



General Assembly

Official Records

Disarmament Commission

264th meeting

Wednesday, 21 April 2004, 10 a.m.
New York

Chairman: Mr. Adamia (Georgia)

The meeting was called to order at 10.30 a.m.

Report of the Disarmament Commission to the General Assembly at its fifty-ninth session

The Chairman: At a meeting yesterday, the Bureau discussed the draft report of the Commission, copies of which have been circulated. Members of the Bureau looked through this draft text yesterday, although we did not have a very thorough discussion of the document.

We are ready to discuss with all delegations whether there are amendments or corrections or any other ideas regarding the report. We were asked by delegations to have the draft report translated from English into the other languages, and the Secretariat has promised us that we will have drafts translated into all other languages by Friday morning. We would strongly encourage delegations to offer their comments by noon tomorrow.

The last part of the report is in brackets, as we still hope that the Commission will be able to achieve consensus on substance. And here I have to recall one option available to us. We have heard from a number of delegations that having only two years for consideration three substantive items is somewhat difficult; we certainly discussed that among ourselves. I would recall that it is the Commission that must decide whether to count this year as a year of substantive discussion or to start the discussion from the following year, counting that as the first of three years of substantive discussion.

Of course, all this is right if consensus is achieved. We are still waiting for delegations to give their views and statements about whether it is possible to take the Chairman's proposal as a substance for discussion. With this, I open the floor to delegations.

Ms. Murnaghan (Ireland): I am speaking this morning on behalf of the European Union (EU).

The European Union remains committed to the Disarmament Commission and still hopes for consensus on substantive agenda items. In an effort to help advance this process, the European Union has shown flexibility in not proposing any new amendments and can indicate, Sir, that it is prepared to accept your proposals of 12 April. The EU appreciates the input from the United States on your proposals and, if those amendments would be acceptable to the rest of the Commission — and in the interests of reaching a consensus within this session — the EU would be prepared to go along with those suggestions.

Such proposals, based on yours, Sir, if adopted, would represent a significant move away from the European Union's original proposals, but we accept that compromise on all sides is needed to reach consensus. We also believe that topics such as those in your proposals would offer substantive material for exploration in the Disarmament Commission and the European Union would be ready at the appropriate time to engage in debate with a view to a successful outcome at the end of the current cycle.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

The EU would appreciate hearing comments or amendments from other delegations. We feel that now is the time for delegations to confirm whether they are ready to work on your proposals.

The Chairman: The statement by the representative of Ireland gives me more optimism that consensus can be reached.

Mr. Percaya (Indonesia): I am speaking on behalf of the States members of the Non-Aligned Movement (NAM).

I would like to reiterate that NAM remains committed to the Disarmament Commission process. We believe that we have also shown our flexibility in the process. Regrettably, we have not arrived at an agreement on our proposal on the adjournment of the session to a later stage.

However, I have to underline once again that the NAM proposal should be seen alongside two other elements. First, we encourage the Chairman to continue informal consultations so we can arrive at the substantive agenda items by consensus; and secondly and more importantly, our proposal should be seen also in the context of our agreement to use the Chairman's proposal as a basis for further discussion.

However, I should like to speak on my own behalf as the Indonesian representative and refer back to the circumstances of the discussion of 12 April and, to a certain extent, to how you, Sir, arrived at your own Chairman's text.

I think some representatives may remember very clearly that, when I entered into that exercise, I took the liberty as NAM coordinator to enter into the drafting of the text of the substantive agenda items. Also at that time, I made it very clear that I had to refer back to the groups, with the consequence that we needed more time to discuss in the groups.

Secondly, I also have to underline that when you, Sir, or some other delegation mentioned that the momentum was there, I preferred rather to ask myself: What kind of momentum? I have to make it very clear that the process itself, to my sense, was kind of a hit-or-miss exercise. Once again, I am speaking here on my own behalf as the Indonesian representative. Although some delegations played with the beautiful language of the formulation, I regret that, when it comes to a deep reading of the text, the concepts that cover the details of the formulation of the wording are

still far apart. That is why we also question whether it is the right momentum or whether we are closing in on something.

That is why, on behalf of the Indonesian delegation, I would like to express our reservations about the draft report. I am not sure whether it is too early to comment, but with regard to paragraph 12 on page 9, the Indonesian delegation has strong reservations about the reference to the Chairman's proposal. It is my understanding as well that all the proposals should be included on an equal footing, with no one proposal given priority over others.

The Chairman: As to the last point made by the representative of Indonesia, I should like to draw delegations' attention to paragraph 12, in brackets, which says:

"Although no in-depth discussion has taken place on the Chairman's proposal, it was recognized as a good basis for future work, without prejudice to other present or possible new proposals on the same subject."
(A/CN.10/2004/CRP.2)

That is what we thought could serve as putting all the proposals on the same footing.

As for other comments from our colleague from Indonesia, I myself was among a number of speakers who spoke about the momentum. I would like to underline that, of course, everybody has their own momentum, but I would say that this momentum was covering over the issue of achieving consensus. It was the view of the member States and myself that it is possible to achieve consensus during this session. If not, it will of course be the delegations that decide.

Mr. Najafi (Islamic Republic of Iran): I would like to thank you, Mr. Chairman, for convening this meeting and for preparing the draft report.

I have one comment on the draft report and another on a general issue. We just received this document and we need to study it. But after a quick review, I found that paragraphs 8, 9 and 10 refer to various proposals with details. I am not sure that in previous reports we have referred to such details. Usually we put such proposals in an annex or an attachment to the report; the body of the report contains only a reference indicating that proposals were made during the discussion and that they are outlined in an annex. The same applies to the proposals

of the Chair; previously, papers issued by the working group chairs or by the Commission Chairman have normally been attached to the report with a very short reference within the report. I believe that perhaps we should think about this issue.

My second comment is a general one, regarding the position of the Non-Aligned Movement (NAM) taken last week on the practicality of working on the Chair's proposal that the 116 members of the Non-Aligned Movement should work with their capitals while also working within the group. We suggested at that time, through our coordinator, that we needed to adjourn the session and reconvene for practical reasons. Today we understand that this indeed is what is happening, and, for practical reasons, our group is not in a position to make new proposals. We need to work on this, and we also encourage the Chairman to work on it. The Non-Aligned Movement, as announced by its coordinator, is ready to work constructively. We hope that perhaps through further discussion we can come up with an agreement on the agenda items for future sessions of the Disarmament Commission.

The Chairman: I share in the optimism that a future Chair may be able to achieve consensus.

As for the comment on the draft report, we know that that was how it was usually done. The motivation for putting the proposals into the text was that there had in fact been no substantive discussion during the year. Unfortunately, it was only the discussion of agenda items that covered the substantive issues. But it is up to delegations to decide how to put that in the report.

Mr. Bouchaara (Morocco) (*spoke in French*): Let me thank you, Mr. Chairman, for the patience you have demonstrated throughout this session with a view to arriving at an outcome acceptable to all concerned. My delegation also wishes to thank the Secretariat for the draft report it has circulated. At this stage, having only glanced through it, we would like to make a preliminary comment.

I fully understand the Secretariat's concern to reflect as faithfully as possible what did and did not occur in the course of this session, but I have concerns about paragraphs 10 and 11 of the draft report. For example, in paragraph 10 there is reference to discussions on proposals for items made by the Chairman, and in paragraph 11 there is reference to general statements made on the various items

discussed. My only concern is that in reading this report, our capitals may get the feeling that there was a kind of general debate, although the word does not appear in the two paragraphs. That really was not so. There was no general debate at this session.

I understand the Secretariat's wish to reflect all the energy that was invested in this session, but I think it must be clearly indicated that there was no general debate at this session. It is a sad fact, but it is a fact. Otherwise, in a few years' time, when we read this report, we could get the impression that there was some kind of general debate and that a number of delegations spoke in that debate. I just wanted to share that concern. I think we should strive to find the most appropriate wording to reflect that.

Also, since we are just days away from the end of the session, I would like briefly to give the Moroccan delegation's appraisal of what has happened at this session. I think that, from the start, this session has suffered from an original sin. We were all convinced that it was going to be extremely difficult to reach agreement on the items. The main concern of delegations was perhaps not necessarily to reach agreement at this session, but to take positions so that they would not be blamed in the event of failure. It is perhaps that state of mind which has prevented the Commission, despite your considerable efforts, Sir, from reaching agreement.

So, perhaps we should avoid dramatizing the situation. My delegation would be delighted if we could reach agreement at this session. That was my delegation's goal at the outset. Having said that, if that does not happen, I do not think we need to over-dramatize the situation or give the impression that the "good" wanted to accept things and the "bad" did not want to do so. I think it is a very complex question that requires a great deal of time, and that time will judge the efforts of all parties.

I have full confidence in you, Mr. Chairman, and the other members of the Bureau, that results will be achieved as quickly as possible. If that happens at this session, so much the better. If it does not, I do not think we need to regard what happened at this session as a catastrophe. After all, in the past few days, we have to some extent cleared the way. We are convinced that this will ultimately enable you, Sir, to achieve an outcome acceptable to all. I think the key to the solution is compromise based on mutual concessions.

My delegation, as usual, is ready within the Non-Aligned Movement to be constructive in its approach in order to achieve agreement.

The Chairman: I certainly share the view that we should not over-dramatize the situation.

As for the representative of Morocco's remark on the text, he is welcome to make that suggestion to the Secretariat, and we will consider it. The Secretary of the Commission has just provided wording as a possible way to begin paragraph 11: "Although there was no general debate".

Mr. Durrani (Pakistan): In paragraph 11, after the phrase "The following countries made statements", my country was omitted from those listed as having spoken on behalf of the Non-Aligned Movement (NAM). I fail to understand why that is so. In addition, I did not make a formal statement, but only an intervention; I spoke only once and made some clarifications. So I think some technical adjustment is required. All NAM countries on the Commission should be included within the NAM brackets — unless particular countries do not want to be listed under NAM. That is a technical suggestion. But at least my delegation would like Pakistan to appear before "on behalf of NAM".

The Chairman: I assure the representative of Pakistan that we certainly do not intend to exclude Pakistan from the Non-Aligned Movement. As for the explanation, I would ask the Secretary to comment.

Mr. Alasaniya (Secretary of the Commission): I know that there will also be questions from representatives of Member States that made statements and are not mentioned in the text, as opposed to the representative of Pakistan, whose delegation is mentioned but who said that it should not be mentioned. But some delegations that made statements are obviously surprised and wonder why their names do not appear.

Let me make the following explanation, which applies to everyone. As members will recall, the Commission held both formal and informal meetings. It is very difficult for individual delegations to keep track of which meetings are formal and which are informal. Only the names of countries that made statements — or interventions, as the representative of Pakistan rightfully said — appear in the text; anything that was stated by delegations during formal meetings

is a matter of public record. If any of those countries are not mentioned in the text, then a question will arise as to why they are not mentioned. So the names of all the countries whose representatives said something during a formal meeting — whether they took the floor to make a statement or an intervention or to pose a question — are mentioned in the text. That is the only requirement. They are on the record, as I said, in both the verbatim records and the sound recordings.

Mr. Alhariri (Syrian Arab Republic): Along the same lines of correcting the list of countries in paragraph 11: the paragraph now refers to "deliberations on the proposed substantive agenda items". During one meeting, my delegation made a statement on a procedural issue: I suggested that we adjourn and that we convene informals; it had nothing to do with the substantive agenda that should be tackled by the Disarmament Commission. I would just like that to be corrected. I note that it will be made clear that there was no general debate. Let me now pick up on the last point raised by the Secretary of the Commission: that, according to procedure, anyone who said anything should be on the record of the Commission's proceedings. Substantive matters should be differentiated from procedural issues.

Mr. Durrani (Pakistan): I thank the Secretary of the Commission for his clarification. My delegation would like Pakistan to be mentioned before the parenthetical phrase "on behalf of NAM", because, as it now stands, the text creates the impression that Pakistan made the statement outside NAM's box. Moreover, paragraph 11 creates the impression that Algeria and Argentina spoke on behalf of MERCOSUR; I did not know that Algeria was part of MERCOSUR. Similarly, the paragraph reads "Burkina Faso, China, Côte d'Ivoire, Cuba, Egypt, Indonesia (on behalf of NAM), Iran (Islamic Republic of), Ireland (on behalf of the European Union)", as if the latter two countries' representatives had spoken on behalf of the European Union. So I congratulate Iran on having joined the European Union. This is a technical problem, and it should be corrected.

The Chairman: We would be prepared to accept those comments. Still, I would like to say that there are commas, which mean something, in the text.

Mr. Najafi (Islamic Republic of Iran): Although we are not engaging in a drafting exercise, perhaps making some adjustments to the language might solve

the entire problem. Perhaps we should delete the phrase “made a statement” and replace it with “spoke” and delete “on the proposed substantive agenda items” so that the text would read “The following countries spoke at plenary meetings in the course of deliberations”. Perhaps that would solve the problem.

The Chairman: That suggestion can certainly be taken up.

Mr. Percaya (Indonesia): I apologize for taking the floor once again. Just as a point of clarification, I recall very well that on 13 April, on behalf of the Non-Aligned Movement (NAM), my delegation came up with a threefold proposal: to adjourn the session, to encourage the Chairman to continue consultations and to agree to use the Chairman’s text as the basis for the consultations. I believe that those three elements must be reflected in the report.

The Chairman: I would ask the representative of Indonesia the following. It would be very useful for us to have the Non-Aligned proposal in writing, so that we could include it in the report; perhaps we could also have a suggestion as to where to insert it into the text.

Mr. Najafi (Islamic Republic of Iran): I would just like to know whether the comment I made regarding moving all proposals to an annex is acceptable to the Commission. I believe that moving all the proposals to an annex would accord with precedent and might solve some problems. Otherwise, perhaps we should make some other adjustment to the text because, as it stands now, the text is very vague, and it is not clear which proposals come from whom.

The Chairman: It is for delegations to come up with suggestions. I do not think that it is not very clear. However, we can make it clearer, of course.

Ms. Murnaghan (Ireland): I am a little bit confused about the procedure. While it is very useful to have initial comments — and we appreciate them — we have only just seen the draft report today. As you mentioned, Sir, delegations will need a little time to go through it. If I understood you correctly, we are going to come back later for the actual adoption of the report. That is true too with reference to the suggestion by my colleague from Iran on whether we put things into the text or into an annex. I would just like to have a chance to consider that.

The Chairman: I agree that we are having a rather spontaneous discussion. I should reiterate that we are ready to accept proposals, suggestions, comments and amendments to the draft text today and until noon tomorrow. Then, I hope we can discuss it in a plenary meeting. That looks like the only thing we have to discuss during the next couple of days.

I see no more delegates wish to take the floor. I understand, that cannot achieve consensus on substance at this session. So, we will not discuss agenda items during these two days. The only thing to discuss is the draft report. Again, we will welcome amendments to and comments on the text from delegations until noon tomorrow. Comments may be made by telephone, although we would certainly prefer to have them in written form. The Commission should hold discussions to come up with a final draft text in written form on Friday.

The meeting rose at 11.25 a.m.