
Conference on Disarmament

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English

Final record of the one thousand two hundred and thirty-ninth meeting

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President: Mr. Rodolfo Reyes Rodríguez (Cuba)

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The President (*spoke in Spanish*): I call to order the 1239th plenary meeting of the Conference on Disarmament. We welcome the Secretary-General of the Conference. I hope that his presence will help us to make rapid progress in our negotiations. You have received the document that once again has been prepared thanks to efficient and active efforts. I hope that you were able to enjoy the *Jeûne genevois* holiday yesterday, since you finished your work so efficiently on Wednesday. As you can see, the document structure makes it easier for us to analyse the pending paragraphs at the end of document.

We have a few outstanding issues. We must finish the negotiation on this report and, as we all know, we must also examine the draft resolution that will be submitted to the General Assembly. I intend to convene two meetings next week, on Tuesday and Thursday. The meetings will also give us an opportunity to hear statements from some new Ambassadors to the Conference, whom we will welcome. They have expressed interest in addressing the Conference, and we will provide an opportunity for them to do so at the meetings. So then, what we will probably do today if we manage to finish the negotiation on the report is to devote the official part of the plenary meeting to listening to these statements and addressing any other topic that urgently needs to be considered. Then we will move on to informal consultations on the draft resolution. As soon as we finish considering the report, the preliminary text of the draft resolution will be distributed so that all member and observer States will have sufficient time to review it before the first informal consultation.

So then, I urge the delegations, to make good progress, in a constructive spirit, with the consideration of the pending paragraphs, after the rest we had yesterday. Given that we are already being flexible in our search for agreement, it is important to remember, as we have pointed out from the beginning, that the report cannot resolve the outstanding issues that we were not able to settle during all the discussions held by the Conference this year and through the work done. At the same time, I also hope that no delegation expects to be able to use this report to try to include issues on which there is no consensus. So, we are going to begin our meeting in this positive spirit.

With regard to the working document that has been distributed, I invite you to begin consideration of the pending paragraphs, starting on page 5. I will open the floor for statements about paragraph 5, and specifically, about two proposals: the old text, which contained an amendment made by the delegation of India, and the new proposal from the delegation of Pakistan. I open the floor for delegations to speak about this point, with a view to reconciling the two different approaches to this issue. Those delegations that wish to speak have the floor.

I would like to remind you that, at the previous meeting, a large number of delegations expressed their support for the original text with the addition proposed by the delegation of India. However, there is also the concern expressed by the delegation of Pakistan and the alternative proposal. May I, as President, suggest that we adopt paragraph 5, as amended by the delegation of India so as to help us to reach agreement through this spirit of consensus?

Good, then paragraph 5 is adopted, as amended by the delegation of India. We turn then to paragraph 7.

Mr. Khan (Pakistan): Mr. President, I am sorry to hold up the work on this issue, but I think my delegation needs more time. My only concern at this point is to judge the Secretary-General's statement in a certain context. If we want to add something that the Secretary-General said, for example, my delegation likes this part: "The Conference on Disarmament is the undisputed home of international arms control efforts. From its inception, the Conference has had a unique function. As the world's single multilateral disarmament negotiating forum, it has produced landmark treaties that have promoted

international security ...” So, my delegation prefers a part of the speech which maybe some other delegations will not want to highlight. I am flexible on this.

I can try to come up with some more neutral language which, if it garners enough consensus, we can adopt. My flexibility is in terms of trying to work out if some reference in terms of the detail of the statement has to be met. My delegation will try to develop some language more acceptable to my delegation. We can introduce a reference which takes care of everybody’s interests. So I would like to request some more time for that.

The President (*spoke in Spanish*): Well then, the situation is as follows: We have the delegation of Pakistan asking us for more time. At the same time, I would like to ask the delegation of Pakistan to note that there is broad support for the original paragraph, as amended by the delegation of India. In any case, we are of course not going to force consensus. Consensus must be built, and we ask the delegation of Pakistan to consider this point.

Mr. Hoffmann (Germany): Mr. President, I am of course very happy with paragraph 5 as it stands and in the form in which you suggest we adopt it. In view of the request by the representative of Pakistan for more time, and his argument that it is a question of what one should actually quote from the statement of the Secretary-General, I would of course agree that it is always a good question to ask what one wants to quote. I myself reread a few statements yesterday — which is not exactly what one should do on a public holiday — to prepare myself a little bit.

It seems to me that the fundamental question is what we can agree upon here in this chamber. I continue to make the argument that there is at least one point upon which we do agree: that the situation which we are in is not good.

I checked, for instance, statements made by the delegation of Pakistan. I would like to quote from them. I have in front of me a statement by the delegation of Pakistan as delivered by Ambassador Akram on 1 June of this year. He said, “We fully concur with the acknowledgment by the Secretary-General that the CD has failed to make any substantive progress for 15 years.” Further on, he said, “It is indeed a great pity that the CD has not been able to fulfil the vision that led to its creation by the UN’s first special session on disarmament.”

In another statement, made on 11 August on behalf of the Group of 21, the head of the delegation of Pakistan said: “... the Group expresses its disappointment that the CD has not been able to undertake substantive work on its agenda.” This is, I think, the point on which we all agree, and I could quote many other statements to that effect. The Secretary-General of the United Nations has expressed this sentiment many times here. In his statement of 26 January 2011 he said: “... the Conference’s record of achievement has been overshadowed by inertia that has now lasted for more than a decade. The very credibility of this body is at risk. Continued inaction will only endanger its future as a multilateral negotiating forum.”

So, what I am trying to say is that if the delegation of Pakistan thinks that we should quote in a different way from the statement of the Secretary-General, I would suggest, for instance, this particular quotation, because I think it goes to the heart of the matter. He tells us we are not doing our job, and I think this is really the core message here. To say simply that the Secretary-General delivered an important message is, I think, really not good enough.

So again, to assist the representative of Pakistan in checking the record and deciding what he might want to write in this paragraph, I would be quite happy to furnish him with a proposal which makes use of these statements by the Secretary-General which I just read out. Let me repeat: “... the Conference’s record of achievement has been overshadowed by

inertia that has now lasted for more than a decade. ... Continued inaction will only endanger its future as a multilateral negotiating forum.” I think it would be quite appropriate to put this into our report.

The President (*spoke in Spanish*): I should point out that, if I have learned anything from my experience in multilateral work, it is that when one has the microphone, one may argue an idea, and then the opposite idea and so on, because it really is easy to find arguments and justifications for any position. I ask all delegations to show flexibility in this regard; my specific intention is to try to retain this paragraph 5 as amended. Basically, I was going to give the delegation of Pakistan some time to try to become comfortable with this formulation, because to come up with new formulations all over again would really only prolong the negotiation process, and I think that in the end we unfortunately would not reach a better consensus. Anyway, I give the floor to Pakistan, but I repeat that I do not want today to be spent on discussion, but rather on specific proposals on formulations that will bring us closer to consensus.

Mr. Khan (Pakistan): Mr. President, in the light of your intervention I will not speak any further on this question.

The President (*spoke in Spanish*): We have considered paragraph 5. We will return to it with the President’s specific suggestion to adopt paragraph 5 as it appears in the previous text, the original text as amended by the delegation of India. This is the President’s suggestion, and we ask the delegation of Pakistan to consider the possibility of joining the consensus on this paragraph. We turn then to paragraph 7.

I made a specific suggestion on the basis of what I thought could be a consensus formulation. I give the floor to the delegations to speak about that suggestion.

Does anyone have any problem with the suggestion I made regarding paragraph 7? If not, then paragraph 7 is adopted with the wording suggested by the President.

I give the floor to the delegation of the United States of America, and I apologize for being too hasty with the adoption.

Mr. Reid (United States of America): Mr. President, we realize we are sitting in a corner here and sometimes it is hard to see the sun. We are grateful for your efforts to try to come up with a text, and we do appreciate the fact that you’re trying to achieve consensus.

I think our delegation ended up spending yesterday a little bit like the German delegation may have. I have instructions from Washington about the recrafting of paragraph 7, and I would like to distribute a draft to colleagues. I can read it out, but I also have 70 copies here, if the secretariat would like to distribute them.

The President (*spoke in Spanish*): I have a suggestion. To save time, we are going to distribute the proposal by the delegation of the United States of America, and we will return to paragraph 7 later. For now, we will continue with the reading and make the most of our time while the proposal from the delegation of the United States of America is being distributed.

We turn then to paragraph 19. Here too we have the original text with the amendment made by the delegation of Poland, and we have a specific proposal put forward by the delegation of Algeria. In this case, the President clearly preferred to work on the basis of the Algerian proposal, which seemed to us to be more positive and which, more generally, presented a clear picture of the work carried out during the successive presidencies.

Mr. Khelif (Algeria) (*spoke in French*): The delegation of Algeria wishes to speak about paragraph 19 of the draft report, and the fact that the Conference did not receive any proposals on a programme of work this year.

The general thrust of the text is that we state that the Conference was not able to adopt a programme of work this year. Then we also say that the Conference did not receive any proposals on a programme of work. This is a type of double indictment of the Conference on Disarmament.

It goes without saying that we did not adopt a programme of work, which means that we were not able to agree on any sort of proposal. Moreover, the fact we do not say in the section on the working documents that the Conference received a working paper on the programme of work, means that there was no proposal. The delegation of Algeria does not object to the adoption of this paragraph but finds this statement to be superfluous, in that it does not add anything to the report and only finds fault with the Conference on Disarmament yet again.

Mr. Canchola Gutiérrez (Mexico) (*spoke in Spanish*): Mr. President, first and foremost, I would like to reassure you of my cooperation in the work you are leading. Knowing you from before, I am sure we can achieve a very positive outcome. You have my support from both a personal and an institutional perspective. We appreciate the proposal made by the delegation of Algeria. We would like, however, to add two or three words at the end of the paragraph to flesh it out. It is a very simple addition: after the words “during the 2011 session” at the end of the paragraph, we suggest adding “and fulfil its mandate”.

From the tone of your recommendation, Mr. President, we understand that this report must reflect the facts, and it seems to me that this is a clear and objective fact that it would be appropriate to mention in the report we are adopting. I repeat, the proposal of the delegation of Mexico is to add the words “and fulfil its mandate” after the words “during the 2011 session”.

The President (*spoke in Spanish*): First of all, we welcome you to our discussions here, and I imagine that we will see you in other forums as well, such as the Human Rights Council. In fact, I recall with regret that next week many of us will be under heavy pressure with the work of the Human Rights Council. So then, with a view to moving forward with all the challenges and goals that we know lie ahead, I ask all delegations to try to make good progress and to finish today so that our Ambassadors and the representatives of various delegations can also fulfil their obligations elsewhere, especially representatives from small, understaffed delegations.

We would also like to thank the delegation of Mexico for its suggested addition to the rewording of this paragraph as proposed by the delegation of Algeria.

Mr. Khan (Pakistan): We are in consultation with our capital on the Algerian proposal, but at this point our instructions are basically that we can suggest two options. One option is to retain paragraph 19, as amended by the delegation of Poland. The second option is, specifically in the case of the Algerian proposal, in the second sentence — “in spite of these efforts, the Conference was not able to agree on a programme of work” — to put a full stop here and delete the remaining part, because once we say this, the remainder is, in our view, redundant.

The President (*spoke in Spanish*): The position of Pakistan is clear. Of the two options proposed by the delegation of Pakistan, the President much prefers the second. I also ask the other delegations that have asked for the floor — I have on my list the Netherlands and Australia and I also see the delegation of India — to indicate whether they would be in a position to work on the basis of the Algerian proposal and end the text after the third sentence.

Mr. Van den IJssel (Netherlands): Mr. President, first of all, let me apologize for being absent so often from this room under your presidency. It is not due to lack of interest,

but to other obligations in the field of disarmament. It is a pleasure to see you chairing this meeting so successfully.

Actually, the point I wanted to make is indeed about paragraph 19, and Mexico more or less made the same point, so I can be very brief. We have no problem with adding to paragraph 19 the language proposed by the delegation of Algeria. We think that is a factual reflection of what has taken place. But we also think it is important to stress all the facts, and indeed it is a fact that, because we were not able to agree on a programme of work, we are not able to fulfil our mandate.

The language I had in mind is slightly different from that of the Mexican delegation, but I am happy with the Mexican text. The text I had in mind was something like “subsequently has not been able to fulfil the task for which it was created in 1978”. It is a bit long, but I think the message is the same, and I think the Mexican proposal is shorter and so perhaps has the advantage or the benefit of the doubt.

Mr. Wilson (Australia): Mr. President, my delegation, like others that have spoken this morning, wishes to assist you in every way in bringing this process to a speedy and satisfactory conclusion.

Satisfaction is perhaps a theme of my remarks here. I note the interventions by the representatives of Algeria and Mexico, and, like the Netherlands, Australia could accept the proposal by Algeria, as amended by Mexico. But — and I think others would agree, and I think this relates to some of the comments that the Ambassador of Germany has been making — I do not recall anybody this year — and I have been to most meetings of the Conference this year — taking the floor to suggest that this situation is in any way satisfactory.

If I had my way, I would add three words to the end of this paragraph to simply say this was bad, and it is bad. I think that various themes and various words have been expressed today and in recent days. The Ambassador of Germany read from a statement containing an expression of disappointment, and I believe that a statement is needed which reflects the fact that nobody has taken the floor this year to say that this situation is good.

I can suggest some language now, given that this matter is not likely to be settled. I can suggest some language later, but a very simple formulation would, I think, be: “The Conference considered that this was not good.”

I do not recall anybody taking the floor to say this was good, and so therefore it would be a factual statement to state, in this report: “The Conference considered that this” — or “this situation” — “was not good.” I think that would send a signal to the General Assembly that we are not sleepwalking and putting this on the table without some sort of self-awareness about the situation here. If I can put it in simple terms, it would perhaps show that this Conference recognizes that it does not operate in a vacuum.

Mr. Gill (India): Regarding paragraph 19, my delegation can work on the basis of the proposal made by the Algerian delegation with regard to the two specific options that the representative of Pakistan has mentioned. Our preference would be for the second option, particularly because it avoids any possible confusion about how a mechanism would relate to subsidiary bodies mentioned in the rules of procedure.

Regarding the suggestion made by the Mexican delegation to add a mention of the Conference’s mandate, as the Ambassador of the Netherlands indicated, it would be difficult to spell out the mandate of the Conference. And if we get into the issue of what is the Conference’s mandate in accordance with the final document of the first special session on disarmament, a number of related issues will arise.

So we would like to work with a simple, clear formulation such as the second option suggested by the delegation of Pakistan.

Mr. Hoffmann (Germany): Let me first of all say that I am very happy to work on the basis of the proposal made by the Algerian delegation. I must say that I would also be willing to drop the element suggested by the delegation of Pakistan. I do not think one needs to go into so much detail at that point, and it would actually make the sentence shorter.

The main message is that we were once again not able to agree on a programme of work, and that is a matter of fact. I still hope that we all agree that that is a bad thing. In that vein, I, of course, also support the proposal made by the Mexican delegation to bring that out through the wording “and fulfil its mandate”.

If using the word “mandate” is a problem for the delegation of India, maybe one can do it in a somewhat different way. In that regard, I very much support the suggestion by the delegation of Australia that we should indeed make a value judgement precisely on this point – that we were not able to adopt a programme of work. We do not in any way say why this was so, or whose fault it was. It is simply a statement of fact that we were not able to do so. In order to express that, I think one could, for instance, say, adding to “was not able to agree on a programme of work”: “... thus continuing the long-lasting stalemate of the Conference. Member States agreed that it was a matter of deep regret that the Conference had once again not been able to fulfil the task for which it was created in 1978.”

I think all these statements are indisputably true, and I challenge anybody here to say that he or she does not regret that we were not able to agree on a programme of work. I think that, if these reports are to make any sense, we should actually come to the heart of the matter – namely, that we were not able to agree on a programme of work. And again, Mr. President, I want to do my best to help you do your job, and I will try very hard to do so.

Mr. Endoni (Nigeria): There is no doubt that the Conference, during its 2011 session, was not able to come up with any concrete ideas for fulfilling its mandate, but the Nigerian delegation, as much as we agree with that fact, will not support the idea of making a value judgement. We agree with the Algerian proposal, except that, in order to avoid redundancy and so forth, as the representative of Pakistan said, we would suggest deleting parts of it, so that it will read thus: “In spite of these efforts the Conference was not able to agree on a programme of work during the 2011 session.” We think that we should leave it at that. The statement is self-explanatory.

The President (*spoke in Spanish*): On my list of speakers I still have the representatives of Switzerland, Pakistan, the Islamic Republic of Iran and Sweden, and I am sure other delegations will be added, because this really is the issue that has been at the centre of most of our debates on the work of the Conference. I wish to point out that any one of us, including the observer States and other States that are not even observers, may speak on this subject during the discussions to be held when the First Committee considers the report of the Conference. At that time, each delegation may express its opinion in detail. It is my responsibility to seek a consensus formulation, and I am going to make a proposal and ask the delegations to respond to it. Working on the basis of the Algerian proposal, it would read:

(*continued in English*)

“During the annual session, successive Presidents of the Conference conducted intensive consultations in order to reach a consensus on a programme of work. Regrettably,

in spite of these efforts, the Conference was not able to agree on a programme of work during the 2011 session.”

This is the proposal that I would like to present. I would like delegations to consider it as a way to reach agreement on this particular paragraph, because to me it is clear that, with so many details, it is going to be very difficult to reach consensus.

Mr. Wollenmann (Switzerland): Mr. President, since this is the first time that Switzerland has taken the floor under your presidency, I would like to congratulate you on your assumption of this important function.

We did not make any proposals during the first reading of the draft report, not because we feel this is not an important duty but because we, like others, find these yearly negotiations to be, quite frankly, a rather awkward exercise, particularly for a body that keeps failing to meet its negotiation mandate.

We are, however, now raising our flag simply to put on the record the fact that our delegation would find it very difficult to accept omission from the report of the 2011 session of appropriate references to the problems that this body has been facing for well over a decade, particularly in a year in which we have on numerous occasions and in different formats discussed these problems in detail.

We understand that the report is, of course, not the place to deal in detail with the complexities that have kept us from doing what we are supposed to do. However, it should at least contain a few references to reality, and paragraph 19 is in our view an appropriate place to do that. That is why we are intervening at this stage.

The language proposed by the Algerian delegation is, in our view, a good basis. The amendment proposed by the representative of Mexico makes it in our view a more appropriate reflection of the situation. We also find the Dutch and German proposals very interesting.

What you suggested a moment ago, Mr. President, is also a step in the right direction. However, for our delegation, simply adding the word “regrettably” and not actually saying what the consequence was — for instance, that we could not fulfil the mandate, or that it is unfortunate that the Conference could not start work — is not enough.

In that regard, I would like to express our sympathy with the sentiment voiced by the representative of Australia. In our view, it is really quite appropriate to include factual references to the many occasions on which participants in this session of the Conference considered or discussed the fact that it was indeed unfortunate that the Conference had not been able to fulfil its mandate.

We are flexible about the wording. We can choose different adjectives. We can talk about adjectives. We can talk about the mandate, but in our view it is important to include one of these things in paragraph 19.

Mr. Khan (Pakistan): I will be very brief. The points made by the representative of Australia and the Ambassador of Germany and, I believe, by the representatives of Switzerland and Mexico, are well taken. They have merit. To facilitate our work, could those who spoke explain to the Conference how this lack of action or inertia in the Conference has been addressed in the report for the last 13 or 14 years? If they could come up with some examples from the reports, that would help us work. If there is no qualitative judgement in past reports, then of course the Conference has the right to ask them to explain what is so special about 2011.

All of us agree that there has been inaction in the Conference. As statements from my delegation were read, I think there is a requirement for me to respond. I will do so, but it will help us to reach consensus if we can find value judgements about the work of the

Conference, and in particular about the lack of a programme of work, from the last 13 or 14 years. Then we can try to move on.

But of course the point remains, Mr. President, that, as you said in the beginning, the Conference has been debating issues almost since January. We all know each other's positions. Do we want to go through the whole process again or do we want to move on to complete our work?

Mr. Daryaei (Islamic Republic of Iran): We are discussing paragraph 19, which is under the heading "Agenda and programme of work for the 2011 session", and when we talk about the programme of work, the relationship of the programme of work to the mandate and the functioning of the Conference is self-evident. So, I cannot understand why we are insisting on stating the obvious. I think the position of each delegation is clear.

So, I request our distinguished delegates to move in a direction which would be conducive to creating consensus. In that light, I am flexible regarding the second option proposed by the representative of Pakistan and the valuable proposal made by the representative of Nigeria. I also have no problem with your last proposal, Mr. President.

I think we should say in a more positive way that, despite all of the efforts made by the President, we were not able to agree on a programme of work. It would clarify the situation of the work of the Conference without going into a controversial discussion.

Mr. Knutsson (Sweden): My delegation, like others that spoke this morning, has a strong preference for the proposal made by the delegation of Algeria for paragraph 19, with amendments along the lines of those proposed by the delegations of Mexico, the Netherlands and Australia.

You had an interesting proposal as well, Mr. President, about including the word "regrettably". As others have said, this is exactly what we are trying to convey, I think.

In our opinion, there are perhaps two more elements that one might wish to try to capture in this paragraph. One is the fact that this is not the first time this has happened, so we have "again the Conference was regrettably unable". The second element is what others have said about the consequence of this inability, namely the non-fulfilment of the task of the Conference. I believe that both of these elements were actually captured by the proposal that the Ambassador of Germany made a little while ago, and we support it wholeheartedly.

Mr. Hoffmann (Germany): I apologize for taking the floor again, but I did want to try to answer the very legitimate question raised by the representative of Pakistan.

Why would we try to put this into the report this year, when it was not done in previous years? In a lighter vein, I would first of all say that it is never too late to see the light — and maybe we are now doing so — and that is more serious at the point where we get a bit more exasperated about the situation. You know, the longer the stalemate drags on, the more frustrated States become, and I think there is no reason why one should not change gears, so to say, and be more precise in such reports.

The second point I would make is that I cannot recall that there has ever before been a high-level meeting on this issue called by the Secretary-General of the United Nations and attended by, I think, about 50 foreign ministers who all deplored the sad state of affairs in the Conference. So, I think that is all the more reason to express this in the report in an appropriate way.

The representative of Nigeria was a bit wary of making value judgements in the report, and I understand him very well because one always has to be careful here. But when I think we all basically agree that this is an unsatisfactory situation, then I do not quite see why we should not express this in the report. And when one, for instance, says, as I suggested, that we should add to the point "was not able to agree on a programme of work

during its 2011 session, thus continuing the long-lasting” — or “long-standing” — “stalemate of the Conference”, that is not a value judgement. That is a clear statement of fact.

We have been at a stalemate for over 10, 12, 14 years, and the report would only inform the reader that there is a problem. Again, as others have said, I think we do ourselves a favour if and when we state that we regret that fact. Therefore, Mr. President, I appreciate the fact that you have yourself made a proposal in that direction. I think it all depends now on exactly how one would phrase it.

Mr. Corr (Ireland): Mr. President, I appreciate your proposal on this paragraph. I will not repeat the points made by several others.

This paragraph in particular encapsulates a key issue that we have. Nobody is asking, I think, for value judgements throughout this text, but there is a serious point involving intellectual consistency with regard to what has happened this year with the high-level meeting and other issues that we do really have to reflect somewhere without appearing foolish.

My delegation could certainly accept any of the proposals, or work on the Algerian text, which is fine, of course, with the addition of the point that you made regarding an expression of regret, but also the mandate. So we have a number of proposals on the table — by Mexico, the Netherlands, Germany and Australia — and the task of reaching consensus is a very difficult one, but this does seem to us a paragraph where it should be possible to move ahead without compromising anyone’s fundamental principles.

Mr. Khelif (Algeria) (*spoke in French*): First of all, we would like to thank all the delegations that have supported our proposal regarding paragraph 19.

Before responding to the proposals made by our colleagues, we would like to recall a comment that the Ambassador of France made at a previous plenary meeting about the fact that consensus is always reached on the basis of minimalist positions. That is to say, we cannot have everything we would like to have in a proposal. We must therefore agree on a minimum common ground.

Secondly, as our colleague from Australia indicated to the Conference, we are not working in a vacuum. There is indeed a context: we are aware that other initiatives are being prepared outside of the Conference on Disarmament, and that is why we are vigilant about what can be recorded in the report. We do not want the language that we choose to give any degree of legitimacy to what is being prepared outside the Conference on Disarmament.

We have no particular objection to the proposal made by some colleagues, including the representatives of Germany, Australia and Mexico, to state at the end of the paragraph that the Conference has not been able to carry out its mandate, but when we talk about the mandate we have in mind the mandate given to the Conference at the first special session of the United Nations General Assembly devoted to disarmament.

If the mandate in question is to negotiate disarmament instruments in accordance with the priorities set out in the document — the decalogue — then we do not oppose this amendment, provided that the necessary clarifications are provided.

We believe that if we follow this logic, we are going to make the report even more complex and will never be able to reach consensus. This is why, Mr. President, the delegation of Algeria fully supports the proposal you put forward regarding this paragraph.

Mr. Canchola Gutiérrez (Mexico) (*spoke in Spanish*): In order to speed up this process, after hearing the arguments put forward today, my delegation, which is constructive as always, has no problem with being flexible and with considering the

specific proposals put forward by the presidency, including the words: “Regrettably, in spite of these efforts, the Conference was not able even to agree on a programme of work during the 2011 session, thus continuing the long-standing stalemate of the Conference. Member States agreed that it is a matter of deep regret that the Conference had once again not been able to fulfil the tasks for which it was created in 1978”. In the light of the comments made, we also would like to take up the very useful proposal made by the distinguished Ambassador of Germany. We understand that the Mexican proposal has received support, even though the wording is perhaps not the most precise. We recognize the usefulness of the German proposal, which has also received support from a large number of delegations. I repeat that we could accept the proposal made by the President, including the German proposal. I would like to suggest that a word be added just to be more straightforward, clear and factual. The text would read “Regrettably, in spite of these efforts, the Conference was not able even to agree on a programme of work during the 2011 session, thus continuing the long-standing stalemate of the Conference. Member States agreed that it is a matter of deep regret that the Conference had once again not been able to fulfil the tasks for which it was created in 1978”. I shall repeat the three elements of our proposal: working on the basis of the Algerian proposal and the President’s proposal, add the adverb “even” after the word “able”, and add the wording of the German proposal to the end of the paragraph.

Mr. Wilson (Australia): I apologize for taking the floor again on this issue. I do not wish to prolong the debate.

First of all, I want to thank you, Mr. President, for your suggestion for this paragraph. I agree with the representative of Switzerland that it is a move in the right direction.

I would like to respond very briefly to the comments made by the representative of Pakistan about why qualitative judgements, and why now. I think the Ambassador of Germany responded quite well to the question of why now. On the issue of value or qualitative judgements, I want to make the point that I do not consider the wording that I proposed a value or qualitative judgement. I do not wish to go into linguistic issues, but the statement “the situation is not good” is a value or qualitative judgement. To say that the Conference “considered” — “recognized” is perhaps better — “the Conference recognized that this situation was not good” is a factual statement.

Again, I have sat in most of the meetings of this Conference, and no one has raised a flag and said, “Oh gee, it’s a good thing that we didn’t have a programme of work this year.” Nobody said that. “The Conference recognized that this situation was not good” is a factual statement. But again, Australia wants to be flexible.

We thank you for your proposal, Mr. President.

The President (*spoke in Spanish*): I have listened to all the delegations. I would like to remind you that in order to reach consensus, we have to be practical while still working within the rules of the Conference. I will therefore return to the issue without taking into account the views of a vast majority of the delegations, since here consensus really is interpreted to mean agreement by all member delegations of the Conference. Having said that, all the additions that have been proposed might be very significant for you. For my part, as I was not an active participant in previous sessions of the Conference, I just want to say that the fact that you were not even able to agree on a programme of work means that you have not done any work. Really, [to say] anything more is redundant. If a body cannot even agree on a programme of work, it is quite simply because it is not working, it does not function, and, of course, it has not fulfilled its mandate. Clearly, it has done nothing. Of course, words have been spoken and speeches given but they really have not contributed anything to the cause of disarmament. It is quite clear that this is due to the fact that you did

not even have a programme of work. If you did not reach agreement about what you were going to work on, that means you did not work. So all these additions you are proposing are very interesting as an intellectual exercise and as political rhetoric, but, since I have to work on the basis of consensus, I will no doubt try to find a wording that is not based on the views of the majority of the delegations, whose value judgements I recognize, but rather one that can accommodate the views of all parties. At the same time I do not underestimate the importance of pointing out that the Conference was not even able to adopt a programme of work. It is clear that it did not work, that it therefore did not fulfil its mandate, that it did not live up to expectations or do anything useful to further the cause of disarmament starting with the tasks assigned to it.

Let us skip over this paragraph and leave it pending. We shall move on to the next one, paragraph 20.

With regard to paragraph 20, we have the original proposal, as amended on the basis of proposals from several delegations, in particular the delegation of Poland, and we have a proposal from the delegation of Pakistan on the structure and content of the paragraph. The proposal is to split the paragraph in two, include some wording and replace several terms used in the original proposal. I would like to ask the delegation of Pakistan specifically if we could work, if the delegation could be flexible, and retain the structure of the original paragraph, make it a single paragraph, and then look at the content.

Mr. Ahmad (Pakistan): Since we did not make any substantive proposals in the first part of our proposal, we can go along with the Polish proposal. However, we would first like to discuss whether the amendment proposed by our delegation is acceptable. We can then later consider whether these paragraphs could be merged. As we stated in earlier discussions on this paragraph, we consider the proposal made by our delegation to be substantive in nature, and the outcome of that discussion would help us determine how flexible we can be on this.

The President (*spoke in Spanish*): I am now clear about your flexibility regarding the format once we have discussed the substance. I ask the delegations, is it more or less clear that the Polish proposal could be adopted? I would now like to ask delegations about their position on the addition contained in the second paragraph proposed by the delegation of Pakistan, beginning with the words “in particular the continuing debate”. Would delegations be in a position to accept this addition proposed by the delegation of Pakistan?

Mr. Wilson (Australia): I am speaking now about paragraph 20. In the discussion on paragraph 19, a couple of delegations took the floor to talk about redundancy and also about whether it was necessary to state what was clear and obvious. The proposed amendments to the current paragraph 20 bis merely serve to transfer information contained in document CD/1907 into the report. I think that most, if not all, of the language after the first reference to that document is unnecessary, and I would prefer that it be deleted, with the addition of something like “the modalities of these informal meetings are set out in document CD/1907”.

But I understand that there are both a minimalist and a maximalist position on this paragraph. There are those who would prefer simply to note the fact that this is all set out in document CD/1907. There are others who wish to introduce further language from CD/1907.

If you will indulge me, Mr. President, I will make an observation about the history of this paragraph. It essentially matches paragraph 18 of last year's report, issued as document CD/1900, in which the document being considered was CD/WP.560/Amend.1, which was a document issued under the Belgian presidency for a series of informal meetings.

During the consultations on the report last year, we went back and forth between the maximalist and minimalist positions, discussing whether we would load up the paragraph or pull the language back. The original text for this year, as presented to us by the secretariat, basically reflects where the discussion ended last year. I do not see any reason why we need to reopen that discussion. So, I propose that we simply accept the language with the Polish amendments as presented by the secretariat. We can split the paragraphs into two because that occurred last year, but let us not start going back and forth. There are a maximalist and a minimalist position on this paragraph. Let us just accept what was in the original draft of this annual report.

I offer this suggestion to help you so that we can move forward and so we do not have to replicate the discussion that we had last year.

The President (*spoke in Spanish*): The positions are clear, and I think it is as clear to the delegation of Pakistan as it is to me that there is no consensus on its proposed addition. Australia is also proposing that we should be flexible about the format and agree to split paragraph 20 in two. The sentence that begins with “its 1219th plenary meeting” would be the start of a separate paragraph. I would like to ask all the delegations if we could accept the wording that appears in paragraph 20, identified as “old text”, including the amendments contained in this wording, and split the paragraph in two, starting the second paragraph with the reference to the 1219th plenary meeting.

The President is suggesting that we accept it on these conditions. Does any delegation object to this? Then, it is hereby adopted.

Mr. Ahmad (Pakistan): Mr. President, unfortunately there is a technical problem and I missed part of what you said in translation. Could you kindly repeat it?

The President: Yes, what I was trying to say is that my proposal is along the lines of what the representative of Australia proposed, that is, to keep the wording used for paragraph 20 in the old text. I would accept the amendments to the wording of the paragraph and split the paragraph in two, starting the second paragraph with the sentence that refers to the 1219th plenary meeting of the Conference. To me, it is clear that there is no possibility of reaching consensus on the addition that you proposed for this paragraph.

Thus my proposal is to adopt this paragraph using the wording of the text as it appears in the old version of paragraph 20 and splitting the paragraph into two paragraphs, starting the second one with the sentence beginning with “At the 1219th plenary meeting ...”.

Mr. Bilal (Pakistan): Mr. President, we have listened carefully to your proposal. We also proposed a couple of other amendments to this paragraph. In the latter part of the paragraph we replaced “finalized” with “could finalize” and proposed the replacement of “prejudice” with “affect”. We would like to hear whether that is acceptable.

Regarding your proposal, we will have to seek instructions from our capital. So we suggest that this paragraph remain pending.

The President: We are going to keep this paragraph pending anyway, but I would like to know if any delegation objects to this concrete proposal by the delegation of Pakistan to replace “finalized” with “could finalize”. Is it acceptable to everyone? It is so decided.

Mr. Bilal (Pakistan): I apologize for taking the floor again. We also had a proposal regarding the wording “would not affect in any way”. I wonder if you could seek consensus on that as well.

The President: This proposal is already included in the paragraph as presented. I think that is why I didn’t refer to it.

(continued in Spanish)

We are clear about the situation with this paragraph. We shall wait for the delegation of Pakistan to consult with its capital on this proposal.

We turn then to paragraph 25. The secretariat included paragraph 25 only to remind us that it had been provisionally adopted. I hope that no one has any doubts about this reminder. Let us turn to paragraph 25 bis.

Mr. Endoni (Nigeria): I am not taking the floor to start consideration of paragraph 25. I was just thinking that, since we are going paragraph by paragraph and the delegation of the United States has circulated its paper, which I think other delegations may have gone through, perhaps we should consider that before we move to paragraph 25.

The President (*spoke in Spanish*): Can we agree to proceed as the representative of Nigeria has suggested and return to the discussion on paragraph 7 before considering paragraph 25? I see no objection, so that is how we will proceed. We shall return to paragraph 7, since all the delegations have received the proposal distributed by the delegation of the United States of America. I would like to remind you that there was an original paragraph, a proposal that I myself had drafted. I thought that in this way we could resolve or rather accommodate the positions of most delegations, but now we also have this proposal from the delegation of the United States of America.

Mr. Endoni (Nigeria): Mr. President, regarding your suggestion for paragraph 7, the suggestions made by delegations earlier, and the suggestion that has just been circulated by the United States delegation, it is quite clear that there is not much difference in substance among them. I think that it is a matter of semantics. So I think we should go with the United States proposal, maybe with one or two deletions, because all of them contain almost the same thing as is contained in yours. Maybe we can do away with the reference to “many” in the United States proposal, which reads, “Many expressed concerns about the continuing stalemate in the Conference despite the favourable international environment ...”.

We can remove “the current” and make do with “despite the favourable international environment”. Also, in the last sentence we could stop with “The Conference welcomed their addresses as expressions of support for its endeavours” and put a full stop, rather than mentioning regional leaders, which would definitely bring up some more discussion.

Mr. Khan (Pakistan): Mr. President, in my delegation’s view your proposal is totally fine. I think this is a rather succinct way to capture what happened here. We also see merit in the proposal made by the representative of the United States, but delegations would need some more time to reflect and consult with capitals. The more specifics we get into, the more problems come up. For example, my delegation might wish to refer to some of the foreign ministers’ statements, which might not be agreeable to others.

Your proposal is very short and accurate, and my delegation is very comfortable with that, but we can refer it to our capital. But we have some problems with the United States proposal.

Mr. Gill (India): Mr. President through you we would like to thank the United States delegation for its proposal on paragraph 7. We are comfortable with the language that you have suggested for this paragraph. We think that if we were to consider the alternative proposed by the United States, it would require some work on several sentences. However, we are flexible with regard to the reference to the dignitaries variously calling on the then-constituted Conference presidents to urgently concert their efforts towards further work in the Conference with a view to starting multilateral negotiations, and so on. I think that sentence may alleviate some of the concerns we have heard about the efforts undertaken during the year, but the rest of the paragraph would, I am afraid, require some

work. There may be different points of view, for example, on the issue of the Conference as the single multilateral negotiating forum, which we all agreed to by consensus at the first special session on disarmament, and also with regard to some of the historic negotiating accomplishments.

Mr. Canciola Gutierrez (Mexico) (*spoke in Spanish*): Thank you very much for the proposals on the table. Based on the factual approach, Mexico finds many objective and factual elements in the proposal submitted by the delegation of the United States of America, which we believe would be more appropriate. We could also accept the comments and amendments proposed by the delegation of Nigeria.

The President (*spoke in Spanish*): With regard to paragraph 7, I would like to ask you all if we could work on the basis of the proposal by the delegation of the United States of America. Forgive me, I see that the delegation of the Islamic Republic of Iran and others want to speak. I am asking a question; in any case I am going to give you the floor. But I would like to ask this specifically, because it is essential to be clear about what we are going to use as a basis of our work so that we know what we are going to discuss. I would like to know if we can agree to work on the basis of the proposal of the delegation of the United States of America. I give the floor for you to answer this question in particular.

Mr. Khan (Pakistan): My delegation has no problem with taking into account what the representative of the United States has suggested. At the same time, I want to make clear that when we say we will work on the basis of the United States proposal, from my delegation's viewpoint it should not mean that the proposal by the President has been discarded. So the President's proposal is on the table, and the United States proposal is on the table. Let us try to mix and match, if necessary. My only concern is that the President's proposal should remain on the table.

The President (*spoke in Spanish*): Fine, the President's proposal will remain on the table. In order to facilitate our work, I suggest that the delegations that are going to speak now should speak about our work. I am not saying that either of the two previous proposals has been discarded, but I am going to focus the debate on the proposal of the delegation of the United States of America and begin consideration of those aspects that we may need to add, delete, or change in order to reach consensus. We have already heard the first statement from the delegation of Nigeria. Nigeria has proposed that we should delete the word "current" in the fifth sentence, and also that we should end the paragraph after the words "expression of support for its endeavours" in the next to last sentence. So, these are two proposals that have already been made. I will give the floor to any delegation that wishes to speak about this proposal, starting of course with the originator of the proposal.

Mr. Reid (United States of America): Just for the record, I am fine with working on the basis of the United States proposal. I just wanted to explain to colleagues what we were trying to get at with the way we constructed this. We went back and content-mapped the actual statements made by foreign ministers. The proposal is not about what the Conference debate involved. This is a paragraph talking about what foreign ministers and other dignitaries said when they came here. So we went back and mapped the themes of the statements. You just drop it in the software and it spits it out.

The statement referred to earlier by the representative of Nigeria was not, by the United States – it came from the original secretariat text.

We worked on the last statement as well, to suggest the notion of expectations, which received a score of 16 out of 21 in the content mapping. All 21 statements by foreign ministers and senior officials used the word "expectations", and 1 of them used "expected". One of them put it in seven times, so it was given that much emphasis in one of the 21 statements by the foreign ministers and senior officials.

So that is how we came up with some of these themes. I just offer this information for colleagues.

Mr. Khelif (Algeria) (*spoke in French*): First of all, the delegation of Algeria should be able to accept your proposal without great difficulty. However, given that we have two texts, we believe it might be sensible to work on the basis of both texts, with a view to combining them in a simplified paragraph, without going into all the details.

The delegation of Algeria would like to make a proposal, Mr. President, if you would allow it.

The President (*spoke in Spanish*): Of course I will allow it. Please make whatever proposal you deem appropriate, especially if it will help us to reach consensus.

Mr. Khelif (Algeria): "In their addresses, these dignitaries recognized the importance of the Conference and raised a wide range of issues in the area of disarmament and international security. Continuing stalemate in the Conference of Disarmament despite the current favourable international security was raised. The Conference welcomed their addresses as expressions of support for its endeavours as the single multilateral negotiation forum in the field of disarmament."

The President (*spoke in Spanish*): We thank the delegation of Algeria for its proposal, which the delegation of Cuba believes is a very good one. We would be grateful if the representative of Algeria could provide this wording to the secretariat for distribution, so as to facilitate understanding. I have the representative of Pakistan on the list of speakers, and after that I am going to close the debate on this paragraph. Does the delegation of the Islamic Republic of Iran or any other delegation feel it is essential that they speak about this paragraph? Germany? After the delegations of the Islamic Republic of Iran, Pakistan and Germany have spoken, we will close the debate. We will give you time to review the proposal of the delegation of Algeria and then return to paragraph 7 once we have that wording.

Mr. Khan (Pakistan): Thank you, Mr. President, and I also thank the representative of the United States for explaining the rationale for his delegation's proposal.

I just want to make a brief point from my delegation's perspective. The basic problem we have with the United States proposal is in the context of the Conference. How can we categorize statements as having been made by "most of them", "many", "some" or "a few"? For us, this is fundamental, and if we strike all of this out then it becomes difficult to blend in the various notions or arguments which have been highlighted. So what the representative of Algeria suggested sounds eminently reasonable to me, and we are comfortable with working on the basis of that or the President's proposal. Our basic problem with the United States proposal is this notion of trying to quantify what is essentially not quantifiable.

The President (*spoke in Spanish*): I think it could be quantifiable, though at this point we are really not in a position to make the calculations needed to quantify it. In any case, as you have suggested, this is not practical.

Mr. Daryaei (Islamic Republic of Iran): We also have a problem with using divisive language in the Conference report. We also have some problems with the quotation of parts of statements. Yesterday, we checked various statements made by dignitaries and found that our country's foreign minister and some others referred to the necessity of moving in the direction of a nuclear weapons convention. Convening a fourth special session on disarmament was also one of the elements emphasized. If we want to quote what some said, then we also have to quote what others said. In that light, we very much support your proposal, because it is very simple. Otherwise we have to add some elements to the United States proposal.

Mr. Hoffmann (Germany): I think it is important in this paragraph to really focus on the essential. I am perfectly happy to work on the basis of the United States drafting proposal, but I have listened carefully to what has been said by colleagues who have a number of problems with it. I have tried to find a solution for these and would like to make a proposal based on or using the United States proposal but somehow changing the order of thoughts a little bit. If I may, I would like to read it out.

The first few lines remain the same. I will start with the sentence which now begins with “Many expressed concerns”, and I would propose the following: “Concerns were expressed about the continuing stalemate in the Conference despite the favourable international environment for multilateral affairs, risking the body’s becoming irrelevant as the single multilateral disarmament negotiating forum.” I repeat: “Concerns were expressed about the continuing stalemate in the Conference despite the favourable international environment for multilateral disarmament, risking the body’s becoming irrelevant as the single multilateral disarmament negotiating forum.”

I hope all the elements are in the text in a way that everybody should be able to live with. The other elements of the text would remain the same.

The President (*spoke in Spanish*): Thank you, Ambassador. I also ask you, as I asked our distinguished colleague from Algeria, to submit your text to the secretariat for consideration. My first impression is that it does not resolve the issues and concerns raised, including the issue of the vague expression “most of them”, especially in the first part, which retains the wording “most of them”. In any case, once we have your proposal in writing we will consider it along with the Algerian proposal and those that are currently on the table. To conclude the consideration of this paragraph, I give the floor to the delegation of the United States of America.

Mr. Reid (United States of America): I will be brief since this is the second time that I have taken the floor. The whole question of “many” versus “some” and so forth came out of our mapping of the content of the actual statements by the ministers and other dignitaries. Eleven of the ministers and other dignitaries actually did not in any way support the Conference as the single multilateral disarmament forum. In fact, 11 of them explicitly warned that the Conference could lose its status. One could generously say that four referred to the single status, two repeating historical language outright and two presenting variations thereon. So that is how we came up with the categories of “many” and “some”: 11 versus 2 plus 2. We were really trying to come up with a consensual account of what was said.

The President (*spoke in Spanish*): I respect your statistics, but, knowing how statistics are produced, I wonder about the criteria you use to determine whether or not there was support and whether or not you should count a delegation as having supported or recognized the role of this Conference as the sole multilateral disarmament negotiating forum. But in any case it is an inherent feature of statistics that when one conducts surveys and statistical analyses there are so many differing opinions that it is impossible to reach a conclusion. I think that the wording has to be based on the principle of highlighting what was said, presenting ideas in a neutral manner and avoiding quantification, given that the Conference has not decided on a common procedure or set of rules for quantifying the expression of a viewpoint. On the contrary, we are one of the few bodies in the entire multilateral system where consensus is interpreted to mean unanimity. In this forum, sometimes the most important thing is to take into account the viewpoint of the minority, not the majority. Perhaps this makes it the most democratic forum in the world, where minorities are never marginalized or pushed aside. In any case, this is really a debate that we are not going to resolve now. We will return to paragraph 7 once we have the written proposals submitted by the delegations of Germany and Algeria.

Mr. Combrink (South Africa): I thought perhaps we could look again at the proposal that we have in front of us and, on the basis of the comments, try a particular formulation.

We can start as follows: "In their addresses these dignitaries recognized the importance of the Conference. The historic negotiating accomplishments such as the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty were recalled." The next sentence remains as it is. The following sentence, building on the suggestion by Germany, could read: "Concerns were expressed about the continuing stalemate in the Conference despite the favourable international environment for multilateral disarmament." The next sentences could read: "References were made to the Conference as the single multilateral disarmament negotiating forum. The persistent deadlock in the fulfilment of the Conference's negotiating mandate and the risk of the body becoming irrelevant were highlighted."

The President (*spoke in Spanish*): Well, we do not want to forget about the proposal presented by the representative of South Africa, because we find it very interesting. Perhaps you could be so kind as to submit your proposal in writing to the secretariat, even taking additional time for analysis, because, as I said, this proposal seems to very useful as a basis for moving forward in our work. Please be so kind as to submit this proposal in writing to the secretariat so that we can have it when we return to paragraph 7. I thank you for your efforts, and we will return to the subject at our next meeting.

So then, let us return to paragraph 25, and I remind you that this paragraph has been adopted, so we move on to paragraph 25 bis. With regard to this proposed paragraph, there was a general understanding of the advantages of the rewording submitted by the Islamic Republic of Iran. We also have an addition to this paragraph from the delegation of Germany, which respects the logic followed by the Islamic Republic of Iran.

I give you the floor to discuss paragraph 25 bis proposed by the delegation of the Islamic Republic of Iran and the subsequent addition put forward by the delegation of Germany.

Mr. Khelif (Algeria) (*spoke in French*): Thank you, Mr. President. The delegation of Algeria has already expressed its support for the proposal by the delegation of Germany, which outlines, fairly concisely, the various meetings we have held in the Conference on Disarmament on the issue of initiatives undertaken outside the Conference, particularly the high-level meeting and the resulting follow-up process.

This proposal consists of two parts. First of all, there is the observation or a sense of concern expressed about the ongoing stalemate in the Conference on Disarmament, which prevents it from fulfilling its mandate as a multilateral disarmament negotiating forum. It seems to us that we attempt to express this concern three or four times in the report. We should like the dignitaries, the member States and the secretariat all to bear witness to this failure. It seems to us that it is excessive to include three charges against the Conference on Disarmament in one report, thereby turning the document into an indictment rather than a report on the activities of the Conference.

Perhaps we can tone down the wording, but if we wish to express this concern it seems to us essential to mention the second part of the diagnosis, namely, the reason why we find ourselves in this situation. We believe that paragraph 6 of the report of the Advisory Board on Disarmament Matters (A/66/125), which was submitted to the Secretary-General as part of the follow-up to the high-level meeting, faithfully records the reasons for such a statement at the Conference. I shall read it aloud to you: "The Board stressed that a political solution was required to break the stalemate at the Conference on Disarmament. The lack of political will, rather than the technical difficulties being encountered, was seen as the principal problem faced by the Conference, and it was

mentioned that what appeared to be procedural problems were in fact political ones. Changing the method of work of the Conference was not seen as the ultimate solution that would make the body more efficient.”

(continued in French)

This text perfectly illustrates why we have been in this situation for nearly two years. Thus, if we wish to express concern about the stalemate at the Conference, in our view, a sentence must be added that somehow reflects the Advisory Board’s conclusion.

We do not have a problem with the second part of the German proposal, but perhaps certain terms should be changed to bring them into line with the rules of procedure. For example, the text says: “In his report, the Secretary-General of the Conference on Disarmament indicated”. I am wondering if, under the rules of procedure, the Secretary-General of the Conference can report to us here about another activity.

This wording that poses a problem for us might be redrafted as follows: “In the personal assessment he gave at the plenary meeting of 4 August 2011, the Secretary-General of the Conference on Disarmament mentioned the different options that had been proposed or presented by States concerning the situation of the Conference on Disarmament.” So, instead of referring to a “report” from the Secretary-General, we could refer to his “personal assessment”.

The President (*spoke in Spanish*): In order to be clear about the methodology being followed in our debate, there is something I believe we must first define. We had seen the paragraph from the delegation of the Islamic Republic of Iran, which basically listed the meetings that had taken place during the period. The delegation of Germany, the Ambassador in this case, had said that it was not enough to provide a factual account of the meetings and that it was important to include a reference to what had actually been discussed at each of those meetings. Before going into the details of the analysis — because I know that there will now be an endless number of proposed amendments and sub-amendments to the paragraph submitted by the delegation of Germany — my first question is this: are we in a position to work by consensus on the paragraph, as it is with the added references to the content of the meetings, following the logic of the proposal by the Ambassador of Germany? Are there no objections on this point? No delegation has any objection?

Mr. Khan (Pakistan): I am sorry, Mr. President. I seek your indulgence. I missed the last part of your statement because of my own fault, not because of a technical problem. Could you repeat it?

The President: I am going to try in my terrible English. I was saying that there was a very general agreement that there is no doubt that the proposal by the representative of Iran is accurate with regard to the meetings that have been taking place during the session. But, in our previous meeting, a group of delegations said that it was not enough to have that kind of factual reference to the dates, the titles and so on, and to identify the actors in the different meetings. What was needed was some kind of reflection of the substance of those meetings, and that is precisely why the Ambassador of Germany proposed to add concrete wording on this. I have now heard a concrete proposal by the delegation of Algeria on the basis of the proposal for an addition by the Ambassador of Germany. My question is: Can we agree to work on the basis of both? Otherwise, if we are not going to reach a consensus on this, then I have some doubts regarding the value of entering into a detailed discussion.

Mr. Khan (Pakistan): In the first place, I wish to say, for the record, that my delegation is comfortable with the proposal made by the delegation of Iran. I think it helps us cut through a lot of debate and save time which we could put to more productive use.

Second, with regard to the proposal made by the delegation of Germany, this is very difficult for my delegation to accept. The German proposal goes to the heart of why there is no consensus in the Conference. It is very hard for my delegation to agree to the German proposal.

We can live with the Iranian proposal. As you have been so generous and so accommodating and democratic in the conduct of your presidency, any delegation can of course table any proposal it wants, for example, on a nuclear weapons convention or nuclear disarmament. So, when we talk about the impasse in the Conference, it dates not just from the last 2 years or the last 10 years – it dates from 1978. The Conference has not been able to do anything on nuclear disarmament. There are various views on this whole subject.

With regard to mentioning the high-level meeting, for us, the suggestion by the delegation of Iran is a viable solution, but of course we respect the right of each delegation to make proposals.

Mr. Gill (India): Mr. President, I see your point about including an element of reflection somewhere in the report, but we find that elements for reflection or, if you like, value judgements have been placed, through draft proposals, in several paragraphs – in paragraphs 7 and 19, and now we have a suggestion for paragraph 25 from the Ambassador of Germany. Our preference is to work with an element of reflection in one place in this report, preferably in paragraph 19. We do not think that it helps us move forward to place these elements of reflection throughout the report. That changes the nature of the document we are negotiating, and it is not helpful. There will be other opportunities for the delegations that feel strongly about it to make these points – for example, at the General Assembly.

For this paragraph, our preference is to accept the proposal made by the delegation of Iran and then return to our work on the element of reflection in paragraph 19. Otherwise, I am afraid this debate about quotations — from the report of the Advisory Board, from statements made by different foreign ministers — may continue endlessly.

Content-mapping may also continue — we can debate how many times the terms “nuclear disarmament” and “fissile material cut-off treaty” have occurred in our statements — but that does not help with the task that we are trying to achieve under your able presidency.

Mr. Hoffmann (Germany): I would like to make a couple of points. First, on the issue of repetition, I am the first one to want to avoid repetition, but in the rather boring procedural parts of this document, where we list who has been the chair of what and so on, we repeat all the time, and many seem not to have a problem with that. There are some in this room who argue strongly in favour of many such repetitions, which make the text very difficult to read. I don't think that, in terms of substance, the repetitions are really of any major relevance.

Second, I think that when we deal with the issue of the improved and effective functioning of the Conference, that is a very good place to talk about the substance of the high-level meeting process. This is the ideal heading under which we should make clear what the situation is.

Third — and that is a very important point — I think there is a very fundamental misunderstanding here. When you read what I proposed carefully, you will note that the text very deliberately stays clear of any attempt to pinpoint the reason for the stalemate, and it does not offer any hint of a solution. The text is in a way purely procedural – it only states that the Conference failed to adopt and implement a programme of work.

I can read out statements from all those delegations who have taken the floor in which they made the same complaint. I have them all with me. I read statements by the delegation of Pakistan this morning. I can read statements by a number of other delegations as well. I can read statements made by Ambassador Jazairi in this room in which he complained about the fact that we are not making progress on the work programme.

So, to now introduce other elements which somehow say that the reason is a lack of political will and so on is, if I may say so, really beside the point. This text does not go into that territory at all. It only tries to say to the General Assembly that this body has not been able to agree on a work programme and fulfil its function. For good reason, it does not refer to the first special session on disarmament but to its own rules of procedure. Unfortunately I forgot to bring them with me, but I think the function of the Conference is defined in section I, and there it is stated that the Conference is a negotiating forum. That is a matter of fact.

And then, in a way, it is appropriate to quote the Secretary-General of this body, because I think that when we have had a high-level meeting which was attended, I think, by 50 foreign ministers, and another General Assembly debate about this matter in July, where people expressed their concern about the situation in the Conference, it is in order to somehow reflect this in a report. I wanted to end on a positive note, because the Secretary-General of the Conference, in his statement of 4 August of this year, actually reported on the views which were expressed there. Maybe to bring that out more clearly I should have said, "reported at the session of 4 August views expressed on possible approaches to revitalizing the work at the General Assembly debate". Again, this is totally content-free. He did not say that he favoured this or that view. The statement here just says that he reported views on how to get out of the mess, so to speak. This element does not take any sides in the dispute about why for the last 12 years or so we have not been able to do our work. It is totally neutral on that, and that is why I insist on that point.

I hope that this is the "rock bottom" on which we can at last agree that there is a problem – that we cannot agree on what we want to work on. I know perfectly well that there are different views as to whether this results from a lack of political will or from the rules of procedure, but I think this is the minimum we should be able to say, and I honestly fail to understand why this should create a problem for anybody.

The President (*spoke in Spanish*): Forgive me for intervening at this point, I really should be more of a facilitator rather than presenting my own views. In any case, I am making an assessment as facilitator, because I was aware of delegations' positions before arriving here today. I knew that there would not be a consensus on including this addition. I believe that there are arguments on both sides — those who want to include it and those who object to it — and unfortunately consensus always leads to the lowest common denominator. I think that any ideas that might have been put forward by the Secretary-General, the Advisory Board or anyone else cannot be any different from the ideas expressed by the delegations here in this room and the views of the member States. Ultimately, we are the real actors in this whole process.

I wonder if one way to resolve this issue might perhaps be to avoid entering into this debate again. In any case, I believe that everyone knows what each of these additional participants said, and this will be reflected in the lists in paragraph 25 bis proposed by the delegation of the Islamic Republic of Iran. I wonder if there are any specific ideas that do not appear currently in the proposal put forward by the Ambassador of Germany and that we might want to include. My proposal is — because I know that this is the way to reach consensus — that we adopt paragraph 25 bis, as proposed by the delegation of the Islamic Republic of Iran, and if there is any specific idea in the German proposal that we have not reflected, we include it in paragraph 7 when we refer to substantive issues. I think that if there is some element, some specific message, that we want to underline and that could be

lost if we disregard the German proposal, we could try to retain it as an expression of a position when negotiating paragraph 7, where we already see substantive issues and the views of several delegations. This is a specific proposal.

Mr. Canchola Gutiérrez (Mexico) (*spoke in Spanish*): Mr. President, thank you for your proposal, which we will duly consider. For now, my delegation would prefer to continue with the consideration of the paragraphs. I understand that the paragraph proposed by the delegation of the Islamic Republic of Iran, to which my delegation has no objection in principle, reflects the progress made in our negotiations. On the other hand, and speaking also in response to comments made here today about the German proposal, in our view, the paragraph is important. I will not go into all the reasons why we feel it is important, but I will point out, of course, that it appears in a part of the report that we feel is extremely important, namely, the part where we discuss the effectiveness and efficiency of the Conference. Much has been said here about how little has been done at the Conference throughout its history, and about how other things have been done. I do not believe that to continue with the inertia is any good to any of us.

I make this comment in response to a remark made earlier by another representative about the nature of the document. The document is of course a report, and in reports we reflect the facts, but, at least in my delegation's view, the expectation is not for this report to be filed away in yet another archive and then to lie there forgotten. By reflecting the facts, reports reflect the dissatisfaction with the work that has been produced and plant the seed for future work. We want the facts to be reflected so that, on this basis, we can forge ahead with our work and revitalize the Conference.

As for duplication, I repeat, with the eloquence expressed by the Ambassador of Germany, that we can find various elements in this paragraph repeated in several parts of the report, for example, in paragraphs 7 and 19. For Mexico these are equally important, particularly in this context.

It is not my delegation's intention to make your task more difficult than it already is, but I repeat, at this moment, and even from a procedural point of view, Mexico considers it important to include a reference in this section along the lines of the German proposal.

Mr. Wilson (Australia): I will not prolong this. I wish to make three observations.

First, I am very sympathetic to the comments that the representatives of Germany and Mexico made just now. The fact of the matter is that these discussions in the Conference were an avenue through which deep concern was expressed.

The second point I wish to make follows up on what the representative of India said on elements of reflection in this report. I agree there is a need for elements of reflection, whether here or in paragraph 19.

The last point relates to the Iranian proposal. It is a merely technical point, almost a pedantic one. I just offer this suggestion. The first sentence talks about expressing views on the high-level meeting and follow-up debates and mentions a number of meetings that were held. Again, this is very pedantic, but it just occurred to me that views were expressed not only on the follow-up debates but also on the high-level meeting itself. That is to say, the members of the Conference expressed their views on the high-level meeting and on the follow-up debates. I think that that is factual.

The President (*spoke in Spanish*): At the appropriate time I will ask a question about the specific proposal of the delegation of Australia. I give the floor lastly to the representatives of Pakistan, Algeria and the Islamic Republic of Iran, and after that I am going to close the debate on this point and make a specific proposal.

Mr. Khan (Pakistan): I want to respond briefly to a few comments made about statements by the delegation of Pakistan. I know what our delegation said, because I am partly responsible for drafting those statements. What the Ambassador of Germany said is absolutely correct. But what I want to highlight is that when we say that Pakistan laments the lack of action in the Conference on Disarmament, we do not want to stop there. Our full argument includes further steps, and if statements by our delegation are quoted, we want the whole package to be quoted, not just part of it.

We want to say that there is a lack of action. Then we want to mention the priority of nuclear disarmament and a nuclear weapons convention. Why focus on just one or two issues? If we go down that path, the whole debate in the Conference — for example, this whole year's debate — reopens.

My delegation is willing to go through the whole process again. The stakes and the position we have taken are of fundamental importance for us. We are not going to agree to something in this report which we have not agreed to in the Conference. For us, the problem is selective reading in that sense.

For some delegations it may be intellectually incomprehensible, but for us it is very fundamental. We will not agree here to something which we have not agreed to throughout the proceedings of the Conference. That is the first point I want to make absolutely clearly. When one speaks of the lack of action in the Conference, there are various schools of thought. Can we bridge them now, when we have not been able to bridge them throughout the year?

With regard to mentioning the high-level meeting, first of all, I am not comfortable with quoting the Secretary-General of the Conference here, and second, the logic sounds circular to me. We are telling the General Assembly what the General Assembly did, through this report. I do not want to extend this debate, but frankly, all of us know each other's position. This is the final stage of the Conference's work this year, and we should recognize what is possible in terms of consensus.

I think the Iranian proposal is eminently reasonable, and I repeat that the inertia in the Conference is very old. If delegations can come up with language from past reports showing how the Conference addressed this issue in reporting to the General Assembly, we can try to find a way forward.

Mr. Khelif (Algeria) (*spoke in French*): The delegation of Algeria is taking the floor once again, but since the Ambassador of Germany referred to Ambassador Jazaïry's statement on his assessment of the stalemate in the Conference on Disarmament, we would like to say that the statement was made as part of an overall evaluation of the Conference and of the nuclear disarmament process in general.

What could pose a problem for us in this part of the report and in the report in general is not so much what is said, but rather what is *not* said. To be frank and clear, the delegation of Algeria does not want this report to be used to justify steps or initiatives which are taken outside the Conference and in which Algeria does not participate.

Allow me to return to the German proposal, specifically the first sentence. Although the delegation of Algeria deems it a sensitive issue to express concerns about the stalemate in the Conference on Disarmament, which could be addressed in paragraph 19, as our colleague from India pointed out, we would like to make a clarification. In his proposal, the Ambassador of Germany says that the Conference on Disarmament must discharge its duties as a multilateral negotiating forum, as stipulated in the rules of procedure. However, the mandate and activities of the Conference are set out and described in the final document of the first special session of the General Assembly devoted to disarmament, which is the reference text that defines the functions and powers of the Conference. If we want to make

any mention of it at all, it would perhaps be wise to refer to the final document rather than the rules of procedure, which were drafted after the adoption of the programme of action at the end of the first special session.

The President (*spoke in French*): Forgive me for interrupting you, but I asked a question. For the time being, we are not negotiating the text. We have not even agreed to include the text. I would therefore appreciate it if you would wait until after we have taken a decision on whether or not to discuss this subject before you outline all the amendments to be made. At this stage, it is still not clear to me whether or not it is possible to add the elements contained in the German proposal.

Mr. Khelif (Algeria) (*spoke in French*): I would like to return to the second sentence. We believe that it is already taken into account in the proposal put forward by the Iranian delegation, particularly in the last sentence, which deals with the exchange of views that took place on 4 August between the delegations and the Secretary-General of the Conference regarding the meeting held on July 2011 in New York. The second sentence therefore seems to be a repetition.

The President (*spoke in Spanish*): I had closed the list of speakers. I think I should be strict about procedure, otherwise we will not be able to fulfil our mandate. If it is a matter of fulfilling the mandates we have been issued, then I believe that the negotiation of the report is also one of the mandates that this Conference must fulfil. I ask you all to show some discipline. Exceptionally, and only this once, even though we have closed the list of speakers, we are going to add the Ambassador of Germany so that he can speak on this point.

Mr. Daryaei (Islamic Republic of Iran): First of all, I would like to support what the representative of India said. If we would like to tackle the issue of making a value judgement or to send the message that we are not satisfied about the situation, it should be dealt with in one paragraph. The best place for that is paragraph 19.

In my proposal to the Conference, I have tried very hard to take into account both the substance and the procedures. In paragraph 25 *ter* we refer to the list of documents. That means that if any delegation raised a specific point or made a specific proposal, as did the representative of Colombia, it was captured there. We also listed the documents, and in the original proposal we added a reference to the verbatim record for 4 August. By referring to that verbatim record, we maybe also alleviate the concerns of the Ambassador of Germany, as that record reflects the statements of the Secretary-General and those delegations that presented their ideas for the session.

Then, we can discuss putting the German proposal in paragraph 19 or somewhere else to see what we can do about the message that delegation wants to deliver.

The President: I would like to clearly understand your position. Are you proposing to add to the paragraph the reference to the PV? That is a concrete proposal for an addition to the Iranian text.

Mr. Hoffmann (Germany): Mr. President, I very much appreciate your giving me the floor. I am very happy to try to make your task easier, and if we find another good place to express the ideas contained in my proposal — if paragraph 7 or 19 turns out to be a good place — that is perfectly fine. I still think it would be good to have this under this heading, but we should not be too repetitious, and I leave it to you and the secretariat to try to work on all these related paragraphs to come up with a good proposal which contains these ideas.

Second, I would like to address a perfectly legitimate point made by the delegation of Pakistan, that it is of course not our job as the Conference to report to the General Assembly what the General Assembly debated. But in terms of my drafting here, if you look at the first line, wherever you put this at the end of the day, this can be easily solved

by simply saying, “In the meetings of the Conference listed above, certain ideas were expressed,” so that we make it perfectly clear that we are talking about what this body did and not about what the General Assembly did.

And, finally, once again, I am really completely at a loss. We all know, of course, our positions, and we all know that we will never agree on the reasons why there is such a stalemate, and never in such a report, that is for sure. But it is a bit misleading to now say that if one delegation wants to insert one element, then another will insert another element, and so on. I really want to again make the point that this statement simply deplores the fact that we cannot agree on a work programme, whatever the reasons are, and I hope that we are at least in agreement that we deplore that. I challenge anybody to come up and say they do not deplore that, and if we do agree that we deplore that, then why not say so? I am really puzzled as to why delegations or States would find it difficult to say they deplore that for over 10 years this body has not been able to agree on a work programme.

I will stop here, because I think I have made that point a number of times before.

The President (*spoke in Spanish*): I propose the following. First, starting with the part of paragraph 25 bis initially proposed by the delegation of the Islamic Republic of Iran, there have only been two subsequent sub-amendments, specifically the first proposed by the delegation of Australia stating that the views were expressed not only in regard to the follow-up debates, but also the meeting itself. Second, the amendment proposed by the delegation of the Islamic Republic of Iran was to include a reference to the specific actions taken at those meetings. Are we in a position to adopt this first part of the paragraph, with these two amendments as drafted by the delegation of Australia and with the proposal by the delegation of the Islamic Republic of Iran? Can we adopt this first part of the paragraph?

The paragraph is adopted.

As for the addition to this paragraph proposed by the delegation of Germany, there are undoubtedly compelling reasons to include the proposal and compelling reasons to object to the inclusion of the proposal. There are intermediary proposals calling for the inclusion of elements of this proposed addition in other parts of the document; and there are others who say that no, we must leave it here. In any case, I suggest that we suspend the debate on this proposed addition and return to it at a later meeting, as it is not clear to me that we are going to reach an agreement by continuing the discussion on this part of the proposal.

So then, let us turn to paragraph 25 ter. Paragraph 25 ter refers to the list of official documents submitted on this topic.

Mr. Valencia Muñoz (Colombia) (*spoke in Spanish*): My comment is not about paragraph 25 ter, but before we end the discussion on section G, and recalling the activities that took place in 2011, in addition to the meetings and the rhetoric about revitalization, specific suggestions were also discussed and explored during our work, such as, for example, the idea of establishing a working group on revitalization. With the aim of drafting a factual and comprehensive report, we could include a reference to this exploratory work by the Conference and draw on the same wording used earlier in the text, something along the lines of “during the final days of the session, the presidents of the Conference explored the possibility of establishing a working group, but did not reach a decision”. It is merely a suggestion. We do not want to push, but if the President and the other delegates agree, then we could draft a proposed text.

The President (*spoke in Spanish*): The intention of this presidency has been to consider any proposal that the delegations believe could enrich our work. I see no objection at this time, given that we have not completed the reading. I ask only that you submit your

proposal as quickly as possible so that we can consider it, without passing any judgement about the decision that will be taken regarding it.

I ask the delegation of Colombia to submit the proposal to the secretariat for further consideration. Let us return to paragraph 25 ter. Are there any objections to the adoption of this proposal as presented in the document?

Mr. Daryaei (Islamic Republic of Iran): When we drafted paragraph 25 bis, we also drafted paragraph 25 ter. But what is reflected in paragraph 25 ter is not exactly what we proposed.

The President (*spoke in Spanish*): The issue is that the heading of paragraph 25 ter is consistent with the other paragraphs that contain lists of documents. The secretariat and the presidency made a sub-amendment to your proposal so that this paragraph would be consistent with those that contained a list of documents and referred to a given topic. Are there any objections?

Mr. Daryaei (Islamic Republic of Iran): No, Mr. President. We are totally in agreement with your amendment in the chapeau. What I am referring to is the list of documents. But, anyhow, we can fix the text without creating any problems. In subparagraph (b), in the reference to the proposal by the delegation of Colombia, we can say, using the language presented by Colombia, "in which Colombia, in its national capacity, understood, registered and reflected the debate in the CD". This is exactly the formulation that I proposed based on the proposal made by the representative of Colombia at the previous meeting.

The President: I call on the Deputy Secretary-General of the Conference to provide a clarification.

Mr. Sareva (Deputy Secretary-General of the Conference on Disarmament): With regard to the point just raised by the representative of Iran, first, the text that you have in front of you follows the established practice of listing documents submitted under an agenda item or, as is the case here, dealing with an issue which is not an agenda item, in the order in which they were submitted. Hence document CD/1911 appears before document CD/1913. Second, it has been the practice to simply list documents, without adding anything qualitative or descriptive about them, but of course the final decision will rest with the members.

The President (*spoke in Spanish*): I now ask the Conference, are there any objections?

Mr. Valencia Muñoz (Colombia) (*spoke in Spanish*): When the delegation of Colombia submitted document CD/1913 to the secretariat, it included a specific title. We sent it in Spanish and in English. I would like to know if we could retain that title, which was "Reflection on the current state of the Conference on Disarmament and how to strengthen it". It was a contribution in which the delegation of Colombia, acting in its national capacity, documented its understanding of the discussion that took place on 9 and 14 June. The title of our document was in line with the comment made by the delegation of the Islamic Republic of Iran, so you could simply check the exact name that we used and include it in the document.

The President (*spoke in Spanish*): Was what you read out the full title? Although the original was in English and Spanish, we are going to read out the English title, because you also submitted it in the original. It said, "Thoughts on the current state of the Conference on Disarmament and how to strengthen it as a contribution by Colombia". Here, you removed the quotation marks, but in any case it says "... and how to strengthen it as a contribution by Colombia in its national capacity concerning the way in which it

perceived the reflection exercise carried out on this issue at the Conference on 9 and 14 June 2011”.

This is the full paragraph containing the description, and I have no objection to it. I believe that in order to be faithful to the intentions of Colombia, we need to transcribe exactly what appears in this letter. I ask the secretariat to use this exact title.

Mr. Sareva (Deputy Secretary-General of the Conference on Disarmament): Mr. President, what may be confusing to delegates is the fact that the title of the document is placed in quotation marks, as are the titles of all documents cited in this report. That title itself includes quotation marks, so in the draft report we have quotation marks inside quotation marks, but indeed what you see in the document before you in paragraph 25 ter (b) is the verbatim title of the document submitted by the delegation of Colombia.

Mr. Valencia Muñoz (Colombia) (*spoke in Spanish*): Without wanting to prolong this, the proposal that we submitted earlier, 8 bis, contains the exact title of our document. When we sent the dual language version, in Spanish and English, to the secretariat, it contained the title of the document. For example, the title of the document included the word “reflection” and not the word “thoughts”. I simply ask you to retain the text we used on that occasion, which is not what appears on page 8 of the current draft, and which I think covers the comments made by the representative of the Islamic Republic of Iran.

The President (*spoke in Spanish*): Does any delegation object to including unchanged the quote that the delegate of Colombia — who is accredited by the distinguished Government of the Republic of Colombia to represent his Government here — has told us he would like to see included in the document? Then, the delegate of Colombia shall submit the reference to the secretariat, and it will be included in the report unchanged.

Are there any other concerns with regard to paragraph 25 ter? Can we adopt it as it appears, with this correction that the delegate of Colombia will make?

Good, it is adopted. We turn then to paragraph 28. Here, in paragraph 28, we had an initial proposal and a subsequent proposal from the delegation of Poland, which included wording intended to resolve the situation that arose during the debate.

I open the floor for statements on this proposal, and in particular I would like to ask if we can adopt the redrafting proposal submitted by the delegation of Colombia.

Mr. El-Atawy (Egypt): My comment is not on paragraph 28; it is more about procedure. It is quite apparent that we are not going to finish during the morning session, and there is a Friday prayer session for Muslims at 1 p.m. We ask the indulgence of the Conference to adjourn at 12.45 p.m. so that we can attend prayers.

The President (*spoke in Spanish*): I do not think anyone is going to question the freedom of religion of our Muslim brothers. After all, it would also be good for the rest of us to have a break and take a rest. So, we are in fact grateful that you can go and fulfil your religious duty. We will also take advantage of these 15 minutes. I think this morning’s meeting has been intensive, if not successful. We can adjourn now and return at 3 p.m. Are there any objections to resuming our work at 3 p.m.? I ask that, to the extent possible, you keep to the schedule as if a war were going to start at 3 p.m. I do not know why, but for some reason in this Conference, meeting times are interpreted as starting 10 or 15 minutes after the time on the schedule.

Mr. Daryaei (Islamic Republic of Iran): Mr. President, allow me to express our appreciation for the manner in which you are conducting the discussion on this issue. Just to be consistent with previous years, we may need some very informal discussion among the interested delegations, if you would like to finish this by the end of this week. So, I ask

you to think about convening a very informal discussion on drafting, because the positions are clear. Now we need to sit together and find a solution for the remaining issues.

The President (*spoke in Spanish*): Let us adjourn the 1239th meeting. In the afternoon we will begin the 1240th meeting, and I ask you all to be here at 3 p.m. The meeting is adjourned.

The meeting rose at 12.50 p.m.