Pakistan, the key outstanding point at this moment which has not been agreed is small subparagraph (d) of the draft, and particularly a reference in that paragraph to the notion of “balanced outcome” of the work of the Working Groups established on the four core issues of the Conference on Disarmament agenda.

The notion of a balanced outcome of the work carried out under the four core agenda items of the Conference in our view should not be at all a controversial issue at a level that prevents the Conference on Disarmament entering into its substantive negotiations and discussions after such a long stalemate.

First of all, frankly speaking, many delegations, even without inclusion of this notion in the draft, will pursue a balanced outcome anyhow in the work of the Conference on Disarmament in addressing the four core issues. I think this position should be clearly seen through the efforts exerted by many countries within the Non-Aligned Movement for the adoption of a balanced programme of work. It is clear that for many years the Conference on Disarmament was ready to engage in negotiations on a FMCT, but it took some years to adopt a programme of work which includes the commitment of the Conference to engage the other three core agenda items, namely nuclear disarmament, negative security assurances and the prevention of an arms race in outer space. I am sure that years of negotiations on the inclusion of these issues in the programme of work have clearly manifested the vital importance that all four core issues have for all of us. It would be a simplistic view to expect that members of this Conference would not demand the serious engagement of the Conference on all of its four core issues.

Secondly, we are absolutely sure that the inclusion of the language presented by Pakistan in the draft will not hinder in any manner the engagement of the Conference on Disarmament in properly and fully implementing its programme of work. At least for 2009, and considering the time limit of our annual session, nobody can deny a balanced outcome coming out of the Working Groups established under the Conference would be achieved.

In conclusion, I need to reiterate that even if some speculation could be made about the possible interpretation and accordingly the possible implication of the suggested language in the text today, we believe that the brutal fact of continuing the deadlock in the case of not reaching a decision today would have far more broad negative implications for the Conference on Disarmament. And we think rationality instructs us to let the more definite consequences prevail over just speculation about a possible interpretation of that language in the future. So let us agree with the particular suggestion by Pakistan on a non-objection basis and adopt the plan for the implementation of the Conference on Disarmament today. Let us “just do it”.

The President: I thank the Ambassador of Iran, and I now give the floor to the next speaker on the list, Ambassador Badr of Egypt.

Mr. Badr (Egypt): Mr. President, allow me at the outset to extend to you our congratulations on your assumption of the presidency of the Conference on Disarmament. I am confident that at this sensitive juncture your well-recognized capabilities will be a highly valuable asset in steering the work of our Conference forward, and you can count on my delegation to extend to you our support. Allow me also to thank your able predecessor, Ambassador Millar of Australia, for her wise leadership and tireless efforts.

The 2009 Conference on Disarmament session has managed to achieve a consensus that has eluded us for over a decade and which manifested itself in our recently adopted programme of work. This is an important milestone, and drives us to highlight the importance of preserving the same healthy spirit that guided our work in 2009 for our future sessions. It is important to recognize as we move forward that collective ownership of the process is necessary for its sustainability, and such collective ownership can be achieved by

addressing the concerns of all parties and taking into consideration the variance in positions.

A very large number of delegations, mine included, have indicated their willingness to join consensus on CD/1870/Rev.1. However, we are also flexible in addressing suggestions presented by other delegations with a view to achieving that consensus and implementing our programme of work.

Egypt is of the view that immense time and effort have gone into moving forward on CD/1870/Rev.1, and that a convergence of opinions is close at hand, with most issues having been addressed. We are on the last mile, and even though the last mile is the hardest, this should not drive us to abandon this proper track, and we encourage you, Mr. President, to redouble your efforts with the concerned parties in order to reach a prompt agreement. Egypt is firmly committed to strict adherence to and implementation of the rules of procedure of the Conference.

In conclusion, allow me to reiterate our confidence in your capabilities and in the wisdom of your judgement. We remain ready to work with all interested parties in order to achieve the consensus needed to move our work forward in a healthy and productive manner that takes into consideration the long-term view, which is certainly the nature of any negotiations on matters of such strategic importance as those addressed in our Conference.

The President: I thank Ambassador Badr for his statement, and I give the floor to the next speaker on the list, Australian Ambassador Millar.

Ms. Millar (Australia): Mr. President, allow me to congratulate you on your assumption of the presidency. I just wanted to make a very brief clarification with respect to the statement made a few moments ago by the Ambassador of Pakistan, but first, let me thank you very much for your kind words. I think we consulted as productively as we could have done.

But just one point I would like to make clear is that all documents that you asked me to circulate I gave to the secretariat to do that, and some others we agreed to send to the Regional Coordinators for consultations in regional groups, and also, as President, I think I feel quite clear in saying I made exhaustive efforts to determine whether any or all formulations proposed by all delegations could achieve consensus, and sadly that was not the case.

The President: Thank you very much, and thank you for this clarification. I now give the floor to the representative of Cuba.

Mr. Frómata de la Rosa (Cuba) (*spoke in Spanish*): Thank you, Mr. President. Since this is the first time my delegation has taken the floor during your term in office, allow me to congratulate you on assuming the office of President of the Conference on Disarmament and to extend our full cooperation to you.

I shall be very brief. On May 29 of this year, we witnessed a historic event when we adopted the programme of work for this Conference after many long years of inaction; this sent out an optimistic message regarding the work of the Conference. Continuing in this spirit, my delegation would like to express and affirm our hope that in the future, flexibility, a desire to move forward, respect for the rules of procedure, constructive dialogue and the search for consensus will prevail in the work of the Conference so that ultimately we can implement the programme of work.

The President: I thank the representative of Cuba for his statement. That was the last speaker on my list. Does any other delegation wish to take the floor at this time? The Ambassador of Pakistan has the floor.

Mr. Akram (Pakistan): Mr. President, I am sorry to take the floor again. I have done so just to make a clarification to our distinguished colleague, the Ambassador of Australia, that I did not want to give the impression of – I mean I fully agree with you, and we appreciated the cooperation that you extended to us, and I fully agree that you did make your best effort to ensure that all the documents and suggestions that we, my delegation, made were made available to all the concerned members of the Conference on Disarmament.

The President: I thank you. Does any other delegation wish to take the floor? The Ambassador of China.

Mr. Wang Qun (China) (*spoke in Chinese*): At the last plenary meeting I made a statement expressing China's wish to begin substantive work at an early date. In our view, then, we must first of all be clear as to what the issues are. Secondly, what are our objectives? Thirdly, how are we going to resolve the problems facing us?

I did not originally plan to speak today; however, having listened to the statements of various parties, I wanted to seek clarification from the secretariat on a procedural matter. What I found somewhat confusing was that the distinguished Ambassador of Pakistan said that he had circulated a document to us, yet the distinguished Ambassador of Australia says that she had already done that. My question, then, is has this document been circulated? I regret to say that listening to the statements just made my impression was somewhat different from that of the distinguished Ambassador of Pakistan, with all due respect, Sir. The distinguished Ambassador of Pakistan said just now that he had submitted a revised text which some delegations had found acceptable while others held different views. I have attended all the plenary meetings, and my impression is that I haven't heard anyone say that they had different views regarding this revised text. Of course, I haven't yet seen the revised text that was circulated, so I hope that the secretariat will clarify whether or not such a revised text actually exists. Then, assuming that such a text does exist, it seems that the issue here is only a very small one, so I think that we should concentrate on resolving this issue. The distinguished Ambassador of Pakistan has just read out his revised text. My personal feeling is that the efforts made by the distinguished Ambassador of Australia, our past President, as well as those of the distinguished Ambassador of Austria and all other parties, including Pakistan, which has submitted a revised text, all of these are a part of the effort to resolve this problem. The crux of the matter is whether or not we can find a solution to this issue. I personally think that through the efforts of the former Presidents, the current President and other parties we have already come very close to a solution; now I'm not saying that we've reached the end of the tunnel, but I think we are very close. As far as China is concerned, we have consistently said that we hope we can reach an agreement as soon as possible so that we can begin our substantive work right away. China hopes that all the parties will work together to achieve this objective. Yet the impression we have been giving is that we have been talking forever without knowing what the crux of the matter is. At the very least, we should focus in this forum on these issues so that we can all find a solution to them. We commend the efforts made by all parties, and we, too, are willing to play a constructive role in this process and begin our substantive work as quickly as possible. Right now. Let's get to work!

The President: I thank the Ambassador of China for his statement and I ask the Secretary of the Conference to reply to the question posed to him.

Mr. Zaleski (Secretary of the Conference): Mr. President, I would like to inform delegates that the document submitted by Ambassador Sami Akram of Pakistan that we received on Friday, 21 August, was a letter requesting the issuing of a document entitled "Pakistan's position on implementation of the Programme of Work (CD/1864) for the 2009 session of the Conference on Disarmament". The issuance of this document was given priority and was processed and distributed through the normal channels to delegations on

Tuesday, 25 August, at 10 a.m. So the document is available in all languages and has been available as of Tuesday, at 10 a.m.

The President: I thank Mr. Zaleski for the clarification. The document has the number CD/1873.

Does any other delegation wish to take the floor at this time? I have Bangladesh and Brazil. I give the floor to the Ambassador of Brazil.

Mr. Macedo Soares (Brazil): Mr. President, thank you and my distinguished colleague from China for having raised this question, and to the secretariat for the clear answer.

It happens that my delegation was not informed of the particular document that was mentioned by the secretariat, and of course, we heard from the distinguished Ambassador of Pakistan the specific text of a subparagraph that his delegation proposes to amend. Of course, my delegation is not in a position now to react to that proposal, since we need time and consultation with our capital to see the exact implication of the changes proposed in that amendment, but I think this matter — since it is of the utmost importance for the functioning of the Conference — should be given very objective and detailed attention so that we can come as soon as possible to the plenary after consultation to have a possible decision, perhaps as Ambassador Wang of China suggests.

The President: I thank the Ambassador of Brazil for his statement and I give the floor to the Ambassador of Bangladesh.

Mr. Hannan (Bangladesh): Mr. President, as this is the first time I take the floor under your presidency, allow me to congratulate you, and the Government of Austria, on your assumption of the Conference on Disarmament presidency at a critical moment in its work. We wish you success in your endeavours and look forward to working closely with you towards that end.

I would also like to thank Ambassador Carol Millar of Australia and the other previous Presidents for their efforts in achieving consensus on the implementation of the Conference on Disarmament programme of work, as agreed in document CD/1864.

As we have stated before in this august body, Bangladesh looks forward to an early consensus in the Conference on Disarmament for the beginning of substantive work. As the next President in 2010, we would like to see that the Conference on Disarmament has overcome its 12-year deadlock and is proceeding with its work. The world outside has been waiting for a long time for the Conference to embark on its mandated task as the sole multilateral negotiating forum on disarmament and arms control issues. We are hopeful that the Conference will be able to achieve consensus for resuming substantive work at an early date.

The progress made so far towards that still elusive consensus should only resolve our commitment to work harder for achieving it. It is our understanding that the negotiations have been making some progress in addressing the remaining concerns. I agree with others that we must all try to overcome the final hurdle and achieve a convergence of opinion with our collective diplomatic skill and wisdom and remember that failure to achieve consensus is not an option for us.

The President: I thank the Ambassador of Bangladesh for his statement, and I give the floor to the Ambassador of the United Kingdom.

Mr. Duncan (United Kingdom of Great Britain and Northern Ireland): Mr. President, as this is the first time I take the floor, let me offer my congratulations and give you assurance of support.

We have heard this morning about collective ownership and ambition, and I would like to offer a few comments on that. Our collective ambition is to achieve a world without nuclear weapons, and the Conference on Disarmament is an important part in taking forward the commitment of those nuclear-weapon States that have signed the NPT, notably article VI, to a commitment to disarm.

We have heard that the Conference on Disarmament is the sole negotiating forum where all the States who possess nuclear weapons can meet together to take action collectively to achieve that noble ambition, a forum where States' national security interests are protected by the rule of consensus. But we should be aware of jargon. The Conference on Disarmament is the only permanent negotiating forum. It is not the sole. There could be others. There have been others. We have seen in Geneva what happens when in other forums the rule of consensus is abused. These are facts, not threats.

It is difficult to understand how the procedural implantation of a previous policy decision has led to this current impasse. But it is the right of any State to remove itself from consensus. However, it is not particularly helpful to make allegations about manoeuvres or have veiled criticisms of our presidencies.

On the contrary, I would like to offer full credit to the P-6 presidencies for their work this year. This year again, the P-6 platform has demonstrated its great value as a mechanism for building the new structures to reflect the twenty-first-century agenda, the interconnected and interdependent world in which we live today. It is what the Foreign Minister of the United Kingdom, David Miliband, has called "the coalition of consent".

The United Kingdom joins others in taking particular pleasure that the prize for breaking the decade-long deadlock on the programme of work was won by a policy decision brokered and delivered by a leading nation from the non-aligned movement. This is indeed only fitting in the twenty-first-century arms control and disarmament agenda.

As I have said, it is the right of any country to withdraw from consensus, but it is also standard diplomatic practice that if that country does nevertheless seek progress, that it should take responsibility for that act and itself seek to reformulate the consensus to persuade others that the changes they seek are acceptable. It is not, I am afraid, practice which involves trying to establish an alliance of supporters for those changes. That is not an approach to collective endeavour that most of us in this room would recognize, but unfortunately, that is where we are.

The President: I thank the Ambassador of the United Kingdom for his statement, and I would like to say the following. I would like to thank all of those who have participated in this morning's discussions and have contributed at this juncture. I also agree with everybody who has said that we have reached a critical moment.

Indeed, one of the critical elements of this moment is that we are approaching the end of the 2009 session of the Conference very fast, and it is for this reason that we have continued the very intensive consultations our predecessors — and in particular, Ambassador Millar — have undertaken precisely in order to move the Conference forward and allow the beginning of the real implementation of the programme of work. These consultations I have in fact conducted until this very morning, and I have encountered cooperation, openness and constructive approaches by all consulted, but I have not come to the conclusion that we are able to reach a consensus on the text of a decision.

I am certainly ready to continue these consultations, and I would suggest in a last effort that this meeting now be suspended for a brief moment in order to allow informal Presidential consultations with all interested delegations in room I next door in a few minutes.

The meeting is suspended.

The meeting was suspended at 11.05 a.m. and resumed at 1.10 p.m.

The President: I resume the 1155th plenary meeting of the Conference on Disarmament and thank delegations for their patience and for their participation in informal consultations which have taken place in the meantime and which are continuing.

We will continue the meeting with all interested delegations in the same room this afternoon at 4 p.m., and will see then if and when a new plenary meeting of the Conference will be called.

If there are no other comments, this meeting is adjourned.

The meeting rose at 1.15 p.m.