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# Conference on Disarmament

16 August 2013

English

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## Final record of the one thousand two hundred and ninety-sixth plenary meeting

Held at the Palais des Nations, Geneva, on Friday, 16 August 2013, at 3.10 p.m.

*President:* Mr. Mohammad Sabir Ismail .....(Iraq)



**The President:** I call to order the 1296th plenary meeting of the Conference on Disarmament.

It is my intention today to ask for your support in the adoption of the draft decision for the establishment of an informal working group with a mandate to produce a programme of work that is robust in substance and progressive over time in implementation. A draft decision was circulated earlier this week and recirculated yesterday afternoon with some amendments made to reflect the consensus of all delegations.

Between yesterday afternoon and today, I have received two additional small amendments that I have circulated to all of you and have reflected in the text that I will now ask the secretariat to circulate. The revised draft decision will be issued as an official document of the Conference under the symbol CD/1956/Rev.1.

After the distribution of the amended draft decision, I will suspend the meeting for 15 minutes.

The amendment involves two small insertions in paragraph 6 shown in boldface: “may” and “in accordance with the rules of procedure”. This only concerns paragraph 6. There are two insertions: “may” before “resume” and “in accordance with the rules of procedure” before “so decide in the 2014 session”.

The meeting is suspended for 15 minutes.

*The meeting was suspended at 3.15 p.m. and resumed at 3.35 p.m.*

**The President:** The meeting is resumed.

Before moving on to the adoption of the draft decision with the new amendment, I would like to ask whether any delegation wishes to take the floor. That does not seem to be the case.

I now return to the document circulated by the Conference secretariat yesterday afternoon and today concerning the draft decision on the establishment of an informal working group with a mandate to produce a programme of work, as proposed on 18 June 2013 by Mr. Kassym-Jomart Tokayev, Secretary-General of the Conference.

As you are aware, I devoted two plenary sessions to this and consulted widely with each regional group as well as with delegations individually, and I have received a number of inputs which are all reflected in the document before you. In my view, the document meets the requirements of all delegations.

I now call upon the Conference to adopt the draft decision before you, which will be issued as document CD/1956/Rev.1. Are there any objections?

*It was so decided.*

**The President:** Does any other delegation wish to take the floor? I give the floor to the Ambassador of France.

**Mr. Simon-Michel** (France) (*spoke in French*): Mr. President, I wish to take the floor very briefly in order to thank you personally for your efforts and to congratulate you on the decision that we have just adopted. This decision is a true achievement. It is an achievement both for your presidency and for the Conference. Of course, this decision — which you yourself have referred to as a compromise measure at previous meetings — cannot be considered a programme of work, but it is a solid step in the right direction. It shows that the Conference is capable of taking initiative and of finding solutions in accordance with its rules of procedure with a view to resolving its problems.

It is our understanding that the proceedings of the informal working group that we have just established will be conducted with interpretation in all the working languages of the Conference, as the secretariat has informed us.

Mr. President, you are keenly aware of my country's attachment to multilingualism at the United Nations. I would therefore like to once again convey my personal congratulations and the deep appreciation of my delegation, which I believe is shared by many others, and to reaffirm the support of France for the Conference on Disarmament, which is the sole multilateral negotiating forum on disarmament.

**The President:** I thank the Ambassador of France for his statement and kind words addressed to me. The second speaker inscribed on the list is the Ambassador of Germany.

**Mr. Biontino (Germany):** Germany welcomes wholeheartedly the adoption of the decision to establish an informal working group with a mandate to produce a programme of work.

In this context, we applaud your tireless efforts, Mr. President, to negotiate a programme of work, which very unfortunately did not find consensus in the present decision on an informal working group.

We wish to thank as well the Secretary-General of the Conference on Disarmament, Mr. Kassym-Jomart Tokayev, whose initiative to revitalize the Conference is at the origin of the decision we just took today.

We are committed to assist in all efforts so that the informal working group can fulfil its mandate, that is, to produce a robust programme of work.

We wish, however, to underline a number of points.

Germany could have accepted the programme of work as presented by you, Mr. President. Nevertheless, we all should be aware of the fact that the language contained in your proposal already touched red lines. Less stringent language simply would not have met consensus. All those who are indeed in favour of the adoption of a programme of work should realize this. Any further proposal on a programme of work will have to take this into account. It will be difficult to expect even more flexibility.

On this basis, we hope and expect that the informal working group can produce tangible results very soon. We expect as well that the informal working group will change the dynamics of the negotiations on a work programme. It should provide for continuity, as the co-chairs will be in a position to sustain their efforts for a longer period of time.

It should provide for more transparency, as we expect that all discussions on a work programme will be carried out within the informal working group, thus enabling all members to explain their position fully and to participate.

It should also enhance flexibility, since it will be possible for the members of the Conference to fine-tune their positions in the light of the discussion. As a result, we all will hopefully be able to negotiate acceptable language for a programme of work.

Let me underline again the urgency of progress on a programme of work. Unless we come to tangible results very soon, the Conference's credibility is at stake. It simply will not be understood that the Conference cannot agree on a programme of work, not to mention issues of substance. Consequently, pressure to establish new forums is mounting.

Finally, it is my honour to thank again you, Ambassador Ismail, and the Secretary-General, Mr. Tokayev, for having laid the foundations for what we hope will be tangible progress in the Conference on Disarmament.

**The President:** I thank the Ambassador of Germany for his statement and his kind words addressed to the Chair.

The next speaker is the representative of India.

**Mr. Gill (India):** Mr. President, I would like to begin by applauding your unrelenting efforts to promote the substantive work of the Conference on Disarmament. The energy, diligence and sincerity that you and your delegation have demonstrated in consultations over the past few weeks are admirable. With regard to document CD/1956/Rev.1 that we have just adopted, my delegation wishes to state the following for the record.

For my delegation, the Conference on Disarmament is a negotiating forum. It has a unique status as the world's sole multilateral disarmament negotiating forum. The best way to revitalize the Conference would be to adopt and implement a programme of work such as the one we adopted in 2009 by consensus. We are disappointed that yet again this was not possible. Reluctantly, we have agreed to go along with this decision to set up an informal working group in the hope that this will help us to begin substantive work in the Conference soon, including negotiations. It would be perverse if this forum were to become a platform for reopening long-standing consensus agreements and for endless procedural debates, which would take us further away from the prospect of early negotiations. Furthermore, in our understanding the group does not take away anything from the responsibility of the President of the Conference under the rules of procedure to draw up the programme of work for the Conference and present it to the Conference for consideration and adoption. Thus we are neither denying nor diluting this responsibility in any manner by adopting this decision, nor are we denying or diluting in any manner the Conference's rules of procedure, including the rule of consensus. These are the understandings which underlie our consent to document CD/1956/Rev.1.

To conclude, Mr. President, your transparent pursuit of two tracks to promote the work of the Conference deserves our collective appreciation. We are most grateful for the work you have put in on our behalf.

**The President:** I thank the representative of India for his statement and his kind words addressed to the Chair.

The next speaker is the Ambassador of Indonesia.

**Mr. Wibowo (Indonesia):** Mr. President, I wish to commend you and your team for your determined efforts to break the 17-year impasse at the Conference on Disarmament. My delegation appreciates the two-track approach initiated during your presidency.

Our difficulties concerning the draft programme of work should not lead us to a dead end. A draft decision for the establishment of an informal working group as contained in document CD/1956/Rev.1 is, I believe, an attempt to have the Conference and its President produce a programme of work as mandated by rule 29. I also believe that you have tried your best to bring all members on board to support the establishment of this informal working group, and for that reason I fully appreciate your hard work and commitment. However, I must say that this draft decision has been formulated in such a way as to make it possible to command consensus.

I know that it is impossible to satisfy all parties, but I am afraid that there are a number of conditions in the current wording that may make it difficult for this informal working group to perform properly. This is an indication that the political will does not yet fully exist. We should not lose hope, however: the establishment of this informal working group is only one of our attempts to try to break the impasse and it is part of our effort to address the problems of the Conference's working

methods. For that reason, my delegation fully supports this draft decision, with the hope that the informal working group will be able to execute its mandate successfully.

**The President:** I thank the Ambassador of Indonesia for his statement and his support as well as for the kind words addressed to the Chair.

The next speaker is the representative of the Russian Federation.

**Mr. Vasiliev** (Russian Federation) (*spoke in Russian*): Aware of the fact that we are working on a Friday and that many of us wish to take the floor, I will limit myself, Mr. President, to thanking you for the energy you have put into this task.

I would also like to express my gratitude to Mr. Tokayev for the leadership he has displayed at the head of the Conference and to thank those delegations who have shown a constructive approach and made it possible to adopt our decision today.

My delegation has its ideas on how this group should work, but I will save these views until the group embarks upon its work.

**The President:** I thank the representative of the Russian Federation for his statement and his kind words addressed to the Chair.

The next speaker is the Ambassador of China.

**Mr. Wu** Haitao (China) (*spoke in Chinese*): Mr. President, China welcomes the decision taken by the Conference on Disarmament under your presidency to establish an informal working group. This decision by the Conference is a testament to your diplomatic expertise and leadership skills, and the Chinese delegation appreciates the unremitting efforts made by you and your team. We also commend Secretary-General Tokayev for his proactive and constructive proposal to establish an informal working group to discuss a programme of work.

The fact that the Conference was able to reach consensus and take this decision is a clear indication that, when parties demonstrate political will and take each other's concerns into account, we can achieve real and substantive results. The Chinese delegation hopes that member States will seize this opportunity and, on the basis of the suggestions put forward concerning a programme of work, address all concerns in a balanced manner, further consolidate consensus, facilitate the adoption of an agreement on a programme of work as soon as possible, and promote the resumption of substantive work within the Conference.

China looks forward to working together with the President of the Conference, the Co-Chair and Vice-Co-Chair of the informal working group and all member States and, in accordance with the mandate set out in the decision to establish the working group, to engaging in joint efforts to bring about positive developments within the informal working group.

**The President:** I thank the Ambassador of China for his statement and his kind words addressed to the Chair.

The next speaker inscribed on the list is the Ambassador of Pakistan.

**Mr. Akram** (Pakistan): Mr. President, as this is also the last day of your presidency, I am glad that I have this opportunity to express our deepest appreciation and our highest admiration to you and your team for the manner in which you have conducted your presidency, the constructive and transparent manner in which you have held consultations with all members of the Conference on Disarmament and your tireless efforts to try to promote consensus.

We also appreciate your efforts which have led today to the adoption of this decision on the establishment of an informal working group. For this we are indebted

to you, and again I would like to take this opportunity to also express our appreciation to the Secretary-General of the Conference, Mr. Tokayev, for having put forward such a useful proposal before this Conference. We would like to wish all of us success in our efforts to make progress, but I think that it is also important for us to be realistic. We also need to realize that in order to make progress we need to take the interests of all members of the Conference on board. That will be the criterion on which we can make progress in the future in the context of the informal working group and in the coming year towards engaging in substantive work on all our agenda items.

With these words, Mr. President, I would like to thank you once again for your tireless efforts.

**The President:** I thank the Ambassador of Pakistan for his statement and his kind words addressed to the Chair.

The next speaker will be the representative of Mexico.

**Ms. Ramírez Valenzuela** (Mexico) (*spoke in Spanish*): Mr. President, as this is the first time that I am taking the floor under your presidency, allow me to express my delegation's wishes for every success as you carry out your tasks.

I would like to refer to the decision contained in document CD/1956/Rev.1, on the establishment of an informal working group with a mandate to produce, I quote, "a programme of work robust in substance and progressive over time in implementation".

In this connection, my delegation wishes to emphasize the importance of refraining from promoting an exercise in non-existent diplomacy. Given the current ineffectiveness of the Conference on Disarmament, it is unacceptable to continue allocating human, financial, professional and political resources to an institution which does not meet its objectives.

Under the terms of paragraph 6 of the decision, my delegation understands that the working group has a defined mandate and a limited time frame, and that it is thus not an open-ended exercise. Similarly, the proceedings of the informal working group do not constitute substantive work of the Conference, as they do not fulfil the original mandate of the Conference. This will need to be reflected in the Conference's annual report.

Lastly, the priority of the international community is to achieve nuclear disarmament through multilateral negotiations. These negotiations should be conducted at the Conference or, in the event of an impasse, at some other forum.

**The President:** I thank the representative of Mexico for her statement and her kind words addressed to the Chair.

The next speaker will be the Ambassador of Switzerland.

**Mr. Schmid** (Switzerland): Mr. President, like all the speakers before me, let me thank you for your tireless efforts for taking the Conference on Disarmament forward, and I would like to congratulate you for the adoption of the decision contained in CD/1956/Rev.1. Your presidency will be remembered for the adoption of an important decision.

We welcome this decision because it constitutes a development with the potential to trigger a new dynamic in the Conference. We also welcome it as it makes the establishment of a programme of work a collective endeavour, an approach that is clearly called for by rule 28 of the rules of procedure. Nevertheless, the informal working group will have to overcome significant challenges to meet expectations, but we hope that it will rise to its responsibilities. In this context, let me thank Ambassador Luis Gallegos Chiriboga and Ambassador Peter Woolcott for having

agreed to act respectively as Co-Chair and Vice-Co-Chair of the informal working group. We are convinced that their diplomatic expertise and their leadership will be key assets for the group's work.

We also welcome the adoption of the decision in document CD/1956/Rev.1 as, through this development, we are responding positively to the suggestions of Secretary-General Tokayev to take the Conference forward. The Secretary-General also identified a number of other necessary steps — besides the adoption of an informal working group with a mandate to produce a programme of work — in order to revitalize the Conference. It will be important to now turn to these other aspects and take action on them.

**The President:** I thank the Ambassador of Switzerland for his statement and his kind words addressed to the Chair.

The next speaker is the representative of the United States of America.

**Mr. Buck** (United States of America): Mr. President, as this is the first time that I am addressing the Conference on Disarmament, please allow me to use this opportunity to congratulate you on your presidency and on the adoption of today's decision, for which you worked so tirelessly. I assure you of the full support of my delegation. As a new member of the Geneva diplomatic community, I wish to assure you and the distinguished representatives of the other delegations here today of my strong commitment to working energetically to advance the vital goals of the Conference. I am honoured to represent the delegation of the United States of America and to reiterate our strong support and appreciation for your efforts to move the Conference back to work. Above all, we share the desire of many to see the Conference get down to substantive work and, in particular, negotiations on a fissile material cut-off treaty (FMCT), as reaffirmed by President Obama in his 19 June address in Berlin. In that context, I note that document CD/1864 is still the one programme of work that commanded consensus and, for the United States of America, it remains the touchstone for a balanced and comprehensive approach. At the same time, we have welcomed efforts to craft a new programme of work that would command consensus.

Though our priority remains the adoption of a programme of work, we consider an informal working group with a mandate to produce a programme of work a potentially useful intermediate step. As suggested by Secretary-General Tokayev, the decision adopted today mandates an informal working group to produce a programme of work robust in substance and progressive over time in implementation. Although the meaning of "robust in substance and progressive over time in implementation" may be interpreted in various ways, for the United States of America this means a programme of work that provides for negotiations on an FMCT, and for continuity in such negotiations once initiated.

We would hope, if we are able to develop an acceptable programme of work during this session, that such a programme of work would also be acceptable at the outset of the 2014 Conference session. In this regard, we would note that rule 28 of the rules of procedure would not preclude submission in January 2014 of a programme of work approved now for revalidation.

**The President:** I thank the representative of the United States of America for his statement and his kind words addressed to the President.

The next speaker will be the representative of Malaysia.

**Mr. Onn** (Malaysia): Mr. President, my delegation would like to take this opportunity to express our deepest appreciation to you for the excellent and transparent manner in which you are leading the work of the Conference on

Disarmament. Despite the setback last Tuesday, in which you concluded that the Conference was not in a position to adopt a draft programme of work as contained in document CD/1955, we appreciate the determination shown by you in moving forward with the proposal made by the Secretary-General on the establishment of an informal working group to produce a programme of work. We are indeed pleased and encouraged that the proposal as contained in document CD/1956/Rev.1 has been adopted by the Conference today.

As we stated in our previous statement to the plenary on 30 July, Malaysia welcomes the proposal by the Secretary-General on the establishment of the informal working group. We are of the view that the decision adopted has the right balance and has been carefully formulated to address concerns that member States may have. This decision is a step in the right direction, and we look forward to participating actively in the work of the informal working group.

Allow me, finally, to congratulate you on the excellent progress that has been made by you and your delegation in the positive decision taken here today. After many years of frustration, there may be a light at the end of the tunnel. We wish the Co-Chair from Ecuador and Vice-Co-Chair from Australia success in the work of the informal working group under the guidance of future presidencies.

**The President:** I thank the representative of Malaysia for his statement and his kind words addressed to the Chair.

The next speaker will be the Ambassador of Australia.

**Mr. Woolcott** (Australia): Mr. President, like others, allow me also to thank you for your commitment to advancing our work and for the diplomatic skills which you have shown throughout your presidency. I wish to thank Secretary-General Tokayev for his thoughtful efforts in this regard as well.

We welcome the decision taken today. It is a positive step, but only that — a step. Hopefully, it will provide continuity for our negotiations on a programme of work, and it may help change the negotiating dynamics in this place. I look forward to working closely with my colleagues in the Conference on Disarmament, the President and the Co-Chair, the Ambassador of Ecuador, in this critical task of arriving at a programme of work.

**The President:** I thank the Ambassador of Australia for his statement and his kind words addressed to me.

The next speaker will be the representative of the Islamic Republic of Iran.

**Mr. Daryaei** (Islamic Republic of Iran): Mr. President, allow me to express my gratitude to you and your delegation, especially Mr. Abbas Abbas, for all your diligent efforts towards the resumption of substantive work at the Conference on Disarmament.

We are pleased that a fellow member of the Group of 21 is presiding over the meeting so efficiently. As one of the six member States that will occupy the presidency this session, we are fully aware and appreciative of your dedication to the work of the Conference and your hard work in following up on consultations on the two parallel tracks for reaching consensus on a programme of work. I would also like to thank the Secretary-General, Mr. Tokayev, for his dedication to the work of the Conference and his proposals for its revitalization. One of those proposals is the subject of discussion at this plenary.

As we have said in many meetings, we attach great importance to the Conference on Disarmament as the sole negotiating body on disarmament. We thus support all efforts to restart substantive work in this august body. We welcome any constructive proposal that enhances the credibility and effective functioning of the Conference



based on its rules of procedure, and contributes to the start of negotiations on nuclear disarmament as a top priority for this delegation.

The crux of the problem of the inactivity of the Conference over the past decade has been the lack of political will to eliminate the threat currently posed to the international community by nuclear weapons and inertia in changing from a self-centred attitude to the noble approach of cooperative, sustainable security. The resistance to fulfilling the Conference's mandate, which is to achieve nuclear disarmament, is high. As long as the mindset of recognizing some value for nuclear weapons does not change and the presumption of the cold war continues, there will be no breakthrough in fulfilling the mandate of this body. Thus the impasse in the Conference is not a problem of form but one of substance. It does not relate to any institutional or procedural modality problem within the Conference, but it has a close link with the lack of progress in the realm of disarmament.

I believe that promoting the work of the Conference cannot be achieved by changing the format or modality of its work. We still have some doubts whether the creation of this working group for a programme of work will solve the problem. It is not clear how the working group will help to create political will to overcome the deadlock in the Conference, as the lack of political will is the main impediment to agreement on a programme of work and resumption of substantive work in the Conference.

The problem of the Conference is neither its rules of procedure nor our interpretation of these rules. It is worth recalling that all existing multilateral treaties were negotiated in the Conference under the same rules of procedure, including the rule of consensus: the sensitive nature of issues relating to national security and disarmament oblige us to adopt a similar rule in negotiating multinational disarmament treaties in other forums, as after many consultations we have finally adopted the same rules of procedure for the proposed working group on producing a programme of work. We are very happy to see that this working group will conduct its work based on the rule of consensus. We are hopeful that, with the current decision, the proposed working group will not have any conflicting responsibility with the President of the Conference, but would be a help to the President for drawing up a programme of work for the Conference based on rule 29 of the rules of procedure.

The duration of this working group will be limited solely to 2013. It may continue its work in 2014 if there is a need to do so and after assessing its usefulness, and only if the Conference adopts a separate decision in 2014 in this regard.

Although the meaning of "robust in substance and progressive over time in implementation" may be interpreted in various ways, for the Islamic Republic of Iran this means a programme of work that provides for negotiation on nuclear disarmament and continuous follow-up for such negotiation once it is started.

In conclusion, we have joined the consensus on this proposal although we have some doubts and unanswered questions. We hope that the excessive optimism of the proposal's supporters will bring new impetus to the work of the Conference and spark the political will to resume its substantive work and fulfil its mandate, which is nuclear disarmament.

**The President:** I thank the representative of the Islamic Republic of Iran for his statement and his kind words addressed to the President.

The next speaker inscribed on the list is the Ambassador of Ireland.

**Mr. Corr** (Ireland): Mr. President, allow me, on behalf of my delegation, to join in expressing our appreciation for your commitment and energy that has led to the adoption of the decision contained in document CD/1956/Rev.1.

It is, of course, the beginning of the process and not an end, and it will need commitment and flexibility in fulfilling our mandate to produce a programme of work robust in substance and progressive over time in implementation. I feel confident that all delegations will join in this work, and that this decision can lead to a programme of work which will enable the Conference on Disarmament to get back to the work which the international community has entrusted to us, which is the negotiation of multilateral, legally binding disarmament instruments.

My delegation thanks you, Mr. President, for the flexibility and for the leadership you have shown in bringing us to the adoption of this resolution, and welcomes this new opportunity for us to work collectively to achieve our common goals for the Conference.

**The President:** I thank the Ambassador of Ireland for his statement and his kind words addressed to the Chair.

The next speaker will be the Ambassador of the United Kingdom.

**Mr. Rowland** (United Kingdom): Mr. President, very briefly I would like to add my voice to those who have thanked you and your delegation for all your earnest efforts on behalf of this Conference. I think it is a singular achievement that we have a decision taken today. Secondly, we do not underestimate the challenge facing the Co-Chair and the Vice-Co-Chair of the informal working group, and I would just like to reassure them of the full support of the United Kingdom in their efforts in the future.

**The President:** I thank the Ambassador of the United Kingdom for his statement and his kind words addressed to the Chair.

The next speaker is the Ambassador of the Netherlands.

**Mr. Van der Kwast** (Netherlands): Mr. President, like others we would like to congratulate you on this success. We realize it is only the beginning, and we just want to say that we stand ready to be constructive to let the Conference on Disarmament do what it is meant for and what it is paid for.

**The President:** I thank the Ambassador of the Netherlands for his statement and his kind words addressed to me.

There are no other names inscribed on the list. Does any other delegation wish to take the floor? That does not seem to be the case.

This is an important moment in the history of the Conference on Disarmament. From now on we will be able to address openly and in a cooperative manner the issues that have prevented us from reaching consensus on adopting a programme of work in the Conference, and hopefully we will manage to overcome them collectively. It is my hope that this decision represents the beginning of the new phase for this august body and that it will lead to the resumption of substantive work.

Before concluding the meeting, allow me to thank you all for the cooperation extended to my presidency, and also to thank the interpreters, the conference officers and the Conference secretariat for their work. I would like also to extend my gratitude to the colleagues who share with me this year's presidency for 2013, Mr. András Dékány, Ambassador of Hungary, Madam Sujata Mehta, Ambassador of India, Mr. Triyono Wibowo, Ambassador of Indonesia, Mr. Mohsen Naziri Asl, Ambassador of the Islamic Republic of Iran and Mr. Gerard Corr, Ambassador of Ireland, the incoming President, wishing him all the best in this task.

This concludes our business for today. The next plenary meeting of the Conference will be held next Tuesday, 20 August 2013, at 10 a.m. under the presidency of Ireland, to which I wish all success, and I congratulate the Ambassador

of Ecuador and the Ambassador of Australia on being nominated to be Co-Chair and Vice-Co-Chair. I wish both of them every success, and will support them to succeed in their difficult tasks.

*The meeting rose at 4.20 p.m.*