

Conference on Disarmament

English

Final record of the one thousand five hundred and ninety-fifth plenary meeting

Held at the Palais des Nations, Geneva, on Tuesday, 7 September 2021, at 10.20 a.m. Central European Summer Time

President: Mr. Frank Tressler Zamorano (Chile)

* Reissued for technical reasons on 31 August 2022.



The President (*spoke in Spanish*): I call to order the 1595th plenary meeting of the Conference on Disarmament. Before moving on to today's topic, I would like to warmly welcome the fellows of the United Nations Programme of Fellowships on Disarmament. As you all know, the Disarmament Fellowship Programme was launched by the General Assembly at its first special session devoted to disarmament. The aim of the Programme is to increase the number of Member State officials with expertise in global disarmament deliberation and negotiation forums. I thus hope that the fellows will find their visit to the Conference useful and informative for their future work. I also understand that there are several colleagues in the room who have been on the Programme, so let us give a very warm welcome to the fellows.

I now wish to move on to the second revised draft report of the Conference, contained in document CD/WP.636/Rev.2, which was circulated by the secretariat yesterday, 6 September, together with a track-changes version for ease of reference. This second revised draft is informed by discussions at the informal plenary meeting, other informal and formal meetings and the bilateral consultations we held last week and yesterday.

Let me refer to some of the changes made to the report paragraph by paragraph. First, paragraph 6 contains a new sentence, which acknowledges the participation of the Secretary-General of the Conference in the plenary meeting on 5 August. In view of the discussions at the informal meetings held last week and our bilateral consultations, paragraph 12 remains the same as in document CD/WP.636/Rev.1. I thank delegations for their flexibility and spirit of compromise.

Paragraph 23, which, I have to say, is the paragraph that required the greatest attention and was the one that the largest number of delegations expressed their views on probably does not meet the expectations of all delegations. Unfortunately, general agreement was not possible; it is already quite a complex paragraph. There are two issues that were important to some countries, and they had to be presented in a manner that best serves the interests of the other parties. These are, as you know, the words "decision", "draft decision" and "consensus". We did our best to accommodate the concerns of all delegations in this paragraph. It has not been easy, and I kindly ask delegations to try to avoid reopening this paragraph by introducing additional amendments at this stage, because it will be very difficult to accommodate the interests of everyone in the room. It is a paragraph that, as I said, does not satisfy everyone. All the same, it reflects what happened – it suggests that all delegations, in one way or another, supported gender-inclusiveness and leaves open the possibility of continuing discussions on the matter at future meetings of the Conference.

A new paragraph, paragraph 49, was added to part III (H) at the request of the delegation of Australia. The paragraph reads: "During the general debate of the Conference, delegations reaffirmed or further elaborated their respective positions. These positions are duly recorded in the plenary records of the session."

At the request of the delegation of the Syrian Arab Republic, all references to the presidencies were deleted. This, too, was no mean feat, as it required coordination with this year's presidencies. Finally, note that the secretariat has included the document symbols in the corresponding sections and has added appendix 3, which lists all documents submitted to the Conference on Disarmament. There were also some other changes, such as the renumbering of paragraphs and relevant editorial changes.

I would now like to wrap up the discussion, paragraph by paragraph, to see whether we can reach consensus.

Now, does any delegation wish to take the floor to comment on paragraph 6? Canada is asking for the floor. Ambassador, you have the floor.

Ms. Norton (Canada): Mr. President, as it is the first time that I am taking the floor during your presidency, my congratulations. You can count on our continued support in the final days of your presidency. I would also like to send out a hearty welcome to new colleagues in the room, as well as to the fellows of the Disarmament Fellowship Programme.

It is my understanding that Canada's request for the issuance of official documents related to the updating of the rules of procedure has created some confusion. Our delegation

apologizes for that. I would like to take this opportunity to explain the chronology and the reasons for our actions to help alleviate some of that confusion.

Our assessment of the discussions on updating the rules of procedure was that there was no consensus during our presidency but that many delegations were interested in continuing the discussions sometime in the future. As a result, we thought it may be helpful for future discussions to have the draft decision on record, as it would be one option for proceeding in the future. During the discussions, we had heard that some delegations wanted to see the other official language versions to assist them in their deliberations. As a result, we submitted the draft decision and the proposed updated rules of procedure in English and requested the secretariat to ensure their entry into the official record. That way, this package of documents would be translated and become available on the website for States, including in all official languages, when States consider this issue again in the future in any language.

I want to underline, however, that we did not and do not consider this package of documents as anything approved by the Conference. This package of documents (CD/2218) represents a national submission by Canada and can be noted as such in the annex of the report. There was no consensus, therefore the updated rules of procedure and their translations do not represent agreed documents.

In the future, the Conference on Disarmament may take a different approach to this issue, including on how to update and in which language and how to deal with the translations. CD/2218 is a reference document Canada has put on the record for those who wish to have a look at what this could look like. You will note that we submitted this package of documents after our presidency and in our national capacity.

That brings me to document CD/2221. When we discussed the report of the Conference, it appeared helpful, at least to us, to be able to refer to the draft decision that the presidency circulated in July as WP.635 as a separate official document with a Conference on Disarmament number. We therefore requested the secretariat to give it a distinct Conference on Disarmament official document number, separate from the package we had submitted earlier.

I thank you for your attention and stand ready to respond to any questions you may have.

The President (*spoke in Spanish*): Thank you very much, Ambassador, for this clarification. In order to close the discussion on the outstanding paragraphs, as I said, we shall now look at paragraph 12 if there are no other comments on paragraph 6. Does the Ambassador of the Netherlands have a comment on paragraph 6?

Mr. Gabriëlse (Netherlands): The update on paragraph 6, I think that is more accurate. Of course, paragraph 6 is linked to paragraph 23 because the Secretary-General spoke out during the meeting on 5 August in favour of the draft decision and of making the language in the rules of procedure gender-neutral. So actually, I want to add this, so I will keep paragraph 6 open and wait to see how the discussion of paragraph 23 goes.

The President (*spoke in Spanish*): Thank you very much. Paragraph 12. No comments. Then let us move on to the next paragraph, which is paragraph 23.

The Ambassador of the United States of America has the floor.

Mr. Wood (United States of America): Mr. President, with regard to paragraph 12, as I have said from the beginning, I am not happy with how this paragraph is drafted. I am not going to repeat myself again, but we have been very clear that country names need to be mentioned. To sum up, my delegation is not happy with the current draft of paragraph 12.

The President (*spoke in Spanish*): Thank you very much, Ambassador.

I take it that the representative of Australia would like to comment on paragraph 23. You have the floor, Madam.

Ms. Hill (Australia): Mr. President, let me take this opportunity to thank you and your delegation for all your tireless efforts on the report. It has certainly not been an easy task. I thank you also for circulating the latest draft (Rev.2) yesterday. My delegation has now had the opportunity to review this version and I will get straight to the point.

Our view is this: the draft does not contain everything that we had hoped for. It does not contain our preferred language on some things, but in a spirit of compromise and to deliver on our undertaking to be as constructive as possible, we can live with this draft and we would be ready to join consensus.

In relation to paragraph 23, my delegation has been very clear since the beginning of the negotiations that our main concern was to ensure that the report accurately reflected the facts of the Conference on Disarmament's consideration of the draft decision on a technical update to the rules of procedure to reflect the equality of men and women.

In particular, we have been consistent in our call for this paragraph to include a simple, factual statement on the outcome of that consideration, that is, that consensus was not reached.

The sentence in Rev.2 in this paragraph is not the sentence we proposed, but it does the job. I must be very clear on this point: the language in Rev.2 on this point is the absolute minimum that my delegation can accept and we will insist that this language is retained. At this stage we urge all delegations to take a constructive approach. We have all proposed edits that we would like, but we must all exercise restraint in calling for them.

The draft you have presented, Mr. President, does the job.

The President (*spoke in Spanish*): I thank the representative of Australia for her flexibility and constructive approach and give the floor to the Ambassador of the United Kingdom.

Mr. Liddle (United Kingdom): Mr. President, let me add my thanks to those that the distinguished delegate of Australia expressed just now. This has been a very difficult and delicate process, and you and your team have managed it in a very transparent and professional and, may I say, exemplary fashion.

As for others, paragraph 23 is particularly important for us. It reflects a very important debate and, as we have said before, it needs to reflect in an honest and transparent way what transpired in the room.

The current draft of paragraph 23 is not ideal. For example, I don't really understand why the word "respective" is there and the word "feasible" in the final sentence is also not quite the word I would have chosen.

Having said that, Mr. President, we need to make progress and therefore my delegation can accept this draft, but I think this is the minimum we can accept.

The President (*spoke in Spanish*): Thank you, too, Ambassador, for your flexibility and constructive approach. Now we have the Ambassador of the United States of America.

Mr. Wood (United States of America): Mr. President, I should have opened my previous remarks by thanking you for the work you and your delegation have put in to try to get us to consensus on this text.

As you know, from the beginning, paragraph 23 has been a major concern for my delegation. All we have wanted, from the beginning, was to have a factual expression of what took place during the discussions on this issue. The language that you have in your latest draft is not ideal for the United States. I am not thrilled with it, and some of the new language that we have in there does concern me.

However, I do know that time is running short and I do appreciate your efforts to try to come up with a text that could win the approval of the room and so, as difficult as it is to accept this overall text, in the spirit of compromise, my delegation is willing to join consensus on this new draft of yours.

I want to point out, however, that this is the absolute minimum that we can support. My delegation, from the beginning, has shown flexibility with regard to this text. My hope is that others in this room will show similar flexibility.

So, in short, Mr. President, thank you for your latest draft. At this point, the United States can support your new version.

The President (*spoke in Spanish*): Thank you very much, Ambassador, for your flexibility and constructive approach. It is indeed a text that does not meet with everyone's approval, but it may help us reach some sort of agreement.

Does any other delegation wish to comment? The delegation of the Russian Federation has the floor.

Mr. Belousov (Russian Federation) (*spoke in Russian*): Mr. President, I echo the words of gratitude addressed to you for your efforts to secure the approval of the draft final report of the Conference on Disarmament. I would like to make a few remarks.

Regarding paragraph 23, we, too, are ready to show flexibility, we, too, are ready to make efforts to ensure that the work of the Conference is reflected as well as possible in all parts of the report and, to that end, we made a number of proposals, which we consider useful and constructive. We see paragraph 23 as an attempt to find wording that satisfies all delegations. However, I must say that we cannot accept paragraph 23 in its current form.

Yesterday, we sent you some proposed language for the paragraph. We believe that our proposal is the best possible reflection of the discussions of 3 and 5 August. It also accurately reflects the outcomes of those discussions. We believe it can serve as a basis for compromise. I will read the proposal:

(*spoke in English*)

An informal plenary meeting and a formal plenary meeting to consider the proposal for a technical update of the Conference on Disarmament rules of procedure to reflect the equality of men and women were convened by the respective President of the Conference on 3 and 5 August. Delegations expressed various views and positions, as well as made suggestions regarding the issue, in the course of the discussions, which are duly reflected in the plenary records. [The symbol of the document containing the verbatim record of the formal plenary meeting is included here.]

While Conference on Disarmament member States concurred on the importance of the existing practice of equal participation of men and women in the work of the Conference on Disarmament, the Conference did not succeed in reaching agreement on the proposal.

(*spoke in Russian*)

Again, we think this is the type of language that can serve as a basis for compromise.

I would also like to speak about the new paragraph 24, which includes two new documents. We are not really against the inclusion of document CD/2221, but we strongly oppose including the reference to document CD/2218 in the report. I will explain our position.

The document, or rather package of documents, submitted by our Canadian colleagues consists of a note verbale from the Permanent Mission of Canada, a draft decision of the Conference and the Conference's rules of procedure. We do not understand and would like to know who asked the Canadian presidency to draft a new English version of the rules of procedure, which are presented here as the Conference's official rules of procedure. This can be inferred from the note verbale sent to the secretariat. There is no caveat to the effect that the document was drafted on the initiative of the Canadians themselves. The status of the document is not made clear and, furthermore, it is proposed to use it for official translations into the other Conference languages. We do not understand what the Canadian presidency was trying to achieve by submitting this document. However, we think that listing this document as a document issued by the Conference will raise additional obstacles to the approval of our final report.

We sent this document to our capital for review, including by our legal service, and cannot agree to including it in the final report until we receive a reply. Meanwhile, a preliminary analysis has shown that our delegation cannot consider the package of documents submitted by Canada an official document or documents of the Conference.

Now I would like to speak about consensus. The consensus principle has already been mentioned here, and the issue was raised in various contexts during the previous discussions.

I get the impression that a new understanding of the consensus principle is being proposed. To reiterate, we believe that whether there is or is not consensus can be determined only through the process of adoption and approval or rejection of specific Conference documents or decisions. The opinions expressed by delegations during the discussions about whether there was or was not consensus are merely the national views of individual delegations. We cannot rely on them when drafting the final report.

Imagine that, as has already happened at the Conference many times, the Conference is discussing some issue or the draft of a decision or document. During the discussion, delegations express different opinions, sometimes diametrically opposed. Can we then conclude that there is or is not consensus? We firmly believe that we cannot draw such a conclusion because delegations are entitled to have and express their own opinions, which do not always coincide with the opinions of other delegations. However, there have been situations when States with divergent opinions on an issue approved a document by consensus, meaning that they joined the consensus, either disavowing the substance of their positions or considering that reaching consensus was much more important than their position in a given instance.

A completely different understanding of consensus is now being put forward. We are being asked to consider any situation when conflicting opinions are expressed during discussions as a lack of consensus. We completely oppose that approach. It would mean that we have virtually no consensus on any issue. I repeat – we can determine and establish whether or not there is consensus only following the approval and adoption of a decision or document under consideration by the Conference.

That is why my delegation and I consider it inappropriate to use the word “consensus” in paragraph 23. Moreover, in paragraph 12 it was stated that the Conference “did not reach agreement” on approving requests for observer status, which is a much more important issue for the Conference than a technical update of the rules of procedure. If we really want to accurately reflect the situation at the Conference and aim for consensus, then we should be consistent.

One more thing about the consensus principle. I would like to thank my colleague Ambassador Sharma of India for his idea of using the structure of paragraph 17 of the report to develop paragraph 23. We can now see that, following discussions – and since our views on the meaning of consensus have diverged – paragraph 17 also needs revising. We propose replacing the words “in reaching consensus” with “in adopting a programme of work”. I think that would accurately reflect the situation at the Conference, again considering the opinions that have been expressed about consensus.

I have a few words to add on part II of the document. We see some discrimination from certain delegations regarding the Russian proposal to add a section I after section H on page 7 and move paragraphs 23, 51, 52 and 53 to the new section. I will explain our idea. Essentially, by including paragraphs 51, 52 and 53 in their current section, we are saying that having women and young people participate in disarmament matters constitutes a measure to deal with international security issues. We do not agree with that. Again, we believe that broader participation by women and young people in addressing international security issues could facilitate progress towards the search for possible solutions. However, we do not consider these factors to be practical measures in the areas of disarmament and arms control. We cannot compare them with measures such as nuclear disarmament verification, which, in the view of the overwhelming majority of Conference members, is a genuinely practical means of stimulating the nuclear disarmament process. Once again, we do not think it is advisable to keep paragraphs 51, 52 and 53 in their current section and propose to move them to a new section, section I, on page 7.

Thank you for attention, distinguished colleagues. With your permission, I will reserve the right to take the floor one more time on other matters related to the work of the Conference.

The President (*spoke in Spanish*): Thank you. For the sake of transparency, I will give the floor to everyone on my list. We will then take a short break to consult bilaterally with some delegations and resume afterwards.

I have Morocco on my list, connecting remotely, Cuba, India and the United States of America. After the delegations of those countries take the floor, we will take a short break and then, after the break, other delegations may take the floor.

The delegation of Morocco has the floor.

Mr. Kabbaj (Morocco) (*via video link, spoke in French*): Mr. President, my delegation appreciates all the efforts you have made since the start of your presidency, especially at this key stage of the session, to steer us to consensus on the report. My delegation, while taking into account the importance of reaching consensus, would very much have liked the discussions on paragraph 12 to be clearly reflected in the final report for the session. Thank you.

The President (*spoke in Spanish*): I give the floor to the representative of Cuba.

Mr. Delgado Sánchez (Cuba) (*spoke in Spanish*): Mr. President, since this is my first time taking the floor under your presidency, allow me to congratulate you for having assumed the presidency of the Conference on Disarmament and, of course, for having conducted transparent and inclusive consultations during the drafting of this report. I would also like to congratulate the fellows who are with us here today and who will certainly benefit from this meeting. In addition, I wish to thank our colleague from Russia who, for example, has provided an excellent explanation of what might or might not constitute consensus in the Conference. I believe that this may be a good lesson.

Mr. President, I have not actually been here in the last two months, but the Conference, condemned time and again to make simple things difficult and difficult things impossible, bureaucracy at its best, really seems like something out of Kafka's *The Castle*. When the consideration of the document was first proposed, I was here and conveyed a number of concerns to the Ambassador of Canada. Today, I see us locked in a discussion on what we discussed – it is not even about the document any longer, and may I say that when I look at paragraph 23, I really do not understand either what is going on or what the problem is, although I have read the records of the meeting. We are making an issue out of a procedural matter, simply because we like to procrastinate and waste the time of this Conference on issues that are of no relevance to disarmament.

But since this is the way it is, I shall refer to paragraph 23. First of all, for someone who, like me, who did not attend these meetings, it is not clear from paragraph 23 whether the proposal was tabled by the six Presidents, one country, the President or all member States. In other words, it is unclear who submitted this proposal. In Spanish, each sentence normally has direct and indirect objects – in English this can sometimes be omitted – but in paragraph 23 the initial idea of who submitted the document, whether it is a document of the Conference as a whole or just one delegation, simply gets lost. It is unclear whether the document was submitted by a member State or simply tabled by the President.

Some delegations in the room have spoken about the absolute minimum that they are prepared to accept, about passions, but we should be cautious with this kind of language, because it will not get us anywhere.

It also strikes me that paragraph 23, which I know is the product of a tremendous effort on your part to try to reconcile the irreconcilable – namely, the lack of political will of the Conference – is an attempt to find a solution; however, it departs significantly from the practice and logic of any report and, in particular, a report of the Conference on Disarmament. For example, paragraph 23 is completely different from paragraph 17. If the idea is to refer to the number of meetings, in paragraph 17 we would have to mention the many informal and formal meetings that were held. Paragraph 17 makes no mention of these meetings.

Paragraph 23 also makes value judgments about something that was discussed – that the gender issue is important, for example. Of course, it is an important issue, and we hope we can make a lot more progress than we are making at the moment, not in terms of formalities but in real terms. But in paragraph 17, for example, I see no reference to a discussion on a balanced and comprehensive programme of work, which has long been on the agenda and is nevertheless not mentioned. I take it that is because the aim of paragraph 17 is to state something factual about the programme of work, which is one of the most

important issues before this Conference, even though no such programme has been adopted for 20 years, meaning that we have gone 20 years without any substantive results.

When I look at paragraph 23, then, and see that it is longer than paragraph 17, I get the impression that the discussion covered in paragraph 23 was more important than anything discussed under paragraph 17, and this makes no sense whatsoever. Nor do I agree with the idea of confounding the notion of consensus. I wholeheartedly subscribe to the words of the Ambassador of the Russian Federation on consensus and the real danger of tampering with what it means in the Conference on Disarmament. When asked to provide a legal opinion on the United Nations concept of consensus – if colleagues are interested, I can look for the document symbol later – the Under-Secretary-General for Legal Affairs clearly explained that consensus in the United Nations is understood as the absence of formal objection. So, when I read in paragraph 23 that it was not feasible to reach consensus, I would ask whether in these meetings, which I did not attend, there was a formal objection to the document. Because if there was a formal objection, then there was no consensus, which should be reflected in the document. But if no one asked whether there were or are any formal objections, there should be no reference to the absence of consensus because it would be entirely untrue.

Mr. President, we could certainly continue arguing for a long time. I have been on holiday for two months, so I could talk for another two months about this report, but I think it is not fair to you to delay this unreasonably. The most logical solution would be for us to follow the usual practice and for each and every person in this room to relinquish his or her petty sector-specific interests and concentrate on what really matters. I would venture to propose to you, Mr. President – and Cuba is really flexible on this point – that we should find a solution and not waste our time, that the wording should be totally direct and stick to the facts, as in paragraph 17.

My delegation also has doubts about the new paragraph 25, because I truly fail to fully understand how the submission of documents to the Conference works. Nor do I know whether a country that submits a document has the right to have it translated into all languages by the United Nations. But the truth is that I have my doubts about paragraph 25. A solution that might work for everyone could be to use wording similar to that used in paragraph 17 and – here I have a proposal that might help you reach consensus in the midst of discord, especially as I did not participate in these meetings start out by saying: “The fifth President presented a proposal for a possible linguistic and technical update to the rules of procedure of the Conference on Disarmament.” That is the first point that should be mentioned, and the paragraph could continue with an indication that Conference considered the document containing the proposal, because there is a need to refer to the fact that the Conference considered the document. I have no problem with this.

Here, though – I open a parenthesis – we have another problem, and I am sure the delegation of Canada will be able to help, which is the title of the document, because documents CD/2218 and CD/2221 have different titles in English. For my delegation, either of the two would be fine. It is for the delegation of Canada, the Ambassador of Canada, to decide which of the two is the right document, to decide on the name, and if she is referring to document CD/2221, for example, she should say “Draft decision on updating the rules of procedure”, which is the heading she used in that document. But if she wishes to refer to document CD/2218, she should say “Draft decision on amending the rules of procedure”.

The two titles are quite different, and if we put the name here and the document symbol in brackets, we could simply delete paragraph 25 and thus be shed of any doubts about the purpose of the paragraph. Again, we would be saying that the fifth President presented a proposal for a possible linguistic and technical update of the rules of procedure and for the Conference to consider the document and we would simply use the name of the document with the corresponding symbol. If necessary, because everyone understands that it is necessary to reflect the discussion in some way, we would use exactly the same wording as in paragraph 17 and say, “delegations expressed their views on the issue, which are duly reflected in the plenary records”, which would encompass all positions.

It is not my intention to further complicate the wording of this paragraph. I think we should go for something simple, but if you want to continue, because for some it is important

to take up the term consensus again, I think we could use the last sentence of paragraph 17, with or without the latest amendment proposed by our Russian colleague to delete “reaching consensus” and replace it with “adopting a programme of work”, but we could use that sentence. In that way, we would make it clear who submitted the document, which document we are talking about, that the views in regard to this document were recorded and that these records can be located. We would make a reference to whether or not consensus was reached or a decision was adopted and could use the same sentence for paragraphs 17 and 23.

This would solve the question of the precise purpose of paragraph 25 – we would align paragraphs 17 and 23, possibly getting us closer to consensus. All delegations understand that the idea behind this document – gender equality – is very important, and Cuba supports this idea wholeheartedly, just as we support the idea of the programme of work, and there is no need to make an issue of it when it should be a simple fact.

My apologies, Mr. President, for having taken the floor – I just wanted to share the views of the delegation of Cuba and help us get out of this tangle of discord that, to me, is entirely futile. Thank you.

The President (*spoke in Spanish*): Thank you very much, including for your constructive proposal. Before giving the floor to the countries on my list – India, the United States of America and the Islamic Republic of Iran – I would like to know whether any delegation wishes to comment on the proposal made by the representative of Cuba.

I give the floor to the delegation of the Russian Federation. Only on this topic, so I can then give the floor to the remaining delegations that have asked for it.

Mr. Belousov (Russian Federation) (*spoke in Russian*): Mr. President, we would like to receive the Cuban proposal in writing and properly review it.

The President (*spoke in Spanish*): We continue with the list – India, the United States of America and the Islamic Republic of Iran.

The Ambassador of India has the floor.

Mr. Sharma (India): Mr. President, let me start with the very pleasant duty of welcoming the disarmament fellows to this august room. In fact, they are the only ray of hope now because we have lived our time.

I also wish to commend Peter Kolarov and the Office for Disarmament Affairs for his very hard work and diligent efforts to get disarmament fellows in these trying times during the pandemic. It was not an easy task, as I know from my conversations with him. I would also like to put on record our sincere appreciation to Mr. Kolarov.

Mr. President, I have listened very carefully to the positions of various delegations, which have been known to us for a long time, so there is nothing new. However, whether we agreed on the proposal or not, whether we reached consensus or not, is a matter of debate, but what is not a matter of debate is the right of any delegation to put a Conference on Disarmament document on record.

I refer to rule 45 of the rules of procedure, which says: “The reports of the Conference shall be factual and reflect the negotiations and work of the Conference. Unless the Conference decides otherwise, the draft shall contain ...”. I am not going to read out the whole thing. I will refer to rule 45 (f) and 45 (h), which indicate that “working papers and proposals submitted during the year” and “other relevant documents” can be submitted to the Conference.

Mr. President, you were not here in this room at the same time last year, on the last day of the adoption of the report, but I was here, and we had a long debate on whether documents can be submitted. There were many delegations that submitted documents at the last minute, including many in this room, and we all went along with that.

So I do not understand this debate about rules of procedure. In fact, I now see that, while the delegations have stuck very scrupulously to preserving the rules of procedure, they themselves are wanting to change the rules of procedure through novel ideas, such as that the Canadian delegation cannot put its proposal in the report.

Also, Mr. President, it is not written in section XIII, rule 45, where these proposals can be put. There is no prescription about the placement and order of documents, so they can be placed anywhere a delegation wishes, if the Conference so decides.

So I think I differ from my distinguished colleagues who have spoken against taking cognizance of the Canadian proposals.

Mr. President, I think we have two possible ways ahead now. One is that you take aside the most interested delegations in a smaller room, or here in the room, and see if we can come to a conclusion. The second proposal is to project the draft report on the screen, convert this plenary into informal mode, and let us see if we can engage in a constructive drafting exercise.

I do not even wish to say the third proposal, which is that we do not have a report, which would be the saddest day for the Conference on Disarmament. It would be a new low for the Conference. I have participated in some meetings in the past when we could not agree on reports. A number of delegations had a triumphant look, but the gloom afterwards was unbearable. So I would urge delegations and my fellow colleagues to be constructive and flexible and let us see if we can come to some logical conclusion of the entire work of the Conference that we all participated in enthusiastically and with a lot of hope for the future.

Those are my proposals, Mr. President, and I once again urge delegations to show that kind of flexibility today.

The President (*spoke in Spanish*): Thank you very much, Ambassador. Your constructive contributions are always appreciated. Let us finish this round so we can take a decision on how to proceed.

The Ambassador of the United States of America has the floor.

Mr. Wood (United States of America): Mr. President, I have not heard any specific proposal from the floor here that changes my views on your revised text.

Let me also say that I appreciate very much hearing Russia's view on how it defines consensus. My delegation has taken note of that. At the same time, my delegation cannot accept Russia's edits to move paragraphs around in the text.

I certainly do not want to accuse my Russian colleague of trying to blow up this text, but it certainly appears that way and I am very concerned about that. I hope I am wrong.

Mr. President, the language in your text captures exactly what happened. I certainly agree with our Cuban colleagues that text must be direct and factual.

The edits proposed by my Russian colleague ignore the fact that consensus was not reached on the draft decision.

Again, my delegation, while not overjoyed with your text – your language in paragraph 23 – can accept it.

It is the absolute right of Russia to reject your text. We must respect that right. And we appreciate Russia's frankness in stating its opposition to your text.

So, Mr. President, I am not sure how much further we are going to be able to go, even in a small room with interested parties, to try to negotiate text. What you have put on the table, as I said, for my delegation, is the bare minimum, and we have certainly heard from a number of countries in this room that while your text is not perfect, it is something on which we can agree.

I apologize for taking the floor, Mr. President, but I felt it was important to respond to some of the comments that were made.

The President (*spoke in Spanish*): Thank you very much. Just to clarify, the proposal submitted by this presidency contains language that comes from the circular sent by the secretariat to States on 28 July to invite you to commence these discussions. The wording leaves no doubt about these terms. Let us stick to the facts, then. I also wish to thank the delegation of Cuba for its approach and the delegation of India for its proposals, which we will bear in mind.

The representative of the Syrian Arab Republic has the floor.

Mr. Ali (Syrian Arab Republic) (*spoke in Arabic*): Thank you, Mr. President. I should first like to welcome the disarmament fellows to this meeting of the Conference on Disarmament. I believe that they are fortunate to be present for an important discussion on the annual report of the Conference and on how the rule of consensus is applied in practice by the member States. My sole comment concerns paragraph 23, Mr. President, but I wish to thank you for your efforts to reach a consensus on the report as a whole.

The explanatory statement by the Canadian Ambassador regarding documents CD/2221 and CD/2218 responded to some of our concerns, but we are clearly faced with two different documents. Document CD/2218 was not discussed at the meetings held on 3 and 5 August. In addition, the reference to the two documents in paragraph 25 is linked to paragraph 23 and the content of that paragraph. We believe that the reference to the two documents has created a certain amount of imbalance and that we can restore the necessary balance by discussing the proposal made by our colleague from the Russian delegation. However, the proposal should be distributed, together with that submitted by Cuba, for the purpose of discussion. We should try to restore the requisite balance by using wording that reflects the content of paragraph 23 and precludes an approach that prevents us from reaching consensus in the Conference. In conclusion, I wish to note that we are awaiting additional instructions from the capital. Thank you.

The President (*spoke in Spanish*): I thank the representative of the Syrian Arab Republic and give the floor to the representative of the Islamic Republic of Iran.

Mr. Azadi (Islamic Republic of Iran): Mr. President, let me also join the other delegations in appreciating your tireless efforts and transparent and inclusive consultations with delegations. Let me also welcome the fellows participating in the annual disarmament fellowships. I wish them all the best and good luck.

Mr. President, my delegation appreciates the helpful suggestions by the Russian delegation and our colleagues from the Cuban delegation and others on paragraph 23 and we stand ready to work on a new acceptable formula on this paragraph.

With your permission, Mr. President, let me go back to paragraph 12. We were ready to consider your new draft with a slight amendment, but it seems to us that the tremendous spoiler is set to destroy all your efforts and the efforts of others.

We would prefer to go back to a previous, simpler version, without going into unnecessary details, and including the reference to the *procès-verbaux* and appending them.

The President (*spoke in Spanish*): Thank you very much. I now give the floor to the representative of Australia.

Ms. Hill (Australia): Mr. President, let me join others in welcoming the disarmament fellows today. It is great that we are able to have you here in Geneva.

Mr. President, I do apologize for taking the floor again on this, but I wanted to start with a technical question that I thought could assist us today. This is about the availability of the *procès-verbal* of the meeting of 5 August because I heard the delegate from Cuba mention a transcript of that and I think, if it is available, it would be very helpful if we circulated it so that we could all see it. If it is not, we can still check it. I have certainly done that and listened very carefully to the comments that were made during that session because I agree with all the speakers that have said today that it is so important that we reflect the facts of that discussion, so that we can make sure that the report is indeed accurate.

In particular, I have listened to the comments of delegations during that session after the Dutch put their very clear proposal for the draft decision to be formally put for adoption. I think it is very interesting to look at the language that delegations used at that point.

The sort of language that we saw was along the following lines: "We are far from consensus"; "We gathered very clearly that there was no consensus"; "On the draft decision to change the rules of procedure, there is no consensus".

I think that tells us that delegations believed it was important to use that phrase: "There was no consensus". I do think that everyone is very clear in a consensus body what that phrase

means, because it is in our national interest to be very clear. The consensus rule is a very important one in a body like this.

I did not hear anyone saying “there is no agreement”. I think delegations use that phrase very deliberately because we all know it has a very particular meaning.

I think it would be helpful if we could see that record. I think that will assist us make sure that the report does indeed reflect accurately what happened during that session.

The President (*spoke in Spanish*): Thank you very much. I give the floor to the Ambassador of China.

Mr. Li Song (China) (*spoke in Chinese*): Mr. President, my statement will be brief. I would like to take this opportunity to welcome the fellows of the United Nations Disarmament Fellowship Programme. I think this plenary meeting today should be a very important lesson for them. They have heard the views of many delegates with regard to the annual report of the Conference on Disarmament, including the delegations’ varying interpretations of consensus, and I think it has just been a very vivid lesson for them. I hope that their participation as observers in the plenary meeting will afford them a profound impression and a deeper understanding of the work of the Conference, because after those of us who are here now retire, it will be they, after all, who will need to carry on the Conference’s work.

With regard to paragraph 23 and the remaining issues in the annual report that we are discussing today, I understand very well what some colleagues have just expressed, and indeed some, a couple of colleagues, have expressed the view that the formulation of paragraph 23 is the minimum as far as they are concerned. I understand their desire to conclude this report as soon as possible. I have also listened carefully to the views of the delegations of Russia, Cuba and some other colleagues. What is encouraging about this meeting today, regardless of what particular viewpoint, what particular position, was expressed by each of the colleagues who spoke is that we are continuing to be committed, to conduct our discussions and our work in a serious manner, so that we can make the most of the remaining week to conclude a report.

As far as our delegation is concerned, we will try to the greatest extent possible to avoid using words like “minimum”, because what we need to continue to work on in paragraph 23 is not so much major issues of principle as how to describe the facts, and I believe that by continuing to work on this, we can all create a commonly acceptable formulation. I thus support your idea of continuing our work through small consultations, or informal plenaries, whatever possible format, after everyone has spoken here in this plenary meeting. We will actively support you in whatever effort you undertake.

The President (*spoke in Spanish*): Thank you very much, Ambassador. The Ambassador of the Netherlands has the floor.

Mr. Gabriëlse (Netherlands): Mr. President, I am a bit confused, and I am wondering whether the fellows are also not a bit confused because I thought we were on paragraph 23, as you proposed, but the discussion has become some sort of philosophizing on where we stand in the Conference on Disarmament. I have heard proposals on paragraphs 12, 17 and 25, but I thought we were still on 23.

As I understand it, paragraph 23 is your proposal based on all the discussions we had, all your bilateral meetings with us, all the proposals which had been put on the table; this is a compromise from your side – that is how I understand paragraph 23. In that regard, my delegation can support it.

We are not happy with the proposal. As I told you, we also have some proposals on paragraph 6 and on paragraph 17, on the subsidiary bodies. They have not been included. I think that it is very regrettable that we cannot state the facts of what happened.

If it helps, also for those who were not present during the discussion on 5 August, we can circulate the verbatim record of the meeting we had. I think the Australian delegate is absolutely correct about quoting from the verbatim record what happened and the words that were used.

I do not want to make this too long because this discussion has already taken too long. Just to say that on paragraph 25, I am fully in line with my Indian colleague and many times, certainly when it is on the rules of procedure or on other issues, I am fully in line with him.

Any documents that are submitted and get an official number can be registered as such and can be mentioned. That has happened in the past, also for documents submitted by those who want to change the rules of procedure on this point. I am fully in line with him on this.

Lastly, as has already been recalled, I was the one who proposed having the draft decision put forward to the Conference. But at the request of some delegations, including my Indian colleague, not to make the divergences in the room bigger, it was decided by the President not to do it. That was at the special request of some delegations, otherwise it would have been put forward to the delegations.

The President (*spoke in Spanish*): Thank you very much. I give the floor to the representative of Indonesia.

Mr. Rosandry (Indonesia): Mr. President, let me first of all express our appreciation to you and your team for your efforts to strike the right balance in the draft report. I would also like to join others in welcoming our disarmament fellows to the Conference on Disarmament.

Mr. President, we thank you for the latest proposal, especially on paragraph 23, presented before us. In the first place, my delegation is always supportive to your approach and of course, of the proposed language in this particular paragraph. But allow me to make a brief observation on how our discussion has been going in the past week and today.

As many others who support the need for an annual report that is factual and reflects the work that has been done in our Conference, we do not agree on many issues this year, as is reflected in the paragraphs we have pending in the draft report.

My delegation shares the disappointment that even on very simple and procedural issues, such as amending language in the rules of procedure, we are unable to reach agreement, consensus or satisfactory outcomes – we can decide on the right term later on. But to be factual and accurate, I think it is important to reflect this bitter reality. We are willing to live with the current language in paragraph 23, and we thank you for your efforts, Mr. President.

We believe it is important to highlight the common understanding among delegates on the importance of equality between men and women, despite the fact that the Conference failed to reach consensus or agreement or satisfactory outcomes on this proposal. I believe this could be a lesson learned and a reminder for our future work.

My delegation would therefore like to support the proposal just presented by the distinguished Ambassador of India that we should try to find a solution to this issue. We are in your hands, Mr. President, because the last thing we want to hear is that this year, the Conference on Disarmament cannot have a draft report.

The President: Thank you very much, but the reality is that I am in your hands.

(*spoke in Spanish*)

The representative of Cuba has the floor.

Mr. Delgado Sánchez (Cuba) (*spoke in Spanish*): Thank you, Mr. President, and apologies for taking the floor again, but I think some of the remarks made warrant a comment. I fully agree with the Ambassador of India that all delegations have the right to submit documents. This was hotly debated at the last session of the Conference on Disarmament, and I hope we have made progress in this regard.

For the rest, thanks to the thoughts shared by the Ambassador of India, I realize that neither document CD/2218 nor document CD/2221 could be referred to in my proposal for paragraph 23, because neither was discussed during the meeting on what I think was 5 August. I think that I can entirely agree with the representative of Australia that we are close to consensus. The structure of paragraph 17 is so important, because it draws a distinction between what was said by delegations and what is done by the Conference. On more than one occasion – and if you wish I can look for all the records and give them to my colleagues

– delegations in this room have said that there is no consensus on a document. In fact, I remember my delegation saying to a President here on more than one occasion in the last two years that there is no consensus on the programme of work that was being submitted. And more than once a President, not listening to what delegations were saying, decided to submit the document for a decision.

A distinction, then, has to be made between the two things. What delegations say is one thing, which is why the proposal by Cuba is to state that delegations expressed their views on the issue and that those views are reflected in the records. No delegation, no one, should worry if a delegation notes that there is no consensus on a document, because according to the practice of the Conference on Disarmament, it is the President of the Conference who decides whether to submit a document for adoption or not, irrespective of what any delegation in this room may say.

As it happens, I did not attend the meeting on 5 August, but I listened to the record of the meeting and my question would be, based on our practice, whether a document was tabled 24 hours prior to its adoption, as we have had long discussions in the Conference, telling the Presidents that for a document to be adopted it must be tabled, given it an official symbol and circulated 24 hours in advance. I do not know whether this is what happened, but we must separate two things: that some States have said in this room that there is or is not consensus on the document and the decision taken by the President at the time to proceed or not to proceed with the adoption of the document.

These are two separate issues, and paragraph 17 reflects this, which is why Cuba, in the interest of reaching common ground, proposes to use the wording we were already using, or that we agreed on, in paragraph 17. The first sentence refers to the fact that delegations expressed their views and that this is reflected in the records. The second sentence is the one we may have to think about. Paragraph 17 reads: “However, despite these efforts, the Conference [i.e., not a member State but the Conference] did not succeed in reaching consensus.”

We need to know exactly what the President said once all delegations had taken the floor. I recall Presidents who have said, “well, since there does not seem to be consensus, I propose not to submit the document for adoption, precisely to avoid having to reflect the lack of consensus on a document in the report”. For all of us who defend gender rights, it would not be in the least useful to say that a document on gender rights was submitted and no consensus was reached. If this is what happened, if the document was submitted for adoption and someone raised his or her nameplate and said that he or she formally objected to the adoption of the document, then we reflect that objection. But if it did not happen that way, I do not think that it would be helpful, because we must go beyond the political step of trying to point the finger at a country.

The idea here is to defend gender equality, and, for the purposes of the Conference, it is more important to say that a document was presented and considered and that although there may have been no consensus on it this year, there may be next year. It is a different matter to say that there was no consensus. I do not know whether those of you who are English speakers can help with this nuance, but in Spanish there is a clear difference between not having reached consensus and there not being consensus. To avoid misunderstandings, it is important to draw a distinction between what was said by delegations and what the President did after the end of the debate. And what the President did is what we should reflect in the last sentence. I think, Mr. President, that we have consensus on a few things that would allow you to try to find a solution. To that end, the delegation of Cuba is ready to give you all the support you may need. Thank you.

The President (*spoke in Spanish*): Thank you very much. I give the floor to the Ambassador of India.

Mr. Sharma (India): Mr. President, I must share with you that yesterday afternoon, I ran into our colleague from Cuba, Mr. Delgado Sánchez, and I told him that the Conference on Disarmament is in this shape today, at this stage, because he has been away for two months. We have all missed his sage advice and constructive approach, and once again I wish to thank him for his very constructive proposals today.

I just want to comment on one procedural aspect on which we had a long debate last year. Before the close of the Conference on Disarmament session – and this has been Conference practice since its inception – any delegation can submit a document, which is then duly reflected in the report of the Conference on Disarmament; that document does not need consideration.

This is irrespective of consideration – documents have been submitted even after the adoption of the report, because that is technically the procedure in the Conference. I once again wish to invoke that rule, that whether we considered it or not, it is the right of every delegation to submit any proposal or any document with an official Conference on Disarmament number.

The President (*spoke in Spanish*): Thank you very much, Ambassador. The Ambassador of the Republic of Korea has the floor.

Mr. Lim Sang-beom (Republic of Korea): Mr. President, I take the floor to add my delegation's support for your proposal on paragraph 23.

It is clear that the language contained in paragraph 23 is not satisfactory to all delegations, but after listening carefully to the points made by other delegations, it is all the more clear to my delegation that your proposal is not ideal, but at the moment, it is practical and the best compromise text to garner broad support in this room.

I also want to emphasize that especially today, given that we have the presence of our colleagues from the Disarmament Fellowship Programme, this is a very good time for us to demonstrate the importance of compromise.

The President (*spoke in Spanish*): Thank you very much. Distinguished delegates, it is I who am in your hands, not you who are in my hands.

Delegations' positions have been made clear. Let us try to see how we can proceed from here. I will give the floor to the representative of the Russian Federation and then we will decide on our course of action.

Mr. Belousov (Russian Federation) (*spoke in Russian*): Mr. President, distinguished colleagues, I am sorry for taking the floor again, but I would like to talk about some issues that were touched upon during our discussions.

Firstly, I would like to respond to Ambassador Wood. If he did not mean to accuse us of anything, he should probably have stayed quiet rather than making such a manipulative statement, which essentially was an accusation directed at us. That is my first point.

Secondly, we are not against the inclusion of national documents, but we have serious questions about document CD/2218. I have asked those questions. We would not have those questions if, for example, the note verbale from the Canadian presidency had indicated that the new English version had been drafted by the Canadian delegation on its own initiative. We would not have questions if the document listed in appendix II did not have an official symbol and if it was indicated that the document was a proposal by Canada to introduce technical amendments to the English version of the rules of procedure. That is what I have to say about the inclusion of national documents.

Regarding the statement of the Ambassador of the Netherlands, I would like to remind him of the rule used by delegations at various international multilateral forums, according to which nothing is agreed until everything is agreed. Therefore, we do not need to refrain from making new proposals to improve the draft report.

Furthermore, some delegations have stated that the new version of paragraph 23 is the minimum they can accept. I would like to ask them what the maximum they can accept is. For us, the maximum is the proposal we explained today and sent to the presidency yesterday.

Regarding our new proposal to add a new section to the report and to move a number of paragraphs there, this proposal was sent to the secretariat and the presidency on 1 September and then circulated. A week should have been long enough for delegations to read it carefully. No convincing arguments against our proposal have been made since 1 September. It is not constructive to take the position that any proposal of the Russian Federation must be unacceptable.

Lastly, specifically on the new wording of paragraph 23, I call upon my distinguished colleagues to read it clearly and note that it is strange, to say the least. There is mention of occupying a role, but I do not know what that means. We are not at the theatre. We should not talk about roles. Delegations fulfil certain functions, and their representatives may occupy certain positions. Further on in the text, if you read carefully, it seems as if the Conference on Disarmament were allowing women and men from the delegations of States parties to occupy certain roles. I think that the Conference cannot and does not have the power to allow someone to occupy a given role or not. Our practice, in line with the rules of procedure, is to allow any representative of a State party's delegation, whether male or female, to occupy any position at the Conference and participate in its work. Moreover, we believe that this proposal encroaches on the authority of States to appoint the heads of their delegations and the authority of the Secretary-General of the United Nations to appoint the Secretary-General of the Conference. In view of our arguments, this language is not acceptable to us.

For the moment, those are all the comments I have.

The President (*spoke in Spanish*): In any event, we will take a 10-minute break, and I kindly ask interested representatives to come to the podium to discuss how we shall proceed. We will suspend the meeting for ten minutes, then. All delegations that are interested in making progress on paragraph 23 should come forward so we can discuss how to proceed.

Mr. Belousov (Russian Federation) (*spoke in Russian*): Mr. President, our delegation is opposed to switching this meeting to informal mode, at least before lunch.

The President (*spoke in Spanish*): In any event, we will take a 10-minute break, and I kindly ask interested representatives to come to the podium to discuss how we shall proceed. All delegations that are interested in making progress on paragraph 23 should come forward so we can discuss how to proceed.

The meeting was suspended at noon and resumed at 12.50 p.m.

The President (*spoke in Spanish*): Delegates, since this is a formal meeting, we shall resume the meeting and proceed to close it. We will be back at 3 p.m. this afternoon. This afternoon, we will circulate a new version of paragraph 23 to see whether we can reach an agreement on it.

I thank all of you for your flexibility and will see you later this afternoon. The meeting is adjourned.

The meeting rose at 12.50 p.m.