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# Conference on Disarmament

7 June 2010

English

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## Final record of the one thousand one hundred and eighty-second plenary meeting

Held at the Palais des Nations, Geneva, on Monday, 7 June 2010, at 11.50 a.m.

*President:* Mr. Alex Van Meeuwen.....(Belgium)

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**The President** (*spoke in French*): I declare open the 1182nd plenary meeting of the Conference on Disarmament.

At the outset of this plenary meeting, allow me to extend a very cordial welcome to our new colleagues, Ambassador Rojas Samanez of Peru, Ambassador Oyarce of Chile, Ambassador Alhakim of Iraq, and Ambassador So of the Democratic People's Republic of Korea. I should like to assure them of our cooperation and full support in the performance of their assignments.

(The President *continues in English*)

Dear colleagues, it is my sad duty to inform you that our former colleague, Chris Sanders, passed away last Tuesday at the age of 63. Chris Sanders represented the Netherlands in this body from 1999 to 2005. During that period he was also the driving force for the conclusion of Protocol V to the Convention on Certain Conventional Weapons and President of the Conference on Disarmament. May I ask the delegation of the Netherlands to convey our condolences to his family?

At the request of a group of delegations, we have convened this plenary in order to give delegations that had wanted to address the Conference but were unable to do so an opportunity to speak. You will have noticed, however, that, in the meantime, in order to accommodate some delegations that had expressed their wish to see all items of the agenda addressed during the open-ended informal meetings, as well as their request for rotation in the treatment of the seven items which I outlined in my letter of 4 June, we have established, in consultation with the next presidency, a schedule of activities for this week and the following two weeks. It is my hope that all delegations will be satisfied with this new arrangement.

I will now give the floor to the delegations on the list of speakers. I now give the floor to the distinguished representative of Egypt, Ambassador Badr.

**Mr. Badr** (Egypt): Mr. President, I am making the following statement on behalf of the Group of 21. The G-21 met this morning to discuss a number of issues and also looked at the proposal and letter that you have circulated. First, the G-21 will be sending a letter to you, Mr. President, reiterating its position as mentioned on 3 June 2010. Second, the G-21 has examined the letter that you circulated in a constructive spirit with a view to expediting the work of the Conference and has drawn up the following eight points, which constitute the Group's response to that letter.

First, we welcome the President's responsiveness in taking up the concerns of members of the Conference and the G-21 in his latest letter. Second, we consider this letter to be a proposal and therefore think that it should now be submitted as a draft proposal to the plenary. Third, the Conference on Disarmament is the body that should take a decision on this proposal and determine how to move forward. Fourth, we would like the names of the different coordinators to be included in the proposal for approval. Fifth, we emphasize the importance of a balanced and comprehensive discussion with an equal allotment of time to each issue. Sixth, many organizational issues are raised in the letter, especially as regards the proposal to commence activity in this afternoon's session. We therefore hope that this afternoon's meeting will take place after these issues have been clarified in a transparent manner and in coordination with the future Presidents of the Conference. Seventh, we emphasize and uphold the rules of procedure of the Conference, which must be respected. Eighth, and finally, adopting a programme of work for the Conference on Disarmament should remain the priority.

**The President:** Thank you. I now give the floor to the distinguished representative of China.

**Mr. Wang Qun (China)** (*spoke in Chinese*): China supports the statement just delivered by the distinguished Ambassador of Egypt on behalf of the Group of 21, and in particular the eight points raised therein. We have noted the work undertaken by the President over the past few days, as well as the ideas he outlined in the letter distributed to Member States on 4 June. We also note with appreciation the leadership that Egypt has demonstrated within the Group of 21, as well as the practical and substantive ideas advanced by the distinguished Ambassador of Algeria to advance the work of the Conference.

My delegation is of the view that in practical terms, everyone appears to be coming to a consensus on a concrete plan for the informal discussions. We should take advantage of the current favourable trend and start the related formal discussions this afternoon once the Conference has resolved the current issue.

China supports the recommendation of the Group of 21 that the Secretariat should assemble the views of the relevant Member States and the President and have them passed by the Conference as a whole as documents of the Conference in accordance with the rules of procedure and with reference to our past effective practice.

In his comments just now, the distinguished Ambassador of Egypt emphasized the importance of respecting the rules of procedure of the Conference. These rules of procedure did not just come into existence recently. Actually, they date from the establishment of the Conference in the 1980s. They have accompanied the Conference through thick and thin, and enabled us to negotiate such important arms-control treaties as the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the Chemical Weapons Convention. The facts demonstrate that these rules of procedure did not present an obstacle to the Conference's negotiation process for those treaties, but actually ensured that the Conference's negotiations could proceed in a more orderly manner.

The Chinese have a saying that "Nothing can be accomplished without norms or standards", and it really is true. Just as countries must have their national legislative norms, so must any international organization or multilateral negotiation have its rules of procedure. If the rules of procedure of the Conference are taken for granted or even challenged, the Conference could easily be thrown into confusion, with the result that our work will be even more difficult to carry out in an orderly, effective and stable manner.

The rules of procedure of the Conference are not meaningless; they should be conscientiously respected. Of course, we understand that when some countries bring up issues in this connection, they do so mainly with a view to speeding up the progress of the Conference. But we feel that while we speed up the Conference's progress, we must not take stopgap measures, let alone seek temporary relief in disregard of the consequences.

China consistently supports the work of the Conference, and supports getting the substantive work of the Conference, including negotiations on the fissile material cut-off treaty, under way as soon as possible. We also support the Conference consulting the example of prior years' practice before completing its programme of work, and holding informal discussions on pertinent items. We hope that everyone will respect each other's security concerns, and will continue to promote mutual trust through honest, equal, open and transparent consultation, arriving at early consensus on the aforementioned issues and getting the substantive work of the Conference under way.

**The President:** I thank you. Is there any other request to take the floor at this stage? I see none.

It is my understanding that the G-21 will provide its detailed views on the issue in a letter addressed to the President. It goes without saying that the President wants to respond to the concerns of all, including, of course, the G-21.

While we are awaiting this letter, I would be more than willing to put the contents of my letter in the form of a working paper document to be issued as soon as possible. This document could include a full schedule of informal open-ended meetings, as well as the names of the Chairs, to be selected with a view to broad geographical representation. In the meantime, my intention is still to proceed with this week's informal open-ended meetings.

I thank you. This concludes my list of speakers.

(The President *continues in French*)

As indicated in my letter dated 4 June, the first meeting will thus be held this afternoon at 3 p.m. in the Council Chamber under the presidency of **Mr. Magnus Hellgren** and I thank him for his presence. The next plenary session will be held on Friday 11 June, at which point as you know the Minister of Foreign Affairs of Ukraine will address the Conference.

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

**Mr. Jazaïry** (Algeria) (*spoke in French*): I should like to thank you for all of the efforts that you have made in order to enable us to start our informal consultations. The G-21 has suggested that your proposals be assembled in document form and submitted to the Council for adoption. You kindly noted that we would start the meeting this afternoon but you did not say when you thought that the CD could in plenary adopt the proposals that are designed to enable us to start our informal deliberations. Now I believe I understand, on the basis of my modest experience, that there are two types of informal consultations. There are those conducted by the President on a bilateral basis or with regional groups, to reach agreement on a programme of work; I do know something about this because when I was President I did use this kind of informal consultation very intensively in order to reach agreement on the programme of work. So it really is within the purview of the President to call consultations of this kind in order to determine the programme of work and take care of procedural matters, but if we are considering substantive issues, the meeting then turns into one that could also be informal but which needs to be approved by the Conference. We cannot really envisage things differently, since traditionally we have held such informal consultations, endorsed by the Conference on Disarmament for a very good reason, because generally speaking these informal consultations or meetings ran through a number of different presidencies, and no president could commit his successor or successors on his own authority alone. But when a president submits a proposal that is adopted by the Conference as a whole, at that point it becomes a decision by the Conference which is binding on his successors. So as to your suggestion that representatives be appointed on an equitable geographical basis, I think that it will be up to the various regional groups to submit to you the names of the persons representing them, but in order to do that, the Conference needs to decide at the outset or in parallel to launch these consultations or informal meetings on issues of substance. In parallel with that, there are also supposed to be presidential consultations on the programme of work, which as you have said, entail no other mandate than that contained in the terms of reference inherent in the Office of the Presidency itself. I myself have made use of such consultations, as have all my successors and predecessors as well, so I wanted to draw this distinction between informal meetings on the seven issues of substance, on the one hand, and informal consultations aimed simply at agreeing a programme of work, on the other. These are two completely different channels; and I think that what we need to do now in order to tackle these topics is to retain the format for consultations that we had in the past. As a number of colleagues have observed, there is a general feeling that we really are very close to agreement on the approach you proposed – all that is needed is to formalize it in terms of a decision by the Conference and for you to provide the various groups with the opportunity to put forward their proposals, in the framework of our traditional geographic balance that has always been applied in the past for informal meetings.

Once again I would like to thank you, Mr. President, I know that we are asking you to do a lot of work and I do hope that you will be able to persevere in a positive manner, making use of the contribution I just made, which I offer in a constructive spirit and which reflects my delegation's confidence in you and sympathy for you.

**The President** (*spoke in French*): I should like to thank you, Mr. Ambassador, for your contribution. Once again, only your modesty allows you to refer to your contributions as modest, but I thank you very much.

(The President *continues in English*)

I now give the floor to the distinguished Ambassador of Egypt, Mr. Badr.

**Mr. Badr** (Egypt): Mr. President, the distinguished Ambassador of Algeria mentioned a number of points that I was going to raise. As he said, we are very close to agreement on this issue. The G-21 will be sending a letter on its position as expressed on 3 June. However, our position concerning your statement has been highlighted today in the eight points that were read out earlier. I would ask for clarification on a particular point. In your response, you said that you were going to be putting a document forward that will include the names of coordinators. If one accepts the notion that this is to be a proposal from the President that will be put in document form, it might be assumed that the Conference would accept it or concur with it, but I would like to get clarity on this point. When will that be done? Because if the document is to be presented, then we would hope that it would be accepted by the Conference as a way to go forward before we actually go ahead with today's afternoon session.

**The President**: Thank you. I now give the floor to the distinguished representative of Pakistan, Ambassador Akram.

**Mr. Akram** (Pakistan): Mr. President, we welcome the convening of this resumed session of the formal plenary today. I would like to place on record our appreciation for the role played by Ambassador Idriss Jazaïry of Algeria in helping to take our work forward. All Conference members have played a very constructive role and demonstrated mature behaviour with a view to saving the Conference. I would also like to associate myself with the statement made by Egypt as the Coordinator of the G-21, and particularly with the emphasis that is placed on following the rules of procedure concerning the approval of proposals made by the President.

On the issue of informal meetings, my delegation has been expressing its views since March of this year, which focus on ensuring that the Conference acts in accordance with its rules. In this regard, we have noted your intention, as conveyed in your letter of 4 June 2010 and your statement today, to hold a series of informal meetings on the seven items included in the Conference's agenda.

To move forward, we would request the secretariat to prepare and circulate a paper containing the following three parts: (i) a schedule of informal meetings which provides for an equal and balanced allocation of time for each agenda item without giving priority to any single agenda item; (ii) the parameters under which these meetings are to take place; and (iii) the names of the coordinators who will chair these informal meetings.

If the intention is to hold the first proposed informal meeting today in the afternoon, then we must note that we have not yet received the names of the coordinators. Moreover, we know that agenda items 1 and 2 are to be combined. In this case, is it the intention to assign one coordinator to handle both agenda items? Since the coordinators will have been appointed by the President of the Conference and will chair the informal meetings in their personal capacities, I would like to state the following:

1. Coordinators have no role or status, as they are not recognized as such in the Conference's rules of procedure.
2. Their reports will have no status.
3. Since informal meetings are being organized on all agenda items in order to exchange views and promote a better understanding of each other's positions, coordinators may not push or highlight a particular issue on which there is no consensus. Delegations contributing to the debates in the informal meetings will have the freedom to make statements and express their views in the manner and the way that they deem appropriate.
4. Coordinators, at the conclusion of the informal meetings, are not supposed to make any judgement about the discussions. Each member of the Conference is in a better position to arrive at its own delegation's conclusions and evaluation.
5. The exchange of views in the informal meetings is not meant to measure the ripeness or otherwise of a particular issue.

**The President:** I thank you. I now give the floor to the distinguished representative of the United States of America.

**Ms. Kennedy** (United States of America): Mr. President, thank you for convening the plenary and for your continuing efforts. I think we are indeed at an important point in our approach to the work of the Conference. As other members have noted, there have been successive rounds of discussions. Earlier, we did achieve a consensus on an agenda which does indeed include the full range of issues of importance to the member States and, of course, we completely agree with the view that primary importance should nonetheless be attached to continuing efforts to achieve consensus on a programme of work. Unfortunately, of course, this has not been possible thus far, but we support all efforts to continue towards that objective.

We do, however, believe it is important for the President to be able to conduct informal discussions that can further our understanding of key disarmament and non-proliferation issues. Having agreed on an agenda for this full list of items, we certainly do share the view that it is the role of the President to facilitate a process by which this can be done. I think the President has consistently tried to put before this body a balanced schedule that affords equal time to the agenda items and does not preordain any outcome. I certainly agree with many of the points made by my distinguished colleague from Pakistan, such as, for example, the idea that the discussions that we assumed the President was convening should not project particular outcomes or judgements. These are indeed what they are — informal discussions — not formal meetings of the Conference.

Nevertheless, the rules of procedure and the past practice that make up the corpus of procedure of this body may indeed be subject to different views, and I think that I might refer to a point made by, I believe, our distinguished French colleague, who alluded to this ambiguity. Might I suggest that the secretariat may wish to undertake such a clarification in order to prevent future disagreements? In any event, we fully support the President's role in conducting such informal discussions.

**The President:** Thank you. I now give the floor to the distinguished representative of Brazil.

**Mr. Macedo Soares** (Brazil): Mr. President, I would like to briefly state my delegation's understanding of the nomenclature relating to subsidiary informal meetings. Perhaps there is a certain ambiguity, but this is not so much the case in section VII of the rules of procedure, which makes it clear that the Conference on Disarmament may conduct its work in formal plenaries or informal meetings. Rule 23 establishes the possibility of

forming subsidiary bodies, but it also states that these subsidiary bodies are open to all member States of the Conference unless the Conference decides otherwise. So far, the Conference has not decided otherwise, so the Conference always works with all of its members.

When I see a nomenclature indicating informal open-ended meetings, it seems a bit redundant, because even a formal plenary is open-ended. Not every member State is present, so it is open-ended. States whose delegations are unable to come or do not wish to come, do not do so.

What I would like to avoid is the introduction of grey areas; when we speak about meetings in the framework of the Conference, meetings of the States members of the Conference, open-ended meetings, or even, like my distinguished colleague from the United States of America just mentioned, informal discussions, we might seem to be alluding to another type of subsidiary body. I think that, in the past — both last year and the previous year at least — what we succeeded in doing was to have informal meetings of the Conference on Disarmament which were chaired or coordinated by representatives of the member States. Those coordinators were designated through consultations with the different regional groups in order to have the desired, or the necessary, geographical balance.

I would therefore like to make clear that, in my view, we should simply hold informal meetings of the Conference rather than trying to create another category that will create confusion and not bring any benefit to the Conference.

**The President:** I thank you. Is there any other delegation wishing to take the floor? I see none. I will now give the floor to our distinguished Secretary-General.

**Mr. Ordzhonikidze** (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations): First of all, allow me to welcome the statement made by the Group of 21. The provisions contained in that statement are not in any way contradictory to what the President is proposing, as I understand it. The main point is to ensure that we have a balanced allocation of time. We are, after all, repeating what we have done in many previous years. The President is inventive, of course, but he is not so inventive as to propose a completely new approach that differs from what we have been dealing with for many years.

I welcome the proposal of the Ambassador of Algeria. I see no contradictions between the proposals of the Group of 21 as set forth by the Ambassador of Algeria, Mr. Jazaïry, and the President's proposal. What I would do in order to help the Conference to move ahead would be to propose to the President that consultations on the programme of work should of course continue in parallel with the informal meetings that he is proposing.

If we proceed in this manner, we will not lose much time and we will not be, let us say, forgetting the substance of why we are here. Meetings and informal discussions are very clearly reflected in the President's letter. It is my understanding that these proposed meetings are to be very balanced and, on the basis of that proposal, we can continue if the President wants us to do so, while at the same time taking up what we have not yet agreed upon. Out of courtesy to the many experts who have come to meetings of the Conference, out of courtesy to the Conference itself, we must not limit ourselves to procedural consultations; we also have to have substantive discussions. And, as I said, the proposals of the Presidents for this year do not differ from the proposals of previous years.

I would like to emphasize the fact that informal meetings of member States of the Conference can continue — there is nothing in the rules of procedure to the contrary — but, at the same time, the consultations, formal or informal, of the members of the Conference

will continue. Thus, we will strive to be effective in implementing the mandate of the General Assembly that has been entrusted to us.

**The President:** Thank you. I give the floor to the distinguished representative of the Islamic Republic of Iran.

**Mr. Baeidi Nejad** (Islamic Republic of Iran): Mr. President, my delegation appreciates your very valuable efforts to continue working on the schedule of informal meetings over the weekend; your letter is basically the result of your positive contribution and consultations on this issue. My delegation also sincerely appreciates the efforts of the distinguished Ambassador of Algeria with regard to that particular issue.

We note that you have stated your intention to present the contents of that letter in a draft to be submitted to the Conference for a formal decision. You have also just informed us that you are going to nominate people to chair the informal meetings of the Conference on Disarmament.

I very much appreciate the assessment of the distinguished Secretary-General of the Conference, Mr. Ordzhonikidze, which has led him to conclude that there is, in fact, no contradiction between the position of the G-21 and the efforts of the President to expedite the work of the Conference.

I think there are now two major points before the Conference: one is that we should be consistent with the rules of procedure of the Conference on Disarmament; the other is that we should expedite the Conference's work and start informal meetings as early as this afternoon. I think that it would not be very difficult to marry these two elements, as you have expressed your intention to present a formal draft for the Conference's schedule of informal meetings. If that could be done as soon as possible — perhaps not later than 2 p.m. this afternoon — I think that such a proposal could be adopted at a very short informal plenary meeting, since we see that there is a convergence between the delegations on the content of your proposal. Then, an informal meeting could be scheduled to take place immediately after the formal plenary meeting of the Conference on Disarmament.

I fully concur with the assessment of the distinguished Secretary-General of the Conference that there is no contradiction; the point is that we want to be entirely consistent with the rules of procedure while also expediting the work of the Conference.

**The President:** Thank you. I now give the floor to the representative of Italy.

**Mr. Manfredi** (Italy): Mr. President, my delegation, like most of the others here in the Conference, gives preference to negotiating and adopting the programme of work for this year, which is to be accomplished during the plenary meetings of the Conference. However, while we wait for the prompt publication of the official secretariat document based on the letter of 4 June, which will contain the relevant organizational details, we believe it is possible to start with the informal discussions this afternoon on all the items on the Conference's agenda. We have already done so in 2007, 2008 and 2009. Informal discussions on the items of the agenda are, in fact, an established practice of the Conference.

We also endorse the requests made by several delegations for an official interpretation of rules 18 and 19. We are, I think, very close to an agreement. I think that once the secretariat document arrives, it will be possible to accept it by consensus and to formalize the work that will follow.

**The President:** I thank you. Is there any other request to take the floor? If not, I would like first of all to thank you all for your contributions. As I said, I stand ready and willing to include the contents of my letter in a working paper document and to issue it as soon as possible. In the meantime, however, my intention is to proceed with this week's



informal open-ended meetings, and I hope that we can have the necessary confidence in each other to reach an agreement on the way forward.

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

**Mr. Wang Qun** (China) (*spoke in Chinese*): I agree with everything that has just been said; I feel that everyone's positions on how we should proceed are very similar. The President has offered to prepare a document of the Conference; since our differences of opinion on how it actually gets written are not that great, the drafting should be finished in a short time. I am very confident in the efficiency of the secretariat. Also, the Chinese delegation, at least, is ready actively to participate in the pertinent informal discussions, even if it involves attending night meetings.

**The President:** Thank you. I now give the floor to the distinguished representative of Pakistan.

**Mr. Akram** (Pakistan): Mr. President, I did not take the floor earlier on because what I wanted to say had been said by our distinguished colleague from Iran. At this point, I just wanted to re-emphasize what has been said in the light of the statement you made before concluding. Our preference is for a short plenary meeting this afternoon, before we start the informal discussions, at which this document that you have promised to share with us would be submitted to the Conference for adoption. Once that is done, then we can proceed with the informal meeting. That is my understanding of what our colleague from Iran said, and I think that is generally what the G-21 would like to see occur.

**The President:** I thank you. The distinguished representative of Egypt has the floor.

**Mr. Badr** (Egypt): Mr. President, I would echo exactly what has been said by the distinguished representatives of Iran, China and Pakistan. I think that everyone wants to help the President. We are not only very close; we have actually almost arrived. All that is needed now is to present the paper, have a short plenary, and secure its adoption by the Conference; then we can go forward. I think that, this way, we will all feel that this has been accomplished in a spirit of cooperation. Noting the sentiment in the room, it is clear that we all want to go forward while respecting the rules of procedure. Thus we all want to help each other and move forward today.

**The President:** Thank you. As I said, we will try to do so as rapidly as possible. I now declare this meeting to be adjourned.

*The meeting rose at 12.40 p.m.*