

CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE ONE THOUSAND AND SIXTY-SEVENTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 22 May 2007, at 10.20 a.m.

President:

Ms. Sarala FERNANDO

(Sri Lanka)

The PRESIDENT: I declare open the 1067th plenary meeting of the Conference on Disarmament.

As you know, the Presidential draft decision contained in document L.1 has been on the table since 23 March 2007. Since then, the majority of delegations have continued to express their support for the early adoption of this proposal. However, some delegations have requested more time to obtain instructions from their capitals.

During my presidency, we have taken due note of the specific concerns expressed, mainly on procedural issues, and, through the vehicle of the Presidential statements, have continued to address specific points raised. While every effort is being made to engage those delegations which are still awaiting instructions, we now need to underline that more than eight weeks have elapsed since L.1 was tabled and the organizational framework was presented by the presidency in January 2007. A decision of the Conference on its workplan for weeks 11 to 17 was expected to be agreed following the evaluation carried out in week 10.

You are all aware that we have now reached week 12 without being able to fulfil that task. We have 12 more weeks left of this year's session to undertake substantive work and to utilize fully the resources available to the Conference. The P-6 continues to have confidence in L.1 as reflecting the wishes of the Conference and that it provides the best opportunity for the Conference to begin its substantive work.

In this regard, I would also like to recall that many delegations have already made enormous efforts towards getting positive instructions on the basis of compromise and flexibility in order to obtain our common goal of getting the Conference back to work. In all fairness, I must reiterate that these good efforts should be reciprocated.

Against this background, may I ask delegations that have requested more time if they have anything new to report in this regard?

I see the Ambassador of China, and I give him the floor.

Mr. CHENG (China) (spoke in Chinese): Madam President, as this is the first occasion on which I am taking the floor at a plenary meeting in this part of the session, allow me at the outset to express my thanks to your predecessors, Ambassador Mtshali of South Africa and Ambassador March of Spain and, of course, to express my thanks to you, yourself. Over the course of the last few months the parties concerned, including the six successive Presidents, have made unremitting efforts to move our work forward. The Chinese delegation would like to express its appreciation to all of you.

Madam President, during the last part of our session you tabled a "Presidential draft decision" on behalf of the group of six Presidents, concerning the next phase of the Conference's work, which is contained in document CD/2007/L.1. China attaches great importance to the proposal by the six Presidents and has studied it most carefully. Today I would like to take this opportunity to present my delegation's views and ideas.

(Mr. Cheng, China)

Generally speaking, the six Presidents' proposal identifies four core issues before the Conference on Disarmament, namely, nuclear disarmament, a fissile material cut-off treaty, prevention of an arms race in outer space and negative security assurances, and proposes that substantive work be conducted simultaneously on all four issues. This proposal has some common ground with the long-standing position of my delegation, and we therefore believe that it can serve as the basis for future discussion.

At the same time, China still has some concerns regarding the six Presidents' proposal. The Chinese delegation raised a number of questions about this proposal and you, Madam President, provided some clarifications, for which we are most grateful, but these clarifications have not fully met our concerns. It is our view that, in order to make the six Presidents' proposal more balanced, reasonable, effective and acceptable to all parties, it should be further improved.

First, concerning the work mechanisms: according to the proposal, substantive work on the four key issues will be under the responsibility of "Coordinators". The mechanism of coordinator is too informal and departs from the provisions in the rules of procedure concerning the subsidiary bodies of the Conference on Disarmament. We are concerned that it will not ensure effective and substantive work on the items in question. As a matter of fact, in the past all substantive work of the Conference on Disarmament was carried out in ad hoc committees, and there was no precedent of coordinators chairing negotiations or conducting substantive work. We see no reason not to follow past practice. Accordingly, we would like to have separate ad hoc committees set up to carry out substantive work on those four core issues.

Second, concerning the question of prevention of an arms race in outer space: the position of the Chinese delegation is common knowledge. The issue is regarded by China as a top priority in the Conference on Disarmament. The Chinese delegation has long been calling for the drafting of a new international legal instrument on prevention of the weaponization of outer space and the maintenance of security in outer space. In a spirit of flexibility, however, we can accept the idea of starting with substantive discussions on this matter, but in order to avoid this discussion becoming an unfocused exercise in rhetoric, we believe that appropriate adjustments should be made to the mandate on prevention of an arms race in outer space, so that it clearly stipulates the possibility of negotiating a new legal instrument on outer space.

Third, concerning the negotiation of a fissile material cut-off treaty: China has always supported such negotiations. In 1993 the General Assembly adopted resolution 48/75 L on the issue, followed by similar resolutions adopted at subsequent sessions. China joined the consensus on all of them, and our position remains unchanged. The final documents of the NPT Review Conferences of 1995 and 2000 and relevant resolutions of the General Assembly all contain explicit provisions on the negotiation of a fissile material cut-off treaty. It is the view of my delegation that the negotiating mandate on such a treaty in the proposal by the group of six Presidents should be consistent with those provisions.

(Mr. Cheng, China)

Fourth, as for the very nature of the six Presidents' proposal: as we have said, in order to have things done properly we must set out some ground rules. The Conference on Disarmament has procedures and these must be followed, to ensure that the work proceeds in an orderly fashion. The rules of procedure of the Conference on Disarmament clearly stipulate that the Conference shall establish its programme of work at each annual session, including a schedule of its activities for that year. It is the view of my delegation that, if the proposal by the group of six Presidents is further amended and made acceptable to all parties, it would then constitute a programme of work. We have taken note of the explanation given by you, Madam President, on this matter. We recommend that the nature and period of validity of the six Presidents' proposal should be clearly specified in an appropriate manner.

Like all other parties, the Chinese delegation hopes to see an end to the long-running stalemate in the Conference on Disarmament. By working on the basis of broad consultations and by taking on board the legitimate concerns of all parties, early agreement on the proposal by the group of six Presidents will be in the interests of all member States. At our last session, some member States made some useful suggestions on ways of improving the proposal, and those suggestions merit careful consideration. China also hopes that the points which we have raised today will be appropriately reflected in the six Presidents' proposal. We stand ready to work together with other parties in a joint effort to revitalize the Conference on Disarmament in the not too distant future.

The PRESIDENT: Thank you. I now give the floor to the representative of Algeria.

Mr. KHELIF (Algeria) (spoke in Arabic): It is a pleasure for the delegation of Algeria today to be addressing the Conference on behalf of the Arab Group.

The Arab Group attaches great importance to the Conference on Disarmament in its capacity as the sole multilateral negotiating forum in the field of disarmament. We consider the Conference on Disarmament to be the right forum in which to arrive at negotiated solutions that are acceptable to all and capable of addressing the difficult challenges posed by the current international situation, particularly those resulting from the continued existence of massive arsenals of nuclear weapons and the threat of nuclear proliferation in all its forms.

It is for these reasons that the Arab Group voices its deep concern at the continuing stalemate at the Conference on Disarmament. We view the draft submitted in document L.1 as offering a very positive basis for the Conference to discharge its responsibilities. We value highly the very great efforts made by the Presidents of the Conference since the beginning of the current session.

The Arab Group will spare no effort to close the rift, to overcome the difficulties and to bring the viewpoints closer together in order to be able to establish a comprehensive and balanced programme of work that is acceptable to all.

(Mr. Khelif, Algeria)

The Arab Group looks forward to the time when we will overcome the current stalemate. At the same time, we call upon the six Presidents to continue their valuable efforts in the hope that those efforts will continue to be exerted in a transparent context that allows all the members to consult with one another on document L.1. This would be the best way for us to find the common denominator that we are all seeking.

The PRESIDENT: I thank you and I give the floor to the next speaker, the Ambassador of Iran.

Mr. MOAIYERI (Islamic Republic of Iran): We have listened carefully to the statement made and the position expressed by the distinguished Ambassador of China.

As my delegation expressed earlier, there are serious comments and questions regarding the procedural aspects, as well as the substance, of document CD/2007/L.1. We believe that the views expressed by members of the CD in this regard should be carefully taken into account in order to provide a balanced programme of work and cover the concerns of the member States. Open and full consideration in accordance with the rules of procedure of the CD is highly required.

The four core issues identified by the CD are equally important, and equal treatment should be applied to them.

The PRESIDENT: I thank you. I now give the floor to the representative of Cuba.

Mr. LA ROSA DOMINGUEZ (Cuba) (*spoke in Spanish*): My delegation has listened carefully to the statements made in this room this morning. Once again we wish to reiterate our position in this forum.

First of all, we proceed from the fact we have never been closer to the possibility that the Conference will be able to resume its work and undertake substantive negotiations on the important issues for the international community and for all the States present here. My delegation views as a good basis for beginning these substantive negotiations, these substantive discussions, on these issues of such importance, the document submitted by the six Presidents, which is being placed before all of us for consideration.

My delegation also reiterates, as it did last week, its feeling that in the room there are various opinions that call for open exchanges of views in which delegations that have doubts, opinions or viewpoints that are somewhat divergent as regards the actual proposal would have an opportunity to clarify them and thus enrich the P-6 proposal. In this respect my delegation calls for these views to be taken into account and for us to proceed in such a way that these delegations will have an opportunity to express their views and, in a transparent fashion, arrive at a compromise solution to this matter.

The PRESIDENT: Thank you. I now give the floor to the Ambassador of Nigeria.

Mr. UHOMOIBHI (Nigeria): Madam President, I am taking the floor now on behalf of the Nigerian delegation, and not as Coordinator of the Group of 21.

At the outset, I should like to state my delegation's support for the P-6 proposal as contained in document CD/2007/L.1. Like every human effort, this proposal is neither perfect nor, may I say, irremediably flawed. For my delegation, what is important is that it represents a way forward to get the CD back to work.

Some delegations here have suggested that the proposal is lacking in balance, and so should be reformulated to give equal treatment to the four core issues on the CD agenda. Fair enough. But I am also aware that not one delegation here has come out to say that it is fully satisfied with all aspects of the proposal.

Our assessment therefore is that there is something for everybody to take home from the P-6 proposal. After all, the process of reconciling competing national policies does not at all mean that the CD should settle for the production of the least-common-denominator results, neither does it require some members to surrender while others bask in celebratory victory.

Instead, this process necessarily involves tolerance, mutual understanding and a willingness to adjust and to accommodate national policy positions in the interest of serving the collective good. This collective good, as we see it, is for the CD to erect the building blocks for a global security architecture that guarantees and reinforces the security and safety of all humanity, including future generations.

It is for this reason that Nigeria would like to encourage distinguished delegations here not to see themselves as merely representatives of national governments but crucially, importantly, as partners in a global security-building effort. Perhaps, therefore, it is not too late to invite delegations to take another hard look at the proposals before us so that we do not end up throwing away the baby with the bathwater.

In an ideal world, addressing the core issues on the CD agenda, in a uniform and balanced manner, will surely be the perfect answer to the security challenges we all face today. For instance, while my delegation considers NSA to be of the highest priority, we also recognize that when you cannot get what you desire, you make do with what is available, especially if what is possible is not fundamentally harmful.

My delegation believes that merely restating old positions or putting a spin on formulas that did not work for the CD in the past 10 years or so is a pastime we can ill afford at this point in time. We can still restore public confidence in the CD as the world's single multilateral negotiating forum by getting it back to serious work. For my delegation, the P-6 proposal is a good starting point for breathing life into the CD process. This we should do if we must continue to earn the public trust and support of our various governments.

The PRESIDENT: I thank the Ambassador of Nigeria, and I now give the floor to the Chargé d'affaires of Pakistan.

Ms. JANJUA (Pakistan): Madam President, we take this opportunity again to thank you and your predecessors for the work that you have done in revitalizing the work of the CD. Last week my delegation raised a number of issues in its statement and identified the difficulties that were posed by L.1 for our delegation, both on substance and on procedure. We believe that there is a need to redress these anomalies, both procedural and substantive, that would have a direct bearing on the substance of the issues that would be addressed by the Conference itself in discussions and negotiations that will proceed after the adoption of any decision by consensus by the CD.

We would also like to support the statement that has been made by the Arab Group, especially with regard to the request for discussions in a transparent context and in a multilateral forum on the draft decision that is before us, L.1. This will allow all delegations and all member States of the CD to take a closer look at the decision with the specific amendments, if required, to the text to ensure that it is acceptable to everyone and that we can move forward in a consensual manner towards discussions that we are all ready to start.

We would also like to associate ourselves with the comments that have been made by the distinguished Ambassador of China. The points raised by him were some of the points that we had also mentioned with regard to procedure and substance of the text. We look forward to further discussions on the substance of the text as well as the procedure of taking out these consultations.

The PRESIDENT: I thank you. Is there any other delegation that wishes to take the floor at this stage? The Ambassador of Canada has the floor.

Mr. MEYER (Canada): I feel that it was useful having the additional input this morning, particularly from my distinguished colleague the Ambassador of China. I do think it warrants some discussion and effort to get a clear understanding of the import of the comments that were provided, and the spirit of trying to move us to a result that does reflect the collective good, as the Nigerian Ambassador has reminded us, should be our overriding concern here. I had a few thoughts to share and maybe a dialogue can ensue.

A point on procedural form: we recognize that ad hoc committees have been used in the past and were a vehicle. At the same time, we think there is an inherent flexibility in our rules of procedure, and if it is deemed that another procedural vehicle might get us started at this point, I think we all have an interest in being open to that.

I would note that any arrangement is going to have to be renewed in January of next year, and maybe, depending on what, if anything, we can achieve, some of these questions can also be examined as to what is an appropriate vehicle at that particular stage. But I think the real emphasis has to be on getting started. And here I have always been of the view that procedure should never really stand in the way of substance, and it is the collective engagement on substance that we should see as a priority.

(Mr. Meyer, Canada)

On the references to PAROS - and here maybe I am not a completely disinterested observer - I did take some objection to the indication that discussions on issues related to PAROS would be ill-focused or unfocused and open to rhetoric. I would hope that the Chinese delegation did not find six sessions early this year on this topic that I had the privilege to preside over as either lacking in focus or just an engagement in rhetoric.

Clearly there are different views here, but I think there was quite a strong convergence of thinking around a couple of important axes, one of course of which is a proposed international legal instrument to prohibit the placement of weapons in outer space, which I know is very dear to the Chinese delegation and to others.

So I would just note that I can assure my distinguished colleague that any further work on this issue that at least I would have any say in, I can assure him would indeed have a focus and a practical orientation, and again, I think there is nothing in this formula that represents an impediment to that.

Finally, on FMCT, the Ambassador of China recalled certain earlier decisions in other forums relevant to a fissile material cut-off treaty. I am aware of those. I note that there are various provisions associated with the NPT 2000 Review Conference. If we had managed to realize its tasking, we would have concluded an FMCT in 2005, two years earlier. We are clearly not there yet, and I think, here again, the crucial priority is to initiate the negotiation so that we are able to work through the very real issues that are raised by such a prospect. But here again, are we best employed by arguing *ad nauseam* what would be the perfect auspices under which to begin such work, or really are we better served by just beginning the work and seeing where the dynamic of the negotiation would ultimately take us, and what kind of product we might be able to produce?

So, here again, I think there is nothing in the formulation of L.1 that would inhibit a comprehensive discussion and input into a negotiation of this treaty.

The greater concern should be, as the clock ticks away, are we yet again going to use up the available time for us in talks about talks, rather than the actual work on these core issues that I know we would all like to see advance?

A few thoughts to share with the group.

The PRESIDENT: Thank you very much, Ambassador. The Ambassador of Egypt has the floor.

Mr. SHOUKRY (Egypt) (spoke in Arabic): On this occasion I would like to express my delegation's deep gratitude and appreciation to you, Madam President, for the manner in which you have guided the deliberations of the Conference. I also pay tribute to all the efforts that you have made in conjunction with the other Presidents to establish a programme of work for the Conference. I would also like to associate myself with the statement made by the distinguished representative of Algeria on behalf of the Arab States members of the Conference on Disarmament.

(Mr. Shoukry, Egypt)

We regard the initiative contained in document L.1. as a positive development which could form a good basis for allowing the Conference to discharge its responsibilities and its work. I have already expressed a number of my delegation's concerns about the proposed initiative. At the same time, we understand the comments of a number of delegations. In our view, it is important to take account of these comments to an extent that would respond to the interests of all participating delegations. In this respect, by way of confirmation of the positive stance that our delegation has taken on this initiative and our understanding of the importance of showing the greatest possible flexibility in order to move this initiative forward, we responded to your request, Madam President, for us to provide limited comments in keeping with your expressed desire to preserve the formula of the initiative. We hope that this effort on our part will help to attain our common objective of allowing the Conference to discharge its responsibilities.

We look forward to seeing what method the presidency will devise for the holding of comprehensive consultations among all the members in order to adopt an appropriate formula that takes account of all comments intended to maximize the benefits of the initiative before us.

The PRESIDENT: Thank you. I now give the floor to the representative of the Netherlands.

Mr. PRINS (Netherlands): It has been half a year now that we have searched for a new compromise, and that has been a very intensive period. Today we have heard that "the present L.1 proposal has not fully met our concerns".

We would think that if delegations still think that anyone's concerns can be fully met, it would be a rather surprising analysis, because as also our Nigerian colleague has already said, no one's concerns will be fully met. And actually it is alarming that after this half-year of intense work, including frequent bilateral consultations with all partners concerned, there is still this idea that the compromise lies somewhere else. It does not. This, the present L.1, is the middle, which might be unacceptable, which is understandable in itself - that it might be unacceptable - but then that should be said clearly, that it is unacceptable, even if it is the middle.

I think we will draw our conclusions from this year, although we are not there yet, but it seems to us that there is a real danger now that this year in the CD turns into a year that is much worse than the previous years, and that is something very regrettable, because it looked for a while that we were on a line going upwards, and the danger is now very great that it will not be an upward line we are following, but that we are actually going backwards.

The PRESIDENT: Thank you. Are there any other delegations that would wish to take the floor at this stage? If not, let me assure all delegations that comprehensive consultations, whether bilaterally, through regional groups, informal and formal plenaries are all available to the Conference and have been fully availed of by the presidencies to engage all delegations.

(The President)

Having said this, as the Sri Lankan presidency of the Conference enters its final week, I would also like to inform you that my tenure of office in Geneva, as Ambassador of my country to the Conference on Disarmament, is also coming to a close, and I would like, therefore, to make some farewell remarks.

As a Friend of the President in 2006, as a member of the 2007 P-6 team, and as President of the Conference during these last four weeks, I have been able to see first-hand the tension that lies in this body on any issue, between those member States who would want to move forward energetically and creatively, including on the reform agenda, and those who by their instructions are committed to move more cautiously and on the basis of past precedent. A presidency of the CD, and particularly a P-6 presidency, can be compared to a charioteer having to hold all the members of the team together, building on their varied strengths and capacities and pursuing the way forward, consolidating the gains achieved without allowing any momentary dissension to let things fall apart. This is true of the P-6 presidency as well as of the Conference. The spirit of Geneva, that geniality that permits us to differ in the meeting and then to break bread together thereafter, also has a positive contribution to make.

I think we can say that we all experience the same optimism and excitement when L.1 was presented, as a balanced comprehensive approach to get the Conference back to work. We need now to redouble our efforts, all of us in the Conference, to persuade and convince those who are still not ready to join us in this historic enterprise to get the Conference back to work after so many years of impasse. I am convinced that we have the determination and the skills of diplomacy in the P-6 team to achieve, as our Chinese colleague said, a win-win outcome for us all.

The CD is the heart of the United Nations enterprise in Geneva, and as this Council chamber, adorned with its priceless murals, bears witness, this is why with all the increasing work responsibilities in other forums, Ambassadors continue to attend CD plenary meetings, even through the years of impasse. The P-6 initiative in 2006 planted a seed towards our common goal of breaking this impasse, and the 2007 P-6 team has tended this seed until it is almost ready now to break through the ground. To all my colleagues in the P-6, and especially the Ambassador of Sweden, who takes over the next presidency, I extend all my best wishes for every success.

And to Mr. Sergei Ordzhonikidze, the Secretary-General of the Conference, I am indebted to you for your wise counsel, which was indispensable during my presidency, as was also the steady support of the Assistant Secretary-General, Tim Caughley, Jerzy, Valère and the others in the Department of Disarmament Affairs, who facilitated my presidency in many ways.

To those in the NGO community who watch from the balcony I would like to extend a special word of appreciation for their unswerving devotion to the goals of global disarmament and non-proliferation. Your enthusiasm and advocacy even from a distance is a constant support to the Conference to remind us that the outside world is watching keenly the developments in the

(The President)

CD. I have every confidence, speaking on behalf of my delegation, that as the First Committee has opened its doors to civil-society participation, as also the recent proceedings in Vienna showed, you will soon be able to speak in your own voice in this chamber, bringing our work closer to people all over the world who desire a safer world for future generations to come.

These are my closing remarks. And this concludes our business for today at this formal plenary meeting.

The formal plenary meeting of next week, under the presidency of Sweden, will take place on Thursday, 31 May 2007. Furthermore, the next consultations with the P-6, the seven coordinators and the regional coordinators that are usually scheduled on Monday will now take place on Tuesday, 29 May at the same times.

If there are no other delegations that wish to take the floor at this stage, I declare this meeting adjourned.

The meeting rose at 11 a.m.