

CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE ONE THOUSAND ONE HUNDRED AND SIXTEENTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 2 September 2008, at 10.15 a.m.

President: Mr. Germán MUNDARAÍN HERNÁNDEZ (Venezuela)

The PRESIDENT (spoke in Spanish): I call to order the 1116th plenary meeting of the Conference on Disarmament. Before giving the floor to today's speakers, I would like to seize this opportunity to bid farewell on behalf of the Conference and on my own behalf to our distinguished colleague, Ambassador Labidi from Tunisia, who has been appointed a Minister in his national Government. On behalf of the Conference and on my own personal behalf, I would like to convey to the representative of Tunisia, Minister Labidi, our deep appreciation for his numerous valuable contributions to our endeavours during his tenure, as well as our sincere wishes for success in his new assignment.

I would now like to turn to the list of speakers for today's meeting. The next speaker on my list is a non-member State of the Conference. I give the floor to the Ambassador of Georgia, Ambassador Giorgi Gorgiladze.

Mr. GORGILADZE (Georgia): Over the last two weeks we have briefed the representatives of the Conference on Disarmament regarding the existing situation in Georgia. At the same time, I do consider it important to give certain explanations regarding the statements made last week that wrongly interpreted the existing facts on the ground with a total disregard for the principles and norms of international law. Therefore, I would like to take this opportunity firstly to shed some light on the issues raised by the Russian representative and second, to update you on the current situation.

The Russian Federation's invasion and subsequent actions have invalidated all the peacekeeping and conflict resolution formats that had been in place until now, established through bilateral agreements and within the framework of the Commonwealth of Independent States.

It has been argued that there is not nor has there been an armed conflict between the Russian Federation and Georgia. In that respect, it is important to recall the relevant provisions of common article 2 of the Geneva Conventions of 1949, which does not require a formal declaration of war for the existence of an international armed conflict between two States; the use of force is a sufficient component. In the course of an armed conflict, if a State invades even part of the territory of another State, it becomes an occupying power subject to the relevant legal framework under international humanitarian law.

Unfortunately, the Russian armed forces have disregarded their legal obligations under the law of occupation while engaging in looting, pillage, cruel and inhuman treatment of the civilian population and ethnically motivated crimes in the Tskhinvali region. The photos of burning Georgian villages taken by UNOSAT satellites represent vivid proof of the aforementioned facts. Similarly, to retain objectivity in this matter, we urge all interested stakeholders to visit the website of Human Rights Watch, which includes detailed narratives and witness testimonies. This evidence cannot be the subject of doubt.

Russian government authorities quite often cite their State as a "guarantor" of security and stability in the Caucasus. Well, that is perhaps how one defines the two genocidal wars in Chechnya and support for ethnic cleansing against Georgians in Abkhazia and the Tskhinvali

(Mr. Gorgiladze, Georgia)

region of Georgia in the early 1990s and now. But, unlike the Russians, we Georgians do not seek unilateral judgement and consider that an objective determination and assessment should be made by experts. Therefore, Georgia is appealing to the international community to conduct a thorough and objective investigation in order to determine all circumstances.

Having said so, I do believe that the Russian Federation, being neither the Security Council, nor an international organization, cannot and will not be allowed to unilaterally decide what measures should be taken on the territory of another State. In that respect, Georgia has always welcomed the engagement of the international community in the peace process with regard to protracted conflicts, while Russia has always abstained from the solution of problems in an international format.

The question of the role of the Russian so-called “peacekeeping force” stationed in the conflict regions of Georgia was also discussed in the course of the last meeting. While mentioning their “respectful peaceful role” since the 1990s, the statement omitted any mention of the fact that any peacekeeping forces have to be neutral and impartial.

What should be particularly stressed is that Russian military forces are currently and illegally deployed beyond the conflict zones, occupying significant parts of my country’s territory.

There is no longer any doubt that the Russian Federation is a party to the conflict in Georgia and therefore has no legal, political or moral grounds for acting as a facilitator of the peace process aimed at resolving the conflicts in Georgia. In that respect, we have included information - photos and data regarding the Russian officials who have been serving or serve as a de facto government of separatist regimes - once again underlining the direct role and control exercised by the Russian Federation in these conflicts.

It must be underlined that Georgia is not terminating the peace process, as we understand the importance of its continuity. My Government remains fully committed to establishing a new, effective peace process in cooperation with the international community. We propose to replace the terminated negotiation and peacekeeping formats, which were negated by the Russian invasion of Georgia, with neutral international peacekeeping mechanisms.

Allow me to assure you that the Government of Georgia remains strongly committed to the six-point ceasefire agreement mediated by the President of the French Republic, as well as to the provisions of the respective letter of President Sarkozy and the explanations enclosed.

The Conference on Disarmament is not the proper forum for demagogy, remembering old Soviet times or the discussion of how many years this or that State has been independent. However, I do consider that any independent State has the right to have its sovereignty and territorial integrity respected by other States in all international conferences, organizations and forums.

(Mr. Gorgiladze, Georgia)

The decision of President Medvedev on 26 August 2008 recognizing the independence of the territories of Abkhazia, Georgia, and South Ossetia, Georgia, disregards the relevant provision of the Charter of the United Nations, undermines international stability and security, as well as cynically quashing his own signature on the ceasefire agreement brokered by the European Union under the French presidency on 15-16 August 2008.

Deliberately misinterpreting the fundamental norms and principles of international law, Russia is trying unilaterally to alter the borders of a sovereign State through the use of military force. It aims to re-establish its sphere of influence and to draw new dividing lines in Europe, and it seeks to reverse the democratic development of the countries in our region and usher in a Soviet totalitarian era.

The PRESIDENT (spoke in Spanish): Thank you, Ambassador Giorgi Gorgiladze of Georgia. Next on the list of speakers is the representative of the Russian Federation. Ambassador Loshchinin, you have the floor.

Mr. LOSHCHININ (Russian Federation) (spoke in Russian): Thank you, Mr. President. This is the third time that I have had the opportunity to speak to the Conference on Disarmament to set forth the situation with respect to Georgia's aggression against South Ossetia. It seemed to me our colleagues already had an entirely clear and correct understanding of the state of affairs. We did not intend to speak, but I cannot not take up the offer that was in essence just made to our delegation.

We see that the Georgian side, instead of conscientiously implementing the principles of conflict resolution on the basis of the Sarkozy-Medvedev plan, is once again trying to hunt for enemies and culprits. This is all the more regrettable in the light of the decisions at yesterday's Brussels summit of the European Union. There, as is well known, President Sarkozy stated that the events in Georgia, and I quote, were "not grounds for a return to the cold war". That is a very important statement. It should not only be heard but heeded by everyone, including in Tbilisi.

As is known, the President of France intends to visit Moscow on 8 September together with Mr. Barroso and Mr. Solana. We welcome that visit, the basic purpose of which will precisely be to consider the question of implementation of the six Medvedev-Sarkozy principles. This is a good idea. I would like briefly to inform you how things stand with respect to these principles.

The first principle is not to resort to the use of force. Naturally, this principle is addressed first and foremost to the Georgian leadership. Over recent years, we have consistently striven, including in the OSCE and the United Nations Security Council, for the conclusion by Tbilisi of an agreement with Tskhinvali and Sukhumi where the inadmissibility of using force to resolve conflicts would be anchored in legally binding form. Our proposals have always been rejected by the Saakashvili regime and now we understand why. For this reason there is no doubt that the implementation of the first principle totally depends on Tbilisi.

The second principle provides for the definitive cessation of all military hostilities. Here too the main thing is to restrain Saakashvili from new military adventures, to prevent the

(Mr. Loshchinin, Russian Federation)

rearming of a regime which has repeatedly demonstrated over the past four years the purposes for which it uses the weapons overly and covertly provided to it. Unfortunately, there is information, recent information that the rearming of the Saakashvili regime has already begun. We need to think where the responsibility lies in that regard. As regards Russia, the hostilities undertaken to compel the aggressor to return to peace were concluded on 12 August this year.

The third principle relates to free access to humanitarian assistance. I will emphasize that there are no obstacles whatsoever to this on Russia's part. This has been confirmed by the international community in the form of the International Committee of the Red Cross, the United Nations High Commissioner for Refugees, UNICEF and by other organizations participating in the delivery of humanitarian assistance to South Ossetia.

The fourth principle requires the return of Georgian armed forces to their permanent positions, that is, to their barracks. This principle deserves particular attention, since the available reliable data do not allow us to speak of its fulfilment by the Georgian side. The OSCE mission in Georgia must play its role in ensuring strict observance of this principle.

The fifth principle comprises two parts. As regards the withdrawal of the armed forces of the Russian Federation to their lines prior to the start of hostilities, that process has been completed. In addition, the Russian peacekeeping forces, as provided for in the second part of the fifth principle, are taking additional security measures and to that end, a security zone has been established around South Ossetia; it is currently being manned by squads of Russian peacekeeping forces totalling about 500 persons.

This fifth principle is very closely related to the sixth: the beginning of international discussions to find ways to ensure lasting security in South Ossetia and Abkhazia. Such discussions are already actively under way in the OSCE, where a decision has been taken to assign up to 100 more military observers to the OSCE mission in Georgia. I would like to emphasize here that the Russian side is willing to see their numbers further increased. In view of the sad experience as a result of the aggressive aspirations of the current Georgian leadership, the functions of the OSCE military observers - I repeat, here we are talking about international observers - international military observers, they need to be focused on patrolling the security zone, paying particular attention to its outer perimeter, that is, the Georgian side. The Russian peacekeepers are prepared to cooperate very closely with them.

In addition, it would be expedient, and this we recognize, to have an international police presence in the security zone. This will be another international dimension in the circumstances that now obtain. Such a police presence could be deployed under an OSCE mandate perhaps with possible support from the European Union. This is what we have been told by many representatives of European Union States. Let me repeat once again, this police presence could be deployed under an OSCE mandate with possible support from the European Union. We would be willing to consider the possibility of participation by Russian representatives in an international police presence in the security zone. Of course, it still remains to agree at the international level on the regime for this zone, above all on the parameters for its demilitarization.

(Mr. Loshchinin, Russian Federation)

In a similar vein, we would also be prepared to consider the question of increasing Russian peacekeeping forces' cooperation between Russian peacekeepers with international presences in the security zone around Abkhazia, bearing in mind, of course, the existing useful experience of cooperation in this region between our peacekeepers and United Nations military observers.

In the final analysis, agreement on all these concrete aspects of an effective regime in the security zone needs to be set out in legal terms and consolidated by the signing by the Georgian side with South Ossetia and Abkhazia of documents on mutual guarantees of the non-use of force. All that would make it possible to move consistently towards a situation where the monitoring of the security zone would be carried out by an international presence on the basis of the aforementioned guarantees.

I would like to touch upon another issue too that was raised by the Georgian representative concerning the use by Russia of cluster weapons against the civilian population of Georgia. Let me once again declare in the most categorical terms that no cluster weapons were used by Russia against the civilian population of Georgia.

Then there was a reference to information from the human rights organization, Human Rights Watch, but what are the real facts? That this same Human Rights Watch testified in recent communications to the use by Georgian troops of cluster weapons in the area of the Roki tunnel linking North and South Ossetia. That is a very significant recognition. It is by no means always that international non-governmental organizations display objectivity, but in this case they simply had to recognize what actually happened. What, indeed, can be said when the Georgian Ministry of Defence itself has confirmed the use of M85 cluster bombs - the same bombs, I would remind you, that were used in Southern Lebanon in 2006. I would like to draw attention here to the fact that the Roki tunnel is the only route between North and South Ossetia and the one along which a closely-packed stream of refugees fleeing Georgian aggression - no less than 30,000 people - was passing at the very time these bomb attacks occurred. There could have been many more victims if this operation using cluster bombs had entirely succeeded.

People are constantly trying to accuse us of having imperial ambitions, of attempting to revive a colonial regime and so forth. I would like to give a little historical information. I understand this is not really a matter for the Conference on Disarmament, but since these issues have arisen I cannot fail to inform you of some of the details. It needs to be borne in mind that in the past all Georgian State entities voluntarily became part of the then Russian Empire. But what is significant is that each of them did so at a different time. The first one joined the Russian Empire in the middle of the eighteenth century, more than 250 years ago, in 1745-1747. At the time it was a single entity, comprising North and South Ossetia. North and South Ossetia were one State. At the beginning of the nineteenth century, Georgia itself voluntarily became part of Russia, and only 12 years later Abkhazia, which until then had remained a separate principality, joined the Russian Empire. That is the reality of the situation; it is borne out by the actual facts.

Concerning the latest, most recent period, the Abkhaz Republic was included within Georgia in 1931. This took place in the days of the Soviet Union. For one thing, it did not much matter at that time what territory belonged to or joined which Soviet Republic; however, you

(Mr. Loshchinin, Russian Federation)

need to remember that in the Kremlin at the time was a well-known Georgian, Comrade Stalin, who personally participated in working out and putting into effect this “autonomization” system or plan. In this he was actively assisted by another well-known national of Georgia, Comrade Beria, who undertook the resettlement of Georgians from various regions of Georgia in Abkhazia and Ossetia in order to change the ethnic composition of those territories.

It is not by chance that I have mentioned this Stalinist plan for “autonomization”. As is well known, three years ago Saakashvili put forward in the United Nations General Assembly his own plan for resolving the conflict which, if my memory serves me right, consisted of five points. The main point was the granting of the broadest form of autonomy - the broadest form of autonomy - to Abkhazia and Ossetia. In addition, there was a promise of extensive social and economic support and assistance for the people of Abkhazia and South Ossetia. Three years have gone by. Everyone has forgotten about that plan, and no one talks about it anymore: why? Well, for the simple reason that no one intended to implement it. Not a single rouble, dollar or euro, not even a single Georgian lari have the people of Abkhazia and South Ossetia received from Tbilisi. All the aid to South Ossetia, even just for subsistence, for survival, has come from Russia. As for the extensive powers and autonomy, the Abkhaz and the Ossetians have seen an altogether different example, that of yet another region of Georgia, Adzharia, which, under the Treaty of Kars, to which Russia and Turkey are parties, enjoys a special status (the special status of Adzharia is laid down in that treaty). Well, instead of the broad powers promised by Tbilisi, Adzharia too has been deprived of its autonomy. Moreover, that was also done by force of arms. I repeat, by force of arms. Is that not a colonial policy?

In addition, literally just the other day a scientific and practical conference was held in Ankara on the problem of recognition of the independence of South Ossetia and Abkhazia. The organizers were Turkey’s Economic Policy Research Foundation (TEPAV) and Caucasian Associations Federation (KAFFED). The conclusions of this scientific and practical conference were that Russia’s actions were totally justified and deserve comprehensive international support, that the Georgian leadership must answer to the international community for their misdeeds, and that in recent years peace in the Caucasus has been assured only thanks to Russian peacekeepers.

Mention has been made here of the question of participation in the conflict. I would like to inform my colleagues of the following. First of all, up until 7-8 August of this year Russia was not a party to the conflict. The armed conflict between Georgia and Russia which was started by the Georgian attack in the night of 7-8 August has now been concluded. Second, Russia did not and does not exercise effective control of the territory of South Ossetia or Abkhazia or of their administrative structures or military units. Accordingly, responsibility for the actions of those structures or units cannot be ascribed to Russia. Third, Russia was not and is not an occupying Power. Its armed forces in the territory of South Ossetia and Abkhazia have not been and are not carrying out the functions of the administrative structures in South Ossetia and Abkhazia. Theirs is just a military presence. I think these points all the more relevant now that Russia has recognized the independence of these two new States. Finally, one last point: at the same time the Russian armed forces carrying out peacebuilding and peacekeeping functions in the territory of South Ossetia and Abkhazia are, in cooperation with local law enforcement bodies, doing everything possible to maintain law and order.

(Mr. Loshchinin, Russian Federation)

We have been reproached for recognizing the independence of South Ossetia and Abkhazia. The recognition of independence was a forced step, but an inevitable result of the aggression by the Saakashvili regime. There simply could not have been any other decision. That decision is final and irreversible.

The PRESIDENT (spoke in Spanish): Thank you, Ambassador Loshchinin, for your statement. Continuing with the list of speakers, I give the floor to the representative of Tunisia, Mr. Bel Kefi.

Mr. BEL KEFI (Tunisia) (spoke in French): Thank you, Mr. President, for your kind words to Mr. Labidi, who has just been appointed Minister of Youth and Sports, and for your wishes for his success, which I shall not fail to pass on to him. Not having had the time to meet you before taking up his ministerial post, Mr. Labidi has charged me with extending to you, Mr. President, and to all his colleagues and friends his sincere thanks and appreciation for the support and kindness that the members of the Conference on Disarmament, the group of six Presidents and the secretariat always showed him. He hopes that he did his best, with your cooperation, to make Tunisia's best possible contribution to the progress of the work of the Conference on Disarmament during a year of particular importance for its future. He has also asked me to offer you, together with his regards, every encouragement and his best wishes for the success of the work of the Conference. Lastly, although unable to come to Geneva before the end of our session, he hopes to be able to return within a few weeks to make his farewells and pay you his respects.

The PRESIDENT (spoke in Spanish): I thank the representative of Tunisia, Ambassador Bel Kefi. Now going down the list, I give the floor to the representative of Norway, Ms. Skorpen.

Ms. SKORPEN (Norway): Mr. President, let me first commend you, as well as the other Presidents this year, on your efforts to have a work programme adopted and for having presented a report that is balanced, factual and objective. Ideally, we would like to have seen a report that was even more substantial and even more forward-looking, but we can live with it as is. Of most importance to us is that the report can steer us onto a productive path for the coming year, that it reflects broad support for CD/1840 and that all member States are ready to build on CD/1840 for 2009.

Like most others, we consider CD/1840 the best prospect for breaking the more than decade-long deadlock in the CD. We consider an FMCT to be the topic most ripe for negotiations. We did so back in 1995, when the CD succeeded in adopting a mandate to negotiate a fissile-material treaty, and we believe it is the topic most ripe for negotiations today. Ideally, we want to negotiate a mandate that includes both verification and stockpiles, but for now we will settle for what is possible - a decision to start negotiations. The rest we will take from there.

Although we are disappointed that yet another year has gone by without a work programme, we find it encouraging that those who are not in a position to endorse CD/1840 consider it a useful platform to continue our deliberations for next year. But this must not be a

(Ms. Skorpen, Norway)

repeat of discussions of the past. We must put rhetoric and stalling aside and get the issues out into the open. Norway has long called for something like a cultural revolution in the CD. We believe it is high time for an open and honest debate about working methods, rules of procedure, the consensus principle, seating arrangements, for that matter, and not least the workings of the regional groups.

Breaking the CD deadlock has been the subject of many a seminar over the years. A report from a conference with this exact title, organized by UNIDIR eight years ago, starts out as follows - and I am sure that some of you were probably present at that conference and may remember it well. Others may not have heard of it, so I would take this opportunity to bring up a few points from the conference, because I think it is very pertinent to the debate we are having today.

The report starts out as follows, as I said: "The CD is described as the sole negotiating forum for negotiating international arms control and disarmament treaties. Yet, for over four years, the CD has not been able to agree on a programme of work, nor has it managed to negotiate for more than a few weeks on a ban on the production of fissile materials that it was mandated to deal with in 1995." The report goes on to deal with how the deadlock at the CD is perceived from the outside. The report states, rather disconcertingly: "Generally, few governmental officials and select non-governmental organizations are aware of the work carried out by the CD. Not many people outside CD circles know about the deadlock; some of those who do know do not care, as the work of the CD is perceived to be irrelevant to individual or regional security concerns. Indeed, the CD is a multilateral forum designed to negotiate global arms control and disarmament treaties, and problems that only have a regional impact are not dealt with at the CD, although in the post-cold-war era, regional issues are particularly salient and sensitive. This is often seen by outsiders to be a major failing of the CD." Actually, judging from the past two weeks, this quote could not be said to be entirely correct, but I think in the long run, it is worth considering this point in a more systematic manner.

When it comes to the underlying causes of the deadlock, the questions remain the same. Is it due to a structural deficiency in the CD or a reflection of the prevailing international security or insecurity situation?

Many participants at the seminar back in 2000 questioned whether the rules and procedures that governed the CD were obsolete and inadequate, especially with regard to the consensus rule and group structure. Then again, our national security concerns are still assessed in terms of zero sum games or insecurities and a lack of confidence so deep and distrust so high that it is beyond diplomatic skills to find common ground that makes it possible to move forward. Or, many of our leaders have still to learn that the quest for absolute security ultimately leads to greater insecurity for all.

We need to know if there are red lines, whether these are absolutes, or if there is room for diplomatic manoeuvring. If there are red lines cast in stone, it would appear to be over for the CD. In any event, we need to have an open debate on whether we are well served with the system in which one or two States are allowed to block progress for all of us.

(Ms. Skorpen, Norway)

I have found some other recommendations from the UNIDIR seminar in 2000, as regards working procedures, worth repeating, namely, that the rules governing the CD should be more flexible, especially those dealing with the establishment of the programme of work. The consensus rule is often used to voice dissent and opposition. It should be overhauled or at least not used for procedural issues. The group structure is not a mechanism that is conducive to progress or efficient work within the CD. It should therefore be replaced by an issue-based mechanism or a “like-minded States” system. These are recommendations to be discussed. Further on, the role of civil society is to be expanded within the work of the CD as it has been in most other spheres of policymaking. Indeed, by expanding the role of civil society within the CD, we could assert the importance and relevance of its work and counteract the diminished importance in the eyes of many Governments since the end of the Cold War. It also recommends, in terms of substance, that a new mandate for the CD could be formulated.

The report of the conference goes on to deal with the substantive issues, problems that we all know too well: the question of equal treatment of each of the principal topics; linkages; what is considered primarily as disarmament, and what is considered primarily as non-proliferation.

It has one recommendation that I thought I wanted to bring up, because it is very relevant to where we are right now. It concludes that everyone at that conference back in 2000 agreed that starting negotiations on a ban on the production of fissile materials was important. The recommendation then states: “The most contentious issues could be better resolved through negotiations rather than being used as an excuse for not holding any negotiations at all.”

In our view, this is exactly what CD/1840 is trying to do. Therefore, we consider CD/1840 the best compromise to date. The longer the CD avoids negotiations on an FMCT, the more chances discussions will be held outside the CD. To us, the venue or forum is, however, of less importance.

The PRESIDENT (spoke in Spanish): I thank the representative of Norway, Ms. Skorpen. Going down the list that I had from the secretariat, I now have the representative of Ecuador, Ambassador Montalvo. You have the floor, Sir.

Mr. MONTALVO (Ecuador) (spoke in Spanish): Thank you very much. I just wanted to echo the comments of the distinguished representative of Norway in commending your presentation of the draft report of the Conference and I stress the efforts that you, as President, have made to reconcile in the text the state of negotiations and the contributions made in the debates during our meetings.

Obviously, we share the concern of the representative of Norway at the fact that the Conference does not yet have an agenda and that we are in deadlock, as she put it. However, we believe that the draft that you have submitted to us has, as is natural, been prepared in conformity with the rules of procedure of the Conference and that it is sufficiently objective to reflect the negotiations and the work of the Conference. In addition, it has, properly, been presented two weeks prior to its approval. That is attributable to the work of the presidency.

(Mr. Montalvo, Ecuador)

It is without doubt a useful basic document with the correct orientation and deserves constructive handling with the contribution of all parties. Like any proposal, it is a text to be discussed, analysed and improved, as the comments made by the representative of Norway a moment ago showed. In that regard, my delegation shares the positive spirit that should prevail in order to improve this draft annual report of the Conference and I urge all delegations to welcome it in the same spirit. We believe that Venezuela, as President of the Conference, has made an effort to satisfy everyone's wishes, has followed the rules of procedure and has struck the right balance for achieving the necessary consensus to which we all aspire. It is therefore up to all of us to enrich this draft report, improving it where appropriate with realistic, responsible and positive proposals.

The PRESIDENT (spoke in Spanish): Thank you. The representative of Mexico has the floor.

Ms. GÓMEZ-GUIZA (Mexico) (spoke in Spanish): Thank you very much Mr. President. My delegation is particularly pleased to see Venezuela presiding over the work of the Conference on Disarmament. Allow me, Ambassador Germán Mundaraín Hernández, to congratulate you on the very constructive spirit in which you have led this forum and to say to you that you can count on the full support of the delegation of Mexico in your difficult work. I would also like to seize this opportunity to thank your predecessors, the Ambassadors of the United States, the United Kingdom, Tunisia, Turkey and Ukraine, who over the course of 2008 have shown commitment and untiring effort to break the deadlock in which the only multilateral negotiating forum the international community has established in the area of disarmament finds itself.

Mr. President, my delegation acknowledges the work and the intensive consultations you held with members of this body with a view to putting before us a draft annual report for submission by the Conference to the General Assembly whose content reflects in a factual way what has happened in 2008. We consider that the draft report that you have submitted to us is objective and balanced and reflects in general and in factual terms the proceedings this year. In this connection, although we could contribute a few minimal proposals for amendments, the delegation of Mexico would be prepared to support the draft report as it has been presented to us.

Before concluding, I would also like to pay tribute to the excellent work that was done by the coordinators, who, throughout the year, have guided the substantive debates on the seven agenda items. In addition, these debates have contributed towards a more frank and open dialogue between delegations. The exchanges that took place in this context between the members of the Conference at least gave us the opportunity to discuss and to ponder substantive issues, topics of the greatest importance for the international community and concerning which we should be acting decisively because of the risks they entail for the very existence of humankind.

It is imperative, therefore, for us to use every possible means so that in the short term, in the very near future, we can arrive at an agreement on the programme of work, as the delegations that spoke before me have already said, an agreement that would enable us to shoulder fully our responsibilities as members of this Conference on the basis of the same enthusiasm as prevailed

(Ms. Gómez-Guiza, Mexico)

during our substantive debates and without detriment to the national interests that each of us is responsible for promoting. Let us move forward towards the building of consensus that will get us out of stalemate and enable us to restore the credibility of this forum with concrete actions that strengthen international peace and security.

Mr. President, allow me in conclusion to reiterate Mexico's wish and readiness to continue to work towards such a longed-for end and, of course, to cooperate with you, with your delegation and the other members of the Conference in order to finalize the draft report that we have before us.

The PRESIDENT (spoke in Spanish): I thank Ambassador Mabel Gómez for her contributions and, on behalf of the P-6 and the coordinators, I thank her for her kind words about our work. Following the list, I give the floor to Ambassador Baiedi Nejad of the Islamic Republic of Iran.

Mr. NEJAD (Islamic Republic of Iran): Mr. President, I have the pleasure to speak today as the newly-appointed Ambassador and Deputy Permanent Representative of my country to the United Nations Office and other international organizations in Geneva. I am aware that an important part of my activities will be dedicated to the negotiations and discussions held in this Conference. I look forward therefore to an efficient exchange of views and close cooperation with all my distinguished colleagues in this Conference.

As it is the first time that I am speaking under your presidency, allow me to congratulate you on assuming the presidency of the Conference on Disarmament. I am confident that under your guidance and leadership the Conference will achieve fruitful results. You can rest assured of my delegation's full support and cooperation in discharging your tasks. The period in which you have assumed the responsibility of leading this august body is of the utmost importance, due to the fact that we need to work together to adopt the 2008 report of the Conference on Disarmament. We would like to thank you and the secretariat of the Conference for preparing and distributing among member States the draft report on the activities of the CD.

We continue to examine this draft carefully and wish to engage constructively with all our colleagues to finalize and adopt it in a way that is agreeable to all delegations.

Unhappily, this report is submitted to the Conference in an environment where the CD, as the sole negotiating disarmament machinery, has failed to achieve substantive progress on the negotiations of its agenda items. This situation is of course the result of some drastic changes in the international security priorities of some States that are members of this Conference, and hence, of not being able to agree with the modalities outlined for a long time in this same Conference and at the United Nations General Assembly. I am sure that we will be able to discuss this issue further in our deliberations in the Conference, and we share the sentiments expressed by our colleagues about the situation in the Conference.

Back to the question of the report of the Conference: I would like at this stage to recall some of the general principles that in our view should guide us in our discussions on the report. As stipulated in the rules of procedure of the Conference, the report should be factual and reflect

(Mr. Nejad, Islamic Republic of Iran)

the negotiations and work of the Conference. The report therefore should not be open to interpretation, and hence needs to avoid value judgements, unless agreed by all. Furthermore, we believe the report should be simple, readable and unrepetitive. The rule of transparency and openness should be observed throughout the process. Given the extensive activities of the Conference this year, the report needs to reflect comprehensively the views expressed in the course of our collective endeavours this year. In this context, the unfortunate fact that no negotiations have taken place in the CD this year and that no consensus was reached on the programme of work needs to be duly reflected in the report.

We appreciate your efforts to make the draft report less controversial and closer to agreed positions of the member States. However, we are of the view that some paragraphs of the draft report need some elaboration, as well as some modification, in order fully to reflect the views expressed and the positions taken on the different issues on the agenda of the CD.

These modifications are particularly needed when attributions are made and the contents of certain statements and documents which intend to summarize the activities of the Conference are unnecessarily reflected in the draft report. We believe that modification of those parts of the draft report will make it more factual and consistent with what exactly happened on the ground.

We have more comments on other parts of the draft report. These will be presented to you and all the delegations during the informal consultations.

We have full confidence in your wisdom and skills in leading our discussions and are prepared to engage in serious negotiations to adopt a report that enjoys the consensus of the Conference.

The PRESIDENT (spoke in Spanish): I would like to thank Ambassador Nejad of the Islamic Republic of Iran for his contributions and comments and for his wish to cooperate. I would also like to take this opportunity to welcome him, since I did not know that this was his first participation in the Conference on Disarmament and I wish him every success among us. Continuing down the list, I give the floor to Ambassador Jazaïry of Algeria.

Mr. JAZAÏRY (Algeria): Mr. President, first, please accept my delegation's sincere congratulations on your accession to this important responsibility. As this is the first time I am taking the floor, I would be remiss if I did not say how much I appreciate the way that you are discharging your stewardship. I would also like to pay tribute to your eminent predecessors of the P-6, and in this respect, I would like to put special emphasis on our brother, Samir Labidi, who chaired this Conference so ably and so efficiently, with so much persuasive capacity and energy as a member of the Maghreb region, subregion of Africa, and as an African. I would say that all of us here from the region felt very proud to have him in the Chair, and I think that I can speak in the name of all of the African countries present here to say how much we appreciated him and how much we think that his promotion to the role of a cabinet minister is seen by us as a recognition of his outstanding capacities and also of his human qualities.

We have taken note with great interest of your draft report in this minefield of the Conference on Disarmament, and we wish to congratulate you for having been able to steer in

(Mr. Jazaïry, Algeria)

such an objective manner. We will be consulting our members of the groups to which we belong, the G-21 and others, and we are sure that we will come to a joint conclusion with whatever improvements have to be made. The substance - the basis for this discussion - has been provided through your good efforts. It means that the elaboration of the report will not in itself be such a subject of controversy as the ones that we have gone through in seeking consensus on the substance of the issues which we have been confronted with in the course of this year. But I think that attempts and comments such as those just made by colleagues today, and in particular by the distinguished representative of Norway, are a source of inspiration for us, and I think we need to look to the future to continue our discussions in a congenial spirit. Some language I heard this morning was a bit out of tune, and I hope that we will continue to work in our congenial and friendly spirit with a view to achieving consensus in the course of next year.

The PRESIDENT (spoke in Spanish): I thank Ambassador Jazaïry of Algeria for his generous appreciation of our work and for his substantive ideas. The Representative of the Secretary-General, Mr. Sergei Ordzhonikidze, has the floor.

Mr. ORDZHONIKIDZE (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations): As some of the delegations probably remember, it has been a consistent practice of the Secretary-General of this Conference to remind all delegations that are raising issues outside the agenda that the CD is not a tool for political propaganda. I would also like to remind them that this is not the Security Council, the Human Rights Council, or even the Human Rights Committee of the United Nations. Nor is it a voluntary political debate on whatever issues, because, according to our report before us, the agenda items before the Conference on Disarmament - and we have to adopt that report - are cessation of the nuclear arms race and nuclear disarmament; prevention of nuclear war, including all related matters; prevention of an arms race in outer space; effective international arrangements to provide assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons; new types of weapons of mass destruction and new systems of such weapons, radiological weapons; a comprehensive programme of disarmament; transparency in armaments; and the consideration and adoption of the annual report and any other report, as appropriate, to the General Assembly of the United Nations. This is what we should be dealing with.

So, I appeal to delegations to concentrate on the agenda of the CD rather than bringing problems here that are outside the purview of the Conference on Disarmament. As you probably remember, every time we try to bring up bilateral or multilateral problems that are not on the agenda of the Conference on Disarmament, it has in fact had negative effects on the problems under consideration. In other forums, like the Security Council, or in bilateral or multilateral negotiations between two or more countries, we should not create an atmosphere of trading political blows. This is the Conference on Disarmament, and I would like you all to concentrate on the agenda items that I have just read. We have plenty of work. We do not need to be distracted. Those who want to be distracted from the Conference might look into the archives - we have plenty of archives at the United Nations and plenty of documents in the library of the United Nations - and they could use other appropriate forums.

(Mr. Ordzhonikidze, Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations)

I therefore appeal to delegations to concentrate on acute problems rather than on raising issues outside the agenda. I welcome in that spirit the statements made by Norway, Mexico and Algeria, among others. Of course, diplomats at any forum, and especially the CD, should be aware of the political problems that exist in the world, but for that there are various sources of information. There are various other avenues that can be used, and we should use the precious time here for the adoption of the report and concentrating on the agenda. I would like to remind you once again that we are not moving far ahead, and we are not progressing quite as far as we would like to progress. So the least we can do is to adopt a report and present it to the General Assembly and think at the General Assembly what the General Assembly should do to help us if we cannot help ourselves.

At least I would like to appeal to you not to spoil the good political atmosphere and not to hinder the process of the adoption of the report.

The PRESIDENT (spoke in Spanish): Thank you very much, Mr. Ordzhonikidze, for those words. In view of the hour and as there is no other request for the floor, we are now going to conclude today's formal meeting. We will have a 10-minute break and, as was explained last week, we shall begin the informal plenary meeting, open only to member States and observers, at which the draft report will be examined paragraph by paragraph. I would ask you therefore kindly to be back in this room in 10 minutes. Thank you.

The meeting rose at 11.20 a.m.