

CONFERENCE ON DISARMAMENT

CD/PV.814
11 February 1999

ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND FOURTEENTH PLENARY MEETING

Held at the Palais des Nations, Geneva
on Thursday, 11 February 1999, at 10.15 a.m.

President: Mr. Grey (United States of America)

The PRESIDENT: I declare open the 814th plenary meeting of the Conference on Disarmament.

I should like at the outset, on behalf of the Conference and on my own behalf, to welcome the First Deputy Minister for Foreign Affairs of Belarus, His Excellency Ambassador Sergei Martynov, who will be the first speaker this morning. I also have on my list of speakers for today the representatives of China and Italy.

I invite the First Deputy Minister for Foreign Affairs of Belarus, His Excellency Ambassador Sergei Martynov, to make his statement.

Mr. MARTYNOV (Belarus): Mr. President, let me start by congratulating you on your skilful presidency of the Conference on Disarmament and by wishing you further success in fulfilling your mandate. My delegation, as always, assures you of our fullest cooperation. I would also like to thank your predecessors, Ambassador Maimeskul of Ukraine and Ambassador Soutar of the United Kingdom, for their energetic and effective efforts. I am taking this opportunity to warmly welcome the Secretary-General of the Conference and Personal Representative of the United Nations Secretary-General, Mr. Petrovsky, and his deputy, Mr. Bensmail, who are providing very valuable support to the Conference.

The Government of the Republic of Belarus attaches particular importance to the issues of strengthening European and international security, the basic element of which is regional and global disarmament measures. In this context the role of the Conference as a unique multilateral disarmament negotiating body is absolutely crucial. Belarus highly values the impressive progress which has been made by the Conference in past years. I am convinced that we can still expect from this forum the same effective work and the same responsible approach. The previously gained experience can be successfully used as a powerful gear in reaching new goals.

Today, at the beginning of the new session, I would present the position of my Government on current disarmament and security issues. As you are all aware, Belarus severely suffered from the disastrous effects of the biggest technogenic catastrophe at the Chernobyl nuclear power plant. Hence our extremely sensitive and responsible approach to all nuclear issues, including nuclear disarmament issues. However, from an unbiased analysis, we see that in the present geopolitical conditions, a step-by-step approach towards the elimination of all nuclear arsenals is the only productive one. We are convinced that only by steering clear of maximalism can we eventually reach this commonly desired goal. From our point of view, the next two steps in this direction could be the prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices and the development of international law on assurances for the non-nuclear-weapon countries against the use or threat of use of nuclear force. The following is the summary of my Government's considerations on these two big issues.

The scope of the "cut-off" convention should not only be limited to future production, it should strictly account for the available stockpiles of

(Mr. Martynov, Belarus)

fissile material. The treaty must stipulate effective verification mechanisms to provide the highest assurances that no fissile material is weaponized by the States parties. In our view, IAEA could be the most suitable entity for "cut-off" verification purposes. It is most important to have a fair and well-balanced universal and non-discriminatory document satisfying the interests of individual States and groups of States.

Belarus has adhered to the NPT as a non-nuclear-weapon State and fully implemented all its obligations under START-1. By this, Belarus has cleaned up its soil from nuclear weapons. We believe that having renounced the available nuclear force, Belarus can only secure the national interests of protecting its independence, sovereignty and integrity by irrevocable and legally binding assurances against the use or threat of use of any force, including nuclear force.

We share the view expressed by most delegations about the necessity for re-establishing the Ad Hoc Committee on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Our position on that comprises the following key elements: negative assurances are a significant element in strengthening nuclear non-proliferation; as a result of the negotiations we must have an international legally binding document; the future agreement must not have any preconditions; the core of the agreement should be, wherever possible, enhanced by bilateral obligations; the creation of nuclear-weapon-free zones must continue; and security assurances must be given to those non-nuclear-weapon States which clearly and unconditionally commit themselves not to use, not to acquire, and not to deploy nuclear weapons.

The efforts made by different countries in this direction, in our view, should be enhanced on both regional and global levels. In recent years the regional dimension has been strengthened by the creation and consolidation of nuclear-weapon-free zones on the basis of agreements freely reached within some regions of the world.

We realize that while the adoption of resolution 53/77 H, "Regional disarmament", by the United Nations General Assembly is a very positive contribution in this regard, we are not able to secure the non-nuclear-weapon status of Central and Eastern Europe without the full support of each and every country in the region and all nuclear Powers. The Government of Belarus takes this opportunity to thank all countries which cooperated and supported the resolution and to state its willingness to conduct further earnest consultations, including at the Conference on Disarmament, on this issue with those who did not find it possible to embrace the resolution. We anticipate that further progress on this complicated issue will be very much a function of the development of the security texture in Europe in the coming years. Therefore, and spurred by a panoply of other national interests, Belarus will strive to contribute its best to the joint efforts of all involved States to build a secure, undivided and stable Europe.

(Mr. Martynov, Belarus)

The Republic of Belarus very positively considers the continuation of consultations and exchanges of views within the Conference on the issue of preventing an arms race in outer space. On the eve of the new millennium, hi-tech and space-exploring programmes create very real possibilities for the deployment of weapons in space. The general direction of space research should meet the interests of all, regardless of differences in the economic and scientific development of individual countries. It is necessary to continue and strengthen peaceful cooperation in space while leaving no changes for its militarization.

The conventional weapons issue is another disarmament priority of my Government. Last year, the world community gave much attention to the anti-personnel mines problem. Taking this opportunity, I would like to inform you that Belarus has ratified the second Protocol to the "Inhumane Weapons" Convention and declared, by Presidential decree, a moratorium on the transfer of any kind of mines. However, the important work of destroying those landmines which are to be modified in accordance with the Protocol is slowed down by the shortage of financial means and appropriate technologies. Belarus stands for a gradual, step-by-step prohibition of landmines. We are ready to actively participate in negotiations within the framework of the Conference on mines transfer.

Conventional weapons were used in all local and global conflicts this century. We are absolutely convinced of the necessity to develop in this forum new transparency measures with respect to conventional weapons. Openness and transparency in conventional weapons is a key factor for confidence and security-building. Without this, all global and regional "good will" in the field of security would not be effective enough.

The year 1999 could become a historic one with agreement on the adaptation of the Conventional Forces in Europe (CFE) Treaty and development of the Vienna Document. Belarus fully shares the view of some delegations at the Vienna negotiations about the need to finalize these documents which are crucially important for European security by the time of the OSCE summit in Istanbul. Meanwhile, the key provisions of the adapted CFE Treaty, in our view should be agreed upon before the NATO summit in Washington.

Our understanding is that the result of the current Vienna negotiations must be the enhanced security of all participating countries regardless of their membership in military and political blocks. The CFE Treaty proved to be a cornerstone of all-European security. However, the changed geopolitical situation, which still continues to change, requires a rather new content corresponding to old noble goals. In particular, some imbalance in military equipment and potential, which appeared as a result of political changes, must no longer exist in a new document. Besides, my country will be in a position to accept the adapted treaty if the expenditures related to its implementation are relevant to the economic potential of the countries involved. In the last few years Belarus, despite all its economic difficulties, was obliged to destroy some 10 per cent of all CFE-Treaty-limited equipment. Our appeals for

(Mr. Martynov, Belarus)

international financial assistance have been overlooked. For this reason, the economic aspect of any international obligation is of the highest priority for my Government.

I would also like to briefly touch upon the reforming of the Conference, which appears quite important for the effectiveness and workability of this respected forum and its ability to meet new challenges.

We believe that the Conference will gain through a measured intake of new members who are eager to contribute to the world disarmament process. In this connection Belarus gives its full support to Ecuador, Ireland, Kazakhstan, Malaysia and Tunisia in their desire to join the Conference and calls upon the other members to swiftly resolve this issue.

From our point of view, the 1998 session of the CD has shown the necessity of further improving some methods of work. Our confidence in the role of the Conference is still high. One could say that the Conference is going through a mid-life crisis. Belarus is sure that the Conference will come out of it with renewed vigour and acquired wisdom. We believe that last year a good job was done in this direction by Ambassador Illanes of Chile. This work should be continued at the current session. Regarding the Conference agenda, we believe that in future it could be reconsidered in a more realistic way.

In conclusion, Mr. President, let me assure you and the Conference members that the Belarus delegation is prepared to diligently work on all agenda items. I would like to wish you success in achieving concrete results on the basis of the discussed programme of work, which, we all hope, could be adopted in the near future.

The PRESIDENT: I thank the First Deputy Minister for Foreign Affairs of Belarus for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of China, Ambassador Li Changhe.

Mr. LI (China) (translated from Chinese): Mr. President, the Chinese delegation would like to congratulate you on your assumption of the presidency of the CD at the beginning of its 1999 session and express our appreciation for your efforts to facilitate an early start of substantive work in the CD this year. Our appreciation also goes to your predecessor, Ambassador Soutar of the United Kingdom, for his contribution to the work of the CD. May I also take this opportunity to extend a warm welcome to our new colleagues, the Ambassadors of Colombia, Argentina, Slovakia, Sweden, Israel and Indonesia?

Today I would like to make a few comments on the CD's programme of work. The importance of the work of the CD - the single multilateral disarmament negotiating forum - has been underscored by the international community. In 1998, with sustained efforts by all parties, the CD finally ended its stalemate. It began work on various items on its agenda and achieved some progress. We hope that, building upon the achievements of the past year, all parties can further demonstrate flexibility with a view to working out the programme of work for the current session of the CD at an early date and

(Mr. Li, China)

embarking on substantive work. In formulating such a programme the CD should take into account the current international situation, especially the latest developments in the field of disarmament, focusing on issues which have a direct bearing on international peace and security. At the same time we believe that such a programme should reflect and accommodate the aspirations and concerns of all parties.

The cessation of the nuclear arms race and nuclear disarmament is the first item on the CD's agenda and a top priority for the international community. China fully understands and endorses the proposals to establish appropriate working mechanisms in the CD, including an ad hoc committee to address the issue of nuclear disarmament. There are still different views regarding such mechanisms at the current stage. The Chinese delegation supports a joint effort by all parties to find an acceptable solution on the basis of a full exchange of views and establish appropriate mechanisms to work on the issue of nuclear disarmament.

China maintains that a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices will be conducive to the prevention of nuclear proliferation and to nuclear disarmament. Last year the United Nations General Assembly unanimously adopted a resolution on the FMCT. The Chinese delegation supports the re-establishment of an ad hoc committee on the basis of the mandate contained in the Shannon report to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with United Nations General Assembly resolution 48/75 L.

China has always maintained that it is entirely reasonable and justified for the large number of non-nuclear-weapon States to demand security assurances under which the nuclear-weapon States undertake not to use or threaten to use nuclear weapons against them. The post-cold-war international situation provides new opportunities and possibilities for resolving the issue of NSA. The nuclear-weapon States should adopt a more positive attitude towards this issue rather than moving in the opposite direction while extending their strategies of nuclear deterrence. The Chinese delegation supports the re-establishment of the ad hoc committee on NSA to continue its substantive work on the basis of its work last year, with a view to concluding an international legal instrument on NSA.

The fifty-third session of the United Nations General Assembly adopted resolution 53/76 by an overwhelming majority, inviting the CD again to re-establish the ad hoc committee on the prevention of an arms race in outer space, and recognizing the CD's primary role in the negotiation of a multilateral agreement or agreements on the prevention of an arms race in outer space. One hundred and sixty-five countries voted for the resolution and not a single country objected. This demonstrates the common aspiration and urgent demand of the international community to prevent an arms race in outer space. Last year I made a statement on the same subject in the CD plenary in which I mentioned a series of disturbing developments, indicating that the prevention of an arms race in outer space has become a relevant and

(Mr. Li, China)

urgent issue facing the international community. Recently some new developments have again raised grave concerns. Here I am referring to the recent announcement of programmes to develop a national missile defence (NMD) system and a theatre missile defence (TMD) system as well as the intention to amend and even withdraw from the Anti-Ballistic Missile Treaty (the ABM).

The cold war ended 10 years ago and international relations should move towards greater relaxation. Against such a background the above decisions run counter to the trends of the times. They are detrimental to the international efforts in arms control and disarmament and may even trigger a new round of the arms race, and will have a widespread and profound negative impact on the global and regional strategic balances in the next century. As is known to all, some of the above-mentioned missile defence systems are to be deployed entirely in outer space or targeted at objects in outer space. And some will be based in outer space to provide target information and guidance for ground-based weapon systems. The ultimate consequence will be to turn outer space into a new battlefield and a base for weapons systems. Moreover, it should be pointed out that, if any country insists on amending or even abolishing the ABM Treaty, thus having a free hand in developing and deploying such missile defence systems, it will certainly upset the global strategic balance and have a serious negative impact on the nuclear disarmament process. This cannot but raise great concern on the part of the international community and render the prevention of an arms race in outer space more relevant and urgent. As the single multilateral disarmament negotiating forum the CD should live up to its obligations and responsibilities to address this important issue before it is too late. We again urge the establishment of the ad hoc committee as soon as possible in order to negotiate legal instruments to prevent an arms race in outer space. Last year the Special Coordinator on this issue, Ambassador Palihakkara of Sri Lanka, pointed out in his progress report that there was no objection in principle to the re-establishment of an ad hoc committee, while further consultations would be needed as to the timing. We hope that all the CD members will demonstrate the necessary political will and flexibility in order to re-establish the ad hoc committee as early as possible so as to begin the negotiations on the effective prevention of an arms race in outer space.

The Chinese Government has always attached great importance to the humanitarian concerns caused by landmines and is in favour of appropriate, reasonable and feasible restrictions on landmines, anti-personnel landmines in particular. In this connection, on 4 November 1998 the Chinese Government deposited with the Secretary-General of the United Nations its instrument of ratification of Amended Protocol II to the Convention on Certain Conventional Weapons. The Chinese Government also attaches great importance to mine clearance and has actively supported and participated in international demining activities. China has contributed to the international fund for mine clearance and assisted the countries and international organizations concerned by providing training as well as relevant mine-clearance technologies and equipment. The Chinese delegation agrees to the reappointment of a special coordinator on the issue of anti-personnel landmines to build upon our work carried out last year.

(Mr. Li, China)

We are now close to a consensus on the expansion of CD membership. The Chinese delegation hopes that further efforts will be made to find a satisfactory solution in this regard. The Chinese delegation also agrees to the reappointment of the Special Coordinators to continue to explore the issues of expansion of CD membership, the improved and efficient functioning of the CD and the review of its agenda.

The PRESIDENT: I thank the representative of China for his statement and for the kind words addressed to the Chair. I give the floor to the representative of Italy, Ambassador Balboni Acqua.

Mr. BALBONI ACQUA (Italy) (translated from French): Sir, as I take the floor for the first time under your leadership, I wish to congratulate you on my own behalf and on behalf of my delegation on taking up the post of President. I am very happy to see you leading this assembly because the international prestige of your country along with your recognized ability are fundamental conditions for leading our work with success. I would like to take this opportunity to welcome the colleagues who have just arrived, in particular the Ambassadors of Colombia, Argentina, Slovakia, Sweden, Israel and Indonesia, and convey to them my best wishes for success during their assignments in Geneva.

Almost a month ago the Italian Under-Secretary of State for Foreign Affairs, Ms. Patrizia Toia, speaking before the Conference, formulated an urgent request for the immediate re-establishment of the Ad Hoc Committee on the prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices. On that occasion, she emphasized that the intensification and the irreversibility of the nuclear disarmament process are objectives traditionally pursued by Italy, with a view to the final objective of the elimination of these weapons: "Italy will exercise vigilance and will not fail to associate itself, particularly in this forum, with the specific and realistic initiatives aimed at speeding up the implementation of the plan of action for disarmament and nuclear non-proliferation contained in the document on 'Principles and objectives' adopted by consensus in 1995".

For this reason my delegation thought it appropriate to submit, jointly with those of Germany, Belgium, Norway and the Netherlands, a proposal on nuclear disarmament which has been registered as an official document of the Conference with the symbol CD/1565. We share the opinions and comments contained in the statement made by the Ambassador of Belgium in introducing our initiative. We believe that the time has come to establish within the Conference a forum that will allow a regular and official exchange of information and views on nuclear issues. In voicing this wish, I would like to stress that we view the proposals that are designed to steer the Conference on Disarmament into multilateral negotiations for the reduction of nuclear weapons as unproductive. We are aware of the difficulties that lie ahead, but we think that the Conference could make rapid progress towards agreements of general interest and give a new impetus to the bilateral nuclear disarmament process that is under way so that it can be intensified and become irreversible.

The PRESIDENT: I thank the representative of Italy for his statement and for the kind words addressed the Chair. This concludes my list of speakers for today. Does any other delegation wish to take the floor? I see there are none. In that case, I would like to make a few remarks from the Chair.

I would like to make what hopefully will be my final remarks as President of the Conference. As the CD's first President this year, it has fallen to me to begin the task of starting our work for the 1999 session. Thanks to the cooperation of my predecessor, Ambassador Soutar, this task has fully occupied my time since early December. As you know, I have met with all CD delegations that made themselves available at least once, and many more than once, in addition to holding nine Presidential consultations. I am grateful to all delegations for meeting with me over the past several weeks and assisting in the effort to get the Conference to the point where we are now.

Unfortunately, that is nowhere as far as it should be. I began my presidency with a very basic and simple suggestion - to pick up where we left off last September. The advice of virtually everyone with whom I met was that this idea had the best chance of success. Therefore, I have continued to stick to it and have tabled a formal proposal to this end (CD/1566). I also decided to work together with my predecessor and successor as President to continue work on an informal basis on nuclear disarmament issues, as recommended by my predecessor, without prejudice to and pending adoption of whatever is eventually agreed to by the Conference regarding its work during the 1999 session. I also accelerated my bilateral meetings with delegations in an effort to begin our work in a timely manner.

I must now report to you that none of these efforts has yet succeeded. The several informal Presidential consultation meetings on nuclear disarmament that I held elicited no forward movement on this issue. The many bilateral meetings I have had, while privately encouraging, have yielded no public results. The CD has not even been able to agree yet on admitting five new members. I can only hope, therefore, that my successor, Ambassador Rodríguez Cedeño of Venezuela, will enjoy a greater measure of success in beginning our work, and I also hope that I have at least prepared the ground for his own efforts as President.

I need not remind the members of the Conference that what we do here or not do here will have an impact on the CD's credibility and standing, and certainly on its future. The CD has already wasted more than two years in an excess of rhetoric and dearth of negotiations.

We have now spent a month wrangling about whether or not to adopt a programme of work which would enable this year's session to begin where it left off in 1998. Very substantial efforts were required to agree on the 1998 work programme. But with accommodation on the part of all, we were able to reach such agreements.

(The President)

Ploughing over ground previously covered, making linkages and using procedural ploys to inch ahead on substantive issues where no consensus exists, will get us nowhere, and we all know it. Our job is to negotiate seriously and with dispatch on multilateral arms control issues where consensus exists. We all know that one issue meets these criteria and has for several years. That is the negotiation on a fissile material cut-off treaty, as endorsed by the entire international community - and by consensus - in United Nations General Assembly resolution 53/77. Therefore, I would like to make several parting observations.

We are not here just to talk. We are not here to resolve regional disputes which are beyond the competence of this Conference. We are not here to impugn the motives which cause members to take national positions. Nations do not adopt policies on these issues lightly. We ought to accept that and dispense with cheap shots, distorted views of treaty obligations and sarcastic rhetoric about other governments' motivations. Semantic overkill gets us nowhere. What we must do is to negotiate multilateral arms control agreements. That, at the end of the day, is the reason we are here.

If the CD fails to accept this basic responsibility, our publics and governments will draw the appropriate conclusion. The continued usefulness of the Conference will be judged not on what we say or how we say it, but on whether we have the collective good sense to negotiate seriously on multilateral arms control issues which are ripe for action and ready to be resolved. It is time to get down to work. The Romans got it right a long time ago. Factum non verbum - deeds not words. This should become our motto.

In conclusion, on behalf of the United States delegation and all the members and observers of the Conference, I wish to thank most sincerely the Secretary-General of the Conference, Mr. Petrovsky, the Deputy Secretary-General, Mr. Bensmail, and all the other members of the secretariat for their dedicated, efficient and tireless support and advice. I can assure you that it has been most helpful and greatly appreciated. Similarly, I would like to thank the interpreters for their valuable and professional work. And finally, and personally, I would like to thank all delegations for the understanding and cooperation which they have extended to the Chair. I would also like to extend my thanks to the unsung heroes of the Conference who never appear in this hall, most particularly my own secretary, but all of the secretaries who spend infinite amounts of time trying to schedule and arrange meetings and get us all together. I think that in the context of the work they are the ones that have to work the hardest - not the ones that go to the meetings. So a particular thanks to them.

It only remains for me to wish Ambassador Rodríguez Cedeño of Venezuela, my successor in the Chair as of 15 February, all success in his endeavours and to assure him of the full cooperation of the United States delegation.

I see we have a request from South Africa.

Mr. MARKRAM (South Africa): A fortnight ago my delegation put a proposal and a request to you to identify a person to undertake the task of Special Coordinator on nuclear disarmament. We have not heard your report on your consultations in that regard, and we would like to hear a report in this connection.

The PRESIDENT: I thank the delegate from South Africa. At the CD plenary on 28 January I was asked, as President, to try to identify a Special Coordinator to assist in carrying out informal consultations with a view to reaching consensus. I would like to report that, as I stated I would, I have tried to do just that. In order to facilitate this task, I posed a number of questions to the CD members, through their respective coordinators at the Presidential consultations. These questions were: Are there any candidates for Special Coordinator? Can the President appoint the Coordinator on his own initiative, or does he need Conference approval, that is, consensus? And how long should the Coordinator's mandate run?

The answers to these questions have made it unequivocally clear to me that beyond the call to "try to identify" there is no shared understanding among CD members about how paragraph 5 (d) should be implemented. In this regard, it also seemed to me that, whatever the intention of those who drafted CD/1036, a practice has grown up during the past several years of only appointing Special Coordinators after the Conference has approved not only the individuals, but also their mandates and the length of their service. My consultations revealed that some members would strongly object to modifying that practice.

There is no doubt that I could identify any number of candidates to serve as Special Coordinator. Indeed, the Coordinator of the Group of 21 indicated the availability of many of his members to undertake this responsibility. But, once identified, it is also evident that there is no agreement on how, or even whether, such an individual could be appointed. Thus, I will not subject any individual to the embarrassment of being identified only to become the object of what the CD seems to be so good at, squabbles and derision. I could, for example, in my capacity as President, identify myself, only to object to my appointment in my national capacity. I am not going to do that. It is also apparent that for some in the CD the way to move forward on agenda item 1, "Cessation of the nuclear arms race and nuclear disarmament", would be to re-establish its AHC on FMCT and to continue the Troika procedure established last year, pending and without prejudice to whatever agreement on a work programme is eventually reached for this session. Others, of course, wish an ad hoc committee or working group on nuclear disarmament. I pass these proposals on to my successor, in the hopes that he fares better than have I in identifying a consensus basis upon which to proceed.

South Africa has the floor.

Mr. MARKRAM (South Africa): The question on whether or not a Coordinator has to be appointed by consensus was in our opinion beyond the scope of your mandate. Last week my delegation requested that you hold

(Mr. Markram, South Africa)

open-ended informal consultations on the identification of a Special Coordinator in terms of paragraph 5 (d) of decision CD/1036. At that juncture, no delegation in the Conference raised any objection to the holding of such consultations. My delegation finds it regrettable that such consultations are not held so that delegations could air their views on this issue in an open and a transparent manner.

It is clear from our discussions this morning that there are fundamental differences of opinion with regard to how this Conference applies its rules of procedure, particularly paragraph 5 (d) of document CD/1036. In order to once and for all clarify this issue, my delegation requests that the Legal Adviser of the United Nations be requested to provide an opinion as to whether or not consensus is in fact required for the appointment of a Special Coordinator in terms of paragraph 5 (d) of CD/1036. My delegation will abide by the outcome of the Legal Adviser's opinion.

Mr. President, on the basis of your report on our proposal for the identification of a Special Coordinator, my delegation would request that you now put the following question to the Conference: Can the Conference agree to the appointment of a Special Coordinator - that could be identified later - to consult on the establishment of an ad hoc committee on nuclear disarmament or on its mandate?

The PRESIDENT: Thank you. I take note of your request for a legal opinion. In terms of the open-ended consultations, I fully considered your request and after several consultations with the Group Coordinators, I reached the conclusion that there is no consensus on this issue and therefore, no possibility that open-ended consultations, or any other procedural device, would produce any different outcome. I therefore concluded that there is no alternative but to pass this question on to my successor as CD President, in the hope that positions may evolve to a point where progress on this issue is possible.

I give the floor to South Africa.

Mr. MARKRAM (South Africa): My request was for you to put the question to the floor at the moment. Could I ask that the question be put to the floor?

The PRESIDENT: Is there any objection to putting this question to the floor? I give the floor to Australia.

Mr. CAMPBELL (Australia): I think we have reached a rather farcical situation where issues are now going to be dragged into a voting situation à la First Committee. I remember last year, towards the end of the session, when a similar exercise was considered, we had a number of delegations - the one I remember best was our colleague from Morocco, who said "This is not the practice in the CD". We are here to find a consensus to move forward on the basis of a consensus. This is an important issue for all of us. Australia could support a mechanism in this Conference to discuss nuclear disarmament on the understanding that such a mechanism would enjoy the consensus of this

(Mr. Campbell, Australia)

Conference. I fear that if we push issues ahead in this manner we will have a series of other issues coming to the fore and, as you have said in your very appropriate statement, that this will leave us in a situation where the credibility of this forum is called very much into question.

Mr. MERNIER (Belgium) (translated from French): I would like to take the floor as Coordinator of the Western Group. I think that the tradition in this forum is that this type of question is raised during the Presidential consultations, which take place after Group meetings. I would not like this question to be answered in this room without our Group having had an opportunity to meet and perhaps to adopt a new position. But so far, I can see no such new position. I would therefore ask you, Sir, to take note of the fact that, in our Groups, there is no consensus on this question.

Mr. BENJELLOUN-TOUIMI (Morocco): I think that my name was mentioned, and I did not have the time to raise my nameplate, but I think that my delegation has not changed its mind. I stick by the principle. And whether it is this issue or any other one, I confirm to you that my position remains the same as the one that I voiced last year, which is no surprise, except if we decide in consultations that we are going to put this kind of question to the Conference. So I thank my good friend Ambassador Campbell for reiterating my own position. But it is still the same.

Mr. SIDOROV (Russian Federation) (translated from Russian): As the Chairman of the East European Group, I would like to support what was said by the Chairman of the Western Group, Ambassador Mernier.

Mr. de ICAZA (Mexico) (translated from Spanish): This has been a very interesting exchange, and even, as far as my delegation is concerned, rather amusing. I have heard delegations invoke traditions that do not exist and one of those delegations - I recall it quite well - last year, faced with a similar question, made an eloquent speech saying, and I will repeat it in English because I remember it well, "It is time to stand up and be counted". Let it be noted how delegations change their opinions according to the side of the table from which the questions originate. I agree that we are here to negotiate and that we must proceed by consensus. I would also venture to say, with regard to the questions that were put by the representative of South Africa, as he had every right to do, that my delegation would have no objection to the appointment of a special rapporteur to seek consensus on the establishment of and a possible mandate for an ad hoc committee on nuclear disarmament.

The PRESIDENT: It is clear to me from the comments from the floor that this question is not ready for decision today. I presume further consultations will determine whether the situation is different next week. If there are no further comments from any delegations, this concludes our business for today. The next plenary meeting of the Conference will be held on Thursday, 18 February, at 10 a.m.

The meeting rose at 11.05 a.m.