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# Conference on Disarmament

4 September 2012

English

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## Final record of the one thousand two hundred and seventieth plenary meeting

Held at the Palais des Nations, Geneva, on Tuesday, 4 September 2012, at 10 a.m.

*President:* Mr. Hellmut Hoffmann .....(Germany)

**The President:** I declare open the 1270th plenary meeting of the Conference on Disarmament. Today's plenary is devoted to the consideration of the Conference on Disarmament's draft report of this year to the General Assembly of the United Nations at its sixty-seventh session.

Before turning to the list of speakers, I would like to welcome our new colleagues, Ambassador Eviatar Manor of Israel and Ambassador Urs Schmid of Switzerland. We look forward to working with you.

I have a number of speakers on the list today, namely, Israel, the Syrian Arab Republic on behalf of the G21, Spain, Switzerland and Australia.

I would like to proceed in the following way today.

A compilation of suggested amendments to the draft report in document CD/WP.572\*, which a number of delegations have sent to the secretariat, was circulated to all delegations on 31 August. I should like to thank the secretariat for putting these amendments together.

If delegations wish to make general remarks about the draft report in continuation of our plenary meeting of 28 August, or if they wish to make general remarks about suggested amendments contained in the compilation, I propose to do this on the record in formal mode today. Once I have finished with the speakers on the list who wish to do exactly that, i.e. make only general statements, not concrete and detailed drafting suggestions in the formal session, I will adjourn the meeting and move into informal mode, in the course of which we will proceed to the paragraph-by-paragraph consideration of the report.

Before we start the debate, allow me to make a general observation on the work on the draft report before us. It is my impression from studying the compilation and from the discussions I had with colleagues that there are four major areas which will require our collective effort when considering the draft report before us. Firstly, the way the message of the Secretary-General of the United Nations to the Conference on Disarmament is to be reflected in the report, in paragraph 5. Secondly, the way the message other dignitaries sent to the Conference on Disarmament in their statements is to be reflected, in paragraph 7. And, thirdly, the way we address the question of the improved and effective functioning of the Conference on Disarmament, in paragraph 7.

These three items are in many ways connected and interrelated, the underlying theme being the question: how do we balance, let's say, praise for the potential role that the Conference on Disarmament could play within the disarmament machinery on the one hand, with the appropriate dose of self-criticism in view of its long-running failure to fulfil its mandate on the other hand?

The fourth major sticking point I see is the question of how we treat the way the draft decision on a programme of work which was put on the table for adoption by the Egyptian presidency in document CD/1933/Rev.1 was handled in the plenary, and, more generally, how the issue of the programme of work was handled at this annual session.

I suggest that we now turn to the list of speakers. I first give the floor to the representative of Israel, Ambassador Manor.

**Mr. Manor** (Israel): At the outset, please allow me to thank you, Mr. President, for the kind words of welcome addressed to me and, as this is the first time my delegation has taken the floor under your presidency, please allow me to convey our own heartfelt words of welcome and assurances of cooperation in the conduct of your duties.

Israel values the Conference on Disarmament and its role as the single multilateral negotiation forum, as stipulated at the first special session of the General Assembly devoted to disarmament (SSOD-I). While the adjective "single" has come under some criticism in

recent years in connection with the emergence of independent negotiating processes, we hold firm to the view that the Conference on Disarmament remains a singular forum which includes all those member States which must participate in non-proliferation, disarmament and arms control negotiations in order to make the outcome meaningful and firmly linked to reality.

The Conference on Disarmament is also singular in its rules of procedure, and in particular the rule of consensus, which are designed to give member States assurances that their vital security interests are respected. The achievement of significant and influential agreements in the sensitive field of security arrangements largely depends on States reaching the required levels of comfort. In this regard, the rule of consensus plays a vital role in the preservation of States' confidence.

In the past, the Conference on Disarmament had an important impact on peace and security in the world, in the development of the Biological and Toxin Weapons Convention, the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty. While the Conference on Disarmament has clearly been unable to agree on its priorities and implement a programme of work in the past decade and a half, we are confident that, given improvements in geopolitical circumstances, the Conference will continue to play a significant role in the promotion of non-proliferation, disarmament and arms control standards. It must be emphasized that the creation of international norms in this field cannot overlook the circumstances prevailing in the regional and global arena as well as the changes occurring in them.

Our own region, the Middle East, is undergoing tremendous changes. While there are hopes that stability will finally find its way to regional countries, guarantees cannot be given that in the short, medium and even long term, radicalization and extremism will not prevail. Taken in conjunction with the habitual lack of respect, by some regional partners, of obligations undertaken in the disarmament and non-proliferation field, it is no wonder that Israel adopts a cautious approach. It must be emphasized that such changes in the region have lessened neither the instability nor the volatility of the region. Taken together with non-compliance with treaties and persistent clandestine programmes for the acquisition and development of weapons of mass destruction, in contravention of international obligations, United Nations Security Council resolutions and resolutions of the International Atomic Energy Agency, as well as hostile policies emanating from the non-recognition of Israel's right to exist, these cast a dark shadow indeed.

Prospects for the Conference on Disarmament's ability to engage in meaningful negotiations will improve if States adopt a more flexible attitude towards issues other than the four core issues which have been consistently deeply intertwined. Israel has advocated, as early as 2007, the need to allow other issues to be taken up. From Israel's perspective, negotiating a ban on the transfer of armaments to terrorists, as well as taking up the threat of man-portable air defence systems, or MANPADS, would be a practical and logical step forward which would tie in closely with some of the regional challenges we are facing. We are confident that given the right approach, other Conference on Disarmament member States could similarly find issues of importance which would take the Conference on Disarmament out of its deadlock. In light of the increasing pressure on the Conference on Disarmament to end this lengthy deadlock, we should find a way to look at the situation at hand with a realistic and solution-oriented attitude.

**The President:** I thank the representative of Israel for his statement. I now give the floor to the representative of the Syrian Arab Republic, Ambassador Hamoui, who speaks on behalf of the G21.

**Mr. Khabbaz Hamoui** (Syrian Arab Republic): Mr. President, on behalf of the Group of 21, I have the pleasure to inform you that the Group has submitted four working

papers for the purpose of the Conference on Disarmament's annual report that reflect the G21's common positions on the following issues: first, nuclear disarmament, in document CD/1938; second, the work of the Conference, in document CD/1939; third, negative security assurances, in document CD/1940; and fourth, the prevention of an arms race in outer space, in document CD/1941. We hope that they will be listed under the relevant headings in the report.

The G21 has already put forward our positions on the work of the Conference and on nuclear disarmament in plenary. In the interest of time, the Group has decided not to deliver statements on negative security assurances and the prevention of an arms race in outer space at this time. The Group's positions on these issues are reflected in document CD/1940 and document CD/1941, respectively.

**The President:** I thank Ambassador Hamoui for his statement on behalf of the Group of 21 and I can assure him that these working papers will be reflected in the customary way in the report.

I now give the floor to the representative of Switzerland, Ambassador Schmid.

**Mr. Schmid** (Switzerland) (*spoke in French*): Mr. President, I would like, first of all, to express my sincere appreciation for your kind words of welcome to me. Given that this is the first time that I will be participating in the deliberations of the Conference on Disarmament, please allow me to make the following initial remarks.

I am honoured to join the eminent group of representatives to the Conference on Disarmament and, more broadly speaking, the disarmament community in Geneva. It will be a pleasure to work with you all and with the Secretary-General of the Conference and its secretariat.

I am aware of the fact that I take up my duties at a time when the Conference on Disarmament is confronted with a major crisis. I therefore intend to do everything possible — in fact, even the impossible — to help the Conference break out of its current impasse. If I could express one wish in relation to the duties I will assume, it would be to have the privilege of seeing the Conference on Disarmament resume its functionality and fully discharge the mandate assigned to it.

Mr. President, if you will allow me to continue so as to address the agenda item of the current meeting, which is devoted to the report to the General Assembly, I would like to make the following brief remarks.

My delegation wishes, first of all, to thank the German delegation for the draft text that was distributed and for all the efforts it has made in order to promote the timely adoption of the report. In that connection, we wish to assure it of our full support for the achievement of this objective.

We consider it especially important for the report to indicate that this forum is at an impasse and that we have not made any real progress over the past year in resolving it. This is simply a fact and one that should be mentioned explicitly as part of a factual report.

This factual report should also indicate to the General Assembly that the Conference on Disarmament has taken up the General Assembly's invitation (in its resolution 66/66) for the Conference to explore and consolidate options for its own revitalization. In the absence of such an indication, the General Assembly could not help but conclude that its suggestion had not been taken into account and react accordingly.

While my delegation might have wished to have these aspects reflected more clearly in the report, we nevertheless stand ready to support the adoption of the draft as it currently stands. In our view, the draft does in fact strike a balance between the various viewpoints expressed in this forum and a compromise that all delegations should be capable of

accepting. Its adoption would also help us to avoid embarking on a particularly difficult drafting exercise whose outcome would remain somewhat unpredictable, if not very uncertain, given the situation in which the Conference on Disarmament presently finds itself.

In this connection, I would like to broach the subject of the requests for amendments that have been submitted thus far. A significant number of them appear to be problematic in the sense that their inclusion would significantly change substantive aspects of the report and cause it to become unbalanced. In that case, we would most likely have to re-evaluate our position concerning the draft report.

Consequently, although we can envisage agreeing to minor or technical changes, we would ultimately be hard pressed to endorse a report that tried to hide the fact that the Conference on Disarmament had failed for yet another year to carry out the task assigned to it.

**The President:** I thank the representative of Switzerland for his statement. I now give the floor to the representative of Spain, Ambassador Catalina.

**Mr. Luis Javier Gil Catalina** (Spain) (*spoke in Spanish*): Mr. President, I would like to express my delegation's full support for the draft report you have submitted to this Conference. In my opinion, it is a skilfully written text that perfectly reflects a delicate balance between the divergent sensibilities that have repeatedly been expressed in this forum.

I did not take the floor at the previous session because I was mindful of the well-known Latin adage *qui tacet consentire videtur*, or, to put it less pedantically, he who remains silent grants his consent. That, no doubt, is the essence of the method of consensus-building that we refer to so often here, since the latter entails a great deal of tacit agreement. Thus, my silence indicated unqualified support for your text, Mr. President, and I must emphasize that if my delegation accepts that text 100 per cent, it is not because it reflects all of our viewpoints, not by a long shot; rather, it is because it is a carefully nuanced text, which, in my opinion, reflects all of our sensibilities – to the extent possible, of course.

In the meantime, a large number of amendments have been submitted, and announcements have been made that more will be formulated orally. I understand, of course, the laudable eagerness of some delegates to improve the text, all the more so since this annual debate has been the sole form of negotiation held here for the past 15 years. I am concerned, however, that these proposals will upset the delicate balance of your text, Mr. President, given that the ideal report which some of us have in our heads no doubt differs from the ideal text of other delegates. I fear that if we each go our own way, others will want to do the same, and the debates could continue endlessly. At a certain point this might even jeopardize the adoption of the report. It should be recalled that the most frequently repeated message over the course of the previous week has been that your text, Mr. President, offers an acceptable basis for agreement.

Let us not lose sight of that message, and let us attempt to resolve our differences of opinion as quickly and effectively as possible. To that end, I trust in your ability to lead our debates and in the good sense of all those present.

**The President:** I thank the representative of Spain for his statement and I now give the floor to the representative of Malaysia, Mr. Bakhtiar.

**Mr. Bakhtiar** (Malaysia): Mr. President, as this is the first time my delegation has taken the floor under your presidency, allow me to congratulate you on your assumption of the position of President of the Conference on Disarmament. I wish to assure you of our full cooperation and support in your endeavours to move the Conference forward.

Mr. President, Malaysia appreciates your efforts in presenting the draft report of the Conference on Disarmament and the transparent and efficient manner in which you are conducting your duties. We feel that the draft report is a commendable effort to produce a balanced document which is factual and reflects the negotiations and work of the Conference, and provides a good basis for discussions.

After studying the draft report, Malaysia proposes some additional text which we feel will provide further clarity to the report. We will provide further elaboration of these proposals during the informal session which you plan to hold.

Let me end by assuring you of my delegation's readiness to work with you and other members of the Conference with a view to achieving a positive and successful outcome to this session of the Conference on Disarmament.

**The President:** I thank the representative of Malaysia for his statement. I now give the floor to the representative of Australia, Ambassador Woolcott.

**Mr. Woolcott** (Australia): As this is the first time I've taken the floor during your presidency, I wish to congratulate you, Mr. President, on your assumption of the presidency and reassure you and your delegation of Australia's support.

I note your intention to convene an informal plenary shortly to discuss the annual report. However, while we are still in formal mode, I wish to place some points on the record.

Australia again expresses thanks for the work you and the secretariat have done in preparing the draft contained in CD/WP.572\*. Having further reviewed this draft, our assessment is that it is a factual reflection of the conduct and state of the Conference during its 2012 session and that it is adequate. This draft also adequately contains the customary end-of-session decisions of the Conference. Australia could join consensus on the current draft.

Some of the proposed amendments circulated late last week usefully suggested there is room for some technical polishing of this draft. However, we should not seek to obscure the fact of the Conference's failure in 2012. To do so would not help the Conference, but would rather further undermine this Conference's credibility.

**The President:** I thank the representative of Australia for his statement and I now give the floor to the representative of Ireland, Ambassador Corr.

**Mr. Corr** (Ireland): Mr. President, before we move into informal mode, I would join others in expressing appreciation for the draft report which you have tabled. I think the report is broadly balanced and objective. There are some paragraphs that we may have some view on as we move forward, but I think the central point is that the report should not just be factual, but should also reflect the fundamental dynamics and work in the Conference on Disarmament in terms of both the stalemate that we have and the encouragement we have received to adopt a programme of work. So we hope that this will be adopted broadly by consensus and think it is a very fair and objective basis on which we can proceed.

**The President:** I thank the representative of Ireland for his statement and I now give the floor to the representative of the United Kingdom, Mr. Pollard.

**Mr. Pollard** (United Kingdom of Great Britain and Northern Ireland): My delegation would like to reflect the views already expressed, especially by the Australian and Spanish ambassadors. The text you provided is a careful balance and we feel that meddling too much would lead to a prolonged debate and a disruption of the careful balance that you have struck in the text. The draft before us is a factual one, and whilst the United Kingdom may have written something different, as every delegation here may have

written something different, your draft is something that the United Kingdom could join consensus on, and we would urge others to do the same.

**The President:** I thank the representative of the United Kingdom for his statement and I now give the floor to the representative of the Republic of Korea. Ambassador Kwon Haeryong.

**Mr. Kwon Haeryong** (Republic of Korea): As this is my first intervention since you assumed the presidency, I would like to begin by congratulating you, Mr. President, on your assumption of the presidency of the Conference on Disarmament. I assure you of my delegation's full support and cooperation in the course of your presidency. My delegation commends the efforts of both yourself and the secretariat in producing the draft report, as I consider it to be both factual and well balanced. Having said that, I would like to make a few general comments on it.

All the Conference on Disarmament member States, including my delegation, have participated in every meeting of the 2012 session and kept close track of the discussion and the outcome of the meetings. I am confident that our informal meeting on the draft report this week will proceed in a smooth way provided that we ground our approach in the outcome of the 2012 session. As I have said, my delegation finds that the draft report is based on the factual proceedings and the result of the meetings at this session. For example, paragraph 5 of the draft report quotes from the message of the United Nations Secretary-General. Paragraph 21 accurately reflects the original language and tone, and captures the gist of Mr. Tokayev's address. My second point is that at this time last year we were aware of the continued long-standing deadlock and it was clear that consensus on the programme of work was not reached. This year we continue to witness another year of stagnation in the Conference on Disarmament. We have once again seen a year without any tangible result. Thus, we believe that the tone of this year's report should not be the same as that of last year's, given the increased pressure and the show of frustration towards the Conference on Disarmament. This year's report should more clearly articulate and convey the concerns about the future of the Conference on Disarmament, both inside the body and outside. In this regard, my delegation finds the tone of the draft report is both accurate and adequate. In particular, paragraph 15 conveys rightly the frustration we felt when we failed to reach consensus on the programme of work after one more year of intense discussion.

Lastly, I would like to welcome our new colleagues, the ambassadors of Israel and Switzerland.

**The President:** I thank the representative of the Republic of Korea for his statement and I now give the floor to the representative of New Zealand, Ms. Liufalani.

**Ms. Liufalani** (New Zealand): Mr. President, I would like to join others this morning in expressing our support for your presidency and for your work on the Conference's annual report to the United Nations General Assembly. This is no easy task, and we commend you for your initial draft and your ongoing efforts to secure consensus on it. In your opening remarks on 21 August, you noted that if reports such as the one we are considering at present are to have any real use beyond sheer practicalities, the intended audience has a legitimate right to learn from them, as a bare minimum, whether the submitting institution, ourselves, are actually fulfilling the task and mandate given to us. We agree wholeheartedly with this premise. The report you have prepared goes some way towards reflecting the sense of frustration that many in this room have expressed this year on the long-standing stalemate in the Conference. We believe, however, that the report could have gone further and given the United Nations General Assembly a greater understanding of the predicament the Conference on Disarmament finds itself in and the widespread concern repeated throughout the year, including by high-level participants. We recognize, however, that you have sought in your report to achieve a balance across the

Conference on Disarmament membership so as to secure consensus agreement on the report. With this in mind, and while we would have liked to have seen a greater reflection of the concerns registered this year, we find your draft to be an adequate representation of this year's deliberations in the Conference on Disarmament and we could thus join consensus on the report as it currently stands.

**The President:** I thank the representative of New Zealand for her statement and I now give the floor to the representative of the United States of America, Mr. Reid.

**Mr. Reid** (United States of America): Before I introduce our remarks on the subject, I would like to wish a very warm welcome to our new colleagues, the ambassadors of Israel and Switzerland. Welcome to our midst! I hope you still feel welcome at the end of this session, but only time will tell.

As far as the United States is concerned, we have reviewed the text and, as I've said before, it meets our standards. This is a factual document, this is a functional document, and it fits the outlines of what a report should be at this point in the Conference on Disarmament year. We are prepared to join consensus on it "as is" and would strongly urge colleagues to consider doing so even while we are perhaps here in this formal session. "Moving forward" could in fact end up being a very unfortunate development in the use of our schedules for the next two to three weeks. It is for each sovereign representative here to make that decision, but collectively I would think that we have other things that we could do with a higher priority in our country's work schedules on disarmament.

**The President:** I thank the representative of the United States for his statement. Colleagues, I have no more speakers on my list right now. Does anyone wish to take the floor? I see the representative of Pakistan has asked for the floor. Mr. Khan, you have the floor.

**Mr. Khan** (Pakistan): Mr. President, we have already complimented you on the excellent work you have done in preparing the draft report and we also mentioned in the last meeting that we liked the report. It is a good basis for our work, but we think there is a lot of room for improvement. I will not take more of your time now, but would just like to state for the record that my delegation has submitted some amendments and we feel very strongly about them. We will push them and try to convince our colleagues to agree to them in the informal negotiations.

**The President:** I thank the representative of Pakistan for his statement. Are there any other delegations who wish to take the floor? Ambassador Golberg of Canada, you have the floor.

**Ms. Golberg** (Canada): First, let me welcome our colleagues from Israel and Switzerland to the Conference on Disarmament. We look forward to working closely with them. At this point, I would simply like to note for the record that Canada can accept your draft text as it is. I think many delegations have already spoken today to its balanced nature. Last week I noted that we actually found the report too rosy, but clearly others will find it too gloomy and I think that this points to your success and that of the secretariat in drafting a balanced and factual assessment, which we consider an adequate reflection of the 2012 Conference on Disarmament session. Just to echo the comments that have been made, and having now reviewed the many amendments that have been put forward, we hope that as we move into the informal negotiation mode we don't lose the essence of the balance that you have sought to strike and that that will be the basis of our interventions going forward.

**The President:** I thank the representative of Canada for her statement. Does any other delegation wish to take the floor at this stage?

I note that a lot of support has been expressed for the draft report. I also note that there are amendments on the table. I think one can say that, like beauty, balance is always



in the eye of the beholder, and we will see where we finally find the balance in our report. If there are no more speakers who wish to take the floor at this stage, I will adjourn the formal meeting now and ask you to return in two or three minutes. This will be a very short interruption only and we will then continue in informal mode and consider the draft report which is before us.

*The meeting rose at 10.45 a.m.*