

# Conference on Disarmament

English

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

Held via videoconference on Thursday, 4 February 2021, at 3 p.m. Central European Time

*President:* Mr. Marc Pecsteen de Buytsverve ..... (Belgium)



**The President:** I call to order the 1555th plenary meeting of the Conference on Disarmament. Before we proceed to our order of business for this afternoon, I would like to extend a warm welcome to a new colleague who has recently taken up her responsibilities as Ambassador, Her Excellency Ambassador Tine Mørch Smith of Norway. I wish you a warm welcome in this body and let me assure you, on behalf of the Conference on Disarmament, of our full cooperation and support.

I will now open the floor for the remaining speakers on the list. I give the floor first to the Ambassador of India.

**Mr. Sharma** (India): Mr. President, I join you in welcoming Ambassador Mørch Smith from Norway to our Conference on Disarmament family.

I thank Ambassador Robert Wood and Ambassador Gennady Gatilov for their statements in the meeting earlier today. India welcomes the extension of the New Strategic Arms Reduction Treaty by the Russian Federation and the United States as an important step and a positive contribution to the much-needed improvement of the international security climate and the goal of the complete elimination of the nuclear weapons, the highest priority of the international community.

Coming to the draft decision in your revised proposal, contained in document CD/WP.632, Mr. President, allow me to thank you and your colleagues, first, for circulating this revision with some amendments that we suggested. I do, however, have some queries and some observations. I would refer first to the last preambular paragraph, in which you have made the change from “pursuant to rule 28” to “recalling rule 28”, and I would like to understand the reasons for doing so, because it is not entirely clear to me; even though the difference is not great, I am sure that there is a subtle difference.

As to paragraph 3, you have now included “effective measures” and removed “the nature and scope of agreements”, as we had suggested. However, we see that it still falls short of our expectations as, operative paragraph 1 (c) of document CD/2119, the wording was “Consider effective measures, including legal instruments for negotiations”. I hope that this can also be taken on board, as a number of other colleagues have also asked.

I have similar concerns in respect of paragraph 7, which does not refer to the adoption of the report, but speaks only about “due reflection” of the reports in the annual report of the Conference. However, it is essential that the reports should also be adopted by the Conference on Disarmament, in addition to their being adopted in the subsidiary bodies.

My distinguished colleague from Mexico raised the issue of whether the meetings of the subsidiary bodies will be formal or informal. In my country’s view, some meetings definitely have to be formal meetings, so that countries are able to put their statements and positions on record, and we would very strongly advocate that, even though some meetings will certainly be informal meetings, there should also be a number of formal meetings.

That is all we have to say at the moment. You have my delegation’s support in adopting this programme of work with the amendments that we have suggested. I look forward to working with other member States in reaching a consensus decision.

**The President:** I thank the Ambassador of India and I now give the floor to the Ambassador of Norway.

**Ms. Mørch Smith** (Norway): Thank you, Mr. President, for the warm words of welcome. I am looking forward to what I hope will be fruitful years of building the foundations for peace and stability here at the Conference on Disarmament. Since this is the first time that I have taken the floor, let me first congratulate you, Mr. President, on the assumption of your duties here. Presiding over the Conference on Disarmament is, from what I hear, never easy. In its virtual format, it is an unenviable task. I must say you are managing very well.

Second, I would like to take this opportunity to welcome the agreement between President Biden and President Putin to extend by five years the New Strategic Arms Reduction Treaty (START). This has long been a wish from Norway which we have conveyed to both the United States and Russia. An extension is important for Norway

because the New START contributes to stability and security, both globally and regionally. An extension is also crucial for ongoing work on arms control and disarmament.

Third, I would like to thank you, Mr. President, and your colleagues of the group of six Presidents of the 2021 session of the Conference. With the yearly cycles of the Conference and its rapidly rotating presidencies, the rules of procedure are making progress an uphill battle. Your efforts to coordinate internally among the six Presidents provide us with a better chance of fulfilling our mandate.

Fourth, I would like to express Norway's support for your package proposal on the programme of work, the subsidiary bodies and the presidential statement. As is the case with a proper compromise, there is give and take. Nobody gets quite what they want. There is no shortcut to arms control and disarmament. The Conference on Disarmament reflects the world we live in. The current package fall short of the goals that the first special session of the General Assembly devoted to disarmament set for the single multilateral disarmament negotiating forum of the international community. Yet the decades of stalemate in the Conference on Disarmament suggest that we should have moderate ambitions in the short run. If we start small and take little steps, we may be able to gradually restore the Conference on Disarmament to the useful negotiating forum it was meant to be and thereby reduce the need to find other venues for disarmament processes. The package proposed by the group of six Presidents of the 2021 session is a useful contribution in this regard.

For the sake of collective security, let us help the Conference on Disarmament resume substantive work; without a substantive dialogue, we will never reach the negotiating table, and we, the Conference on Disarmament, will render ourselves irrelevant, unable to generate any kind of solution. So we urge our fellow Conference on Disarmament members to show restraint and flexibility.

**The President:** I thank the Ambassador of Norway, and I give the floor to the representative of Mexico.

**Mr. Martinez Ruiz (Mexico)** (*spoke in Spanish*): Mr. President, first of all, my delegation would like to welcome the Norwegian Ambassador and recognize her country's important role in disarmament issues.

My delegation joins the other delegations who have recognized the conclusion by the United States of America and the Russian Federation of the legal processes to renew the New START for an additional five years. This is undoubtedly a positive and welcome development in the tumultuous geopolitical environment of increasing tensions and risk to international security. We hope that, together with another recent positive development – the entry into force of the Treaty on the Prohibition of Nuclear Weapons – this will pave the way for stronger bilateral, plurilateral and, especially, multilateral dialogue on disarmament, non-proliferation and international security issues in accordance with existing international legal principles.

In particular, my delegation agrees with the United States and the Russian Federation that the renewal of New START is an important step; however, it is only a step and must lead to other tangible agreements. In my delegation's view, it must necessarily lead to full compliance with article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and to the implementation of the commitments and decisions agreed in the final documents of the Review Conferences of the Parties to that Treaty, in particular an unequivocal undertaking by the nuclear-weapon States to totally eliminate nuclear arsenals to achieve nuclear disarmament.

Mr. President, with regard to the first revised version of the draft package circulated by your delegation, we are grateful for the efforts that you and the other Presidents of the 2021 session of the Conference on Disarmament have made to bring us closer to consensus which, as you rightly say, would be a very modest step forward but would at least bring the Conference nearer to starting to fulfil its negotiating mandate.

We appreciate the fact that this version is closer to the draft package presented last year by the delegation of Algeria, together with the other presidencies of the 2020 session, which we felt had nearly achieved consensus and were ready to support, despite serious scepticism about the usefulness of the subsidiary bodies, in particular when assessing the

results of the exercise that took place in 2018. We believe that the less the draft deviates from the Algerian draft, the greater the chance of its success.

In that regard, while my delegation can agree with some of the proposed changes to the title and the addition to the third preambular paragraph, we also know the importance of being consistent with the flexibility we showed at the previous meeting and, thus, could agree to reverting to last year's language if necessary. However, we are concerned about the addition in paragraph 3, which reads "This may include discussions of legally binding instruments for negotiation." We believe that the previous wording, of the Algerian draft, left a constructive ambiguity as to how to interpret the term "effective measures" in accordance with a systemic and contextual analysis based on the provisions of paragraph 2, while, of course, ensuring that it was done in line with the Final Document of the first special session of the General Assembly devoted to disarmament. We would therefore prefer a return to that constructive ambiguity. If that is not the preference of the delegations, then we would suggest replacing the sentence with the wording: "This shall include the consideration and recommendation of legally binding instruments for negotiation". Alternatively, we could support the proposal made this morning by the delegation of South Africa.

Finally, we support the proposals made by Cuba, India and other delegations that paragraph 7 should accurately reflect the need for the Conference on Disarmament to adopt the reports of the subsidiary bodies prior to their referral to the General Assembly through the annual report.

**The President:** I thank the representative of Mexico. I now give the floor to the representative of Indonesia.

**Ms. Werdaningtyas** (Indonesia): Mr. President, let me begin by assuring you of the continued support of Indonesia for the work of the presidency and this esteemed Conference.

I would like to join others in welcoming the entry into force of the Treaty on the Prohibition of Nuclear Weapons and the extension of the New Strategic Arms Reduction Treaty. We hope that these vital developments will contribute to the strengthening of the nuclear disarmament and non-proliferation architecture.

Indonesia notes with appreciation the updated draft package circulated on 29 January 2021 and thanks the group of six Presidents of the 2021 session for their efforts in advancing our work. I believe we are all in agreement that the Conference on Disarmament should move forward to fulfil its mandate effectively and to retain its relevance. Key to that will be the finalization of the long-standing negotiation of the programme of work, which we hope can be achieved during the first part of our session.

Indonesia considers the updated draft package a solid basis, as it is built upon the package tabled during the Algerian presidency last year, which has come the closest to enjoying consensus. We also commend your efforts, Mr. President, in maintaining the delicate balance, taking suggestions and feedback from delegations carefully into consideration, as much as possible.

Mr. President, my country's basic position in this Conference remains unchanged. We want a programme of work that is comprehensive and balanced, built upon the previous work of the Conference on Disarmament, including that of the 2018 subsidiary bodies, and most importantly, able to lead us to further substantive progress towards resuming the negotiations on the core issues of the Conference on Disarmament.

Seeing the current draft package, we would like to join the call for equal treatment of the four core issues of the Conference on Disarmament; the package should seek parallel progress and specifically call for genuine effort to achieve the same level of maturity of substance on all core issues.

For Indonesia, nuclear disarmament is and should be the highest priority. The Conference should immediately negotiate and eventually conclude a comprehensive convention on nuclear weapons. We should pursue the negotiations on a phased programme with a specified time framework. The nuclear-weapon States should also fulfil the non-nuclear-weapons States' legitimate right to an early agreement on effective, universal, unconditional, non-discriminatory and irrevocable legally binding security assurances.

On a fissile material cut-off treaty, we need to advance a balanced treaty which addresses the concerns of nuclear-weapons States and of non-nuclear-weapons States equally. We also wish to urge the Conference on Disarmament members to put collective efforts into addressing the potential threats related to weaponized outer space and cyberspace.

We are aware that there are still different views around the table on the draft package, including in respect of the prioritization of issues. But our Conference can only move forward if everyone agrees to do so. Pursuing negotiations on one issue while having a talking shop on others would certainly not do. This draft package needs to assure every member that substantive work in the Conference on Disarmament on all core issues would lead to real and equal progress. That is the only way, we believe, that we can bring everyone on board and move our Conference forward.

In this regard, we encourage you, Mr. President, to continue conducting comprehensive consultations with all delegations to find common ground. On our part, my delegation is committed to constructive engagement while also calling on delegates to exercise flexibility. Indonesia stands ready to support the Conference on Disarmament in resuming its substantive work and fulfilling its mandate as the single multilateral disarmament negotiating forum.

**The President:** I thank the chargé d'affaires of Indonesia and I now give the floor to the representative of the Russian Federation.

**Ms. Kuznetsova** (Russian Federation) (*spoke in Russian*): Mr. President, in our statement at the first plenary meeting of the Conference, we set out our principled approach to the modalities of work for our delegations during the 2021 session of the Conference on Disarmament. However, we have not yet commented on the proposed package.

As in the past, we consider finding agreement on a comprehensive and balanced programme of work to be the priority.

We are grateful to the Presidents of the Conference on Disarmament of 2020 and the six Presidents of this session for their unstinting efforts to find compromise solutions on the programme of work. The Russian delegation took a most active part in those efforts. We presented our thoughts and comments on the original proposed package to the Belgian presidency. We note that some of them, along with the considerations of other countries, have been taken into consideration in the revised version, CD/WP.632.

However, in our view, a fundamental revision has not been made to the draft, and therefore the document as it stands still falls short of the format of a programme of work. As we have said on many occasions, the programme of work must make provision for negotiations, or at a minimum pre-negotiations, on agenda items, and it should not be limited to the adoption of a timetable and the establishment of subsidiary bodies. To that end, in other words, in order to launch structured, substantive discussions, in 2018, for example, delegations adopted a simple solution, which is reflected in CD/2119.

We are not against repeating the 2018 experience in some sense, but if we do choose such an option, it should be framed as a decision. Therefore, we propose changing the title of the first part of the document so that it reads, in English:

(*spoke in English*)

“Draft decision on the work of the Conference on Disarmament for 2021”.

(*spoke in Russian*)

The title of the second part too should be corrected. Here too I will give it in English:

(*spoke in English*)

“Draft decision for the implementation of the decision on the work of the Conference on Disarmament for 2021”.

(*spoke in Russian*)

We note the new wording of paragraph 3. In this regard, we should like to seek clarification of the meaning of the phrase:

*(spoke in English)*

“discussion of legally binding instruments for negotiations”.

*(spoke in Russian)*

Are we being asked to discuss whether the international community needs legally binding arms control, disarmament and non-proliferation arrangements at all? If so, such a task falls outside the scope of our responsibilities. We have been given the task of conducting negotiations on specific agenda items with a view to agreeing on draft multilateral agreements.

We therefore believe that the end of the first sentence of paragraph 3 might have been worded as follows, again in English:

*(spoke in English)*

“to consider and recommend effective measures, including legal instruments for negotiations, in line with the Final Document of the first special session of the General Assembly devoted to disarmament”.

*(spoke in Russian)*

This wording has already proven its worth in the 2018 decision contained in document CD/2119 and is much more in line with the mandate of the Conference.

There is another important point. We consider that it is necessary for the records of discussions in the subsidiary bodies to be subject to the Conference’s approval procedure before their inclusion in the annual report of the Conference on Disarmament to the General Assembly of the United Nations. Accordingly, before the words:

*(spoke in English)*

“due reflection”

*(spoke in Russian)*

we should add:

*(spoke in English)*

“adoption and”.

*(spoke in Russian)*

Mr. President, we are well aware that the States parties to the Conference have divergent views on the priority to be given to one agenda item or another. For some delegations, the priority should be placed on the prevention of the production of weapons-grade fissile material, while for others, the priority is the prevention of an arms race in outer space or of the use of weapons of mass destruction for terrorist purposes. With regard to the latter two topics, there are robust initiatives already on the Conference table in the form of specific drafts or key elements ready for negotiation. We propose balancing the draft proposed package by including in the mandate of subsidiary body 5 the consideration of the Russian initiative to develop an international convention against acts of chemical and biological terrorism.

Last year, time and again, we spoke on the topic of the so-called methods of work. As in the past, we still consider such discussions to be a waste of valuable resources and time, all the more so given the budget deficit and pandemic restrictions. Nevertheless, the overwhelming majority of delegations apparently have an appetite for discussing this topic. That being the case, such discussions should be organized in such a way that they do not undermine our efforts on the main track, which is to adopt a programme of work. We do not need more division within the Conference.

In this connection, we consider it inappropriate to upgrade the status of the leader of informal consultations on the improved and effective functioning of the Conference on Disarmament to that of facilitator. Furthermore, we are convinced that the report on such consultations should not be subject to agreement by delegations and should not have any

official status. This should be reflected in the last sentence of the presidential statement. We propose the following wording, which I will read in English:

*(spoke in English)*

“This report should not be agreed and has no status”.

*(spoke in Russian)*

In conclusion, I should like to assure you that the Russian delegation is determined to engage constructively with all partners in order to ensure the smooth and productive work of the Conference.

**The President:** I thank the representative of the Russian Federation and I now give the floor to the representative of Slovakia.

**Mr. Gutten** (Slovakia): Mr. President, as this is the first time that my delegation has taken the floor during your presidency, allow me to congratulate you on your assumption of the first presidency of the 2021 session of the Conference on Disarmament. We look forward to cooperating with you, and you can count on my delegation’s full support.

Slovakia aligns itself with the statement delivered on behalf of the European Union earlier today. We also welcome and fully support the agreement between the United States and the Russian Federation on the extension of the New START for five years. We consider the Treaty to be a key contribution to international stability and security, enhancing strategic stability between the two largest nuclear-weapon States through the reduction of deployed strategic nuclear arsenals and increasing predictability and mutual confidence, including through the Treaty’s verification mechanism.

Slovakia supports upholding, enhancing and further advancing the arms control, disarmament and non-proliferation architecture. We hope that the extension of the New START will provide further impetus for continued dialogue on ways to improve strategic stability and on future arms control agreements which could accommodate wider aspects and engage relevant States. We also believe the extension of the New START could set a positive tone for the upcoming Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Mr. President, as regards the package proposal, we believe that it offers a good framework for substantive work by the Conference this year. We are ready to be flexible and would be willing to move forward on the basis of this draft.

**The President:** I thank the representative of Slovakia. I now give the floor to the representative of Algeria.

**Mr. Berkat** (Algeria) *(spoke in Arabic)*: I am taking the floor on behalf of Ambassador Lazhar Soualem, who is unable to participate in this meeting because of a prior engagement outside Geneva. My delegation would like to welcome the statements made by the ambassadors of the United States of America and the Russian Federation regarding the extension of the New Strategic Arms Reduction Treaty, which we hope will constitute a positive step in the field of disarmament.

Mr. President, I would like to express my sincere thanks and appreciation for your valuable efforts and the extensive consultations you have held with member States. Once again, I assure you and the next Presidents of this session of the support of Algeria for the work of the Conference to help it achieve its objectives in accordance with its mandate. As we stated at the opening of the session, we firmly believe that your methodology, which is based mainly on the approach followed at the previous session, particularly the package presented by Algeria, is the result of a collective effort by the six Presidents and all member States. This approach is based objectively and abstractly on the opportunities offered by the rules of procedure, customary practices within the framework of the Conference’s work and successful experiences. It relies on various initiatives that will help the Conference to restore its status as a negotiating forum, which is in the vital interest of all peoples. This approach is also based on the letter and spirit of the Final Document of the first special session of the General Assembly devoted to disarmament, including the assumption of responsibility and good faith as a fundamental principle of multilateral action.

The Algerian viewpoint was based on the need to achieve an absolute and comprehensive consensus on the package it proposed on behalf of the group of the six Presidents, in order to safeguard the interests of all member States without exception and to take their positions into account. In this regard, it is worth recalling the recent success of this approach in bringing the package proposed by Algeria as a compromise solution as close as possible to achieving an absolute and comprehensive consensus thanks to the collective and participatory contribution of the members of the Conference, and the flexibility and bold decisions taken by some delegations, which once again deserve our praise and appreciation. That was the furthest the Conference has come in its efforts to reach a consensus on a programme of work since it approved its last programme of work in 2009. We believe that the improvements you have made to the package take into account the interests and positions of the member States and maintain the delicate balance of the package proposed by the group of the six Presidents last year.

We therefore support it and would support any improvement that would help achieve even greater consensus on the package. We hope that member States will show the flexibility required in the framework of multilateral action and that every effort can be made to move forward with the work of the Conference. Algeria stands ready to support any steps aimed at bridging different points of view.

**The President:** I thank the representative of Algeria and I now give the floor to the representative of the Bolivarian Republic of Venezuela.

**Ms. Díaz Mendoza** (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Mr. President, my delegation also joins you in welcoming Ambassador Mørch Smith of Norway.

The Bolivarian Republic of Venezuela welcomes the decision of the Russian Federation and the United States of America to extend the New START. We also welcome the entry into force of the Treaty on the Prohibition of Nuclear Weapons, a very important step towards the total elimination of nuclear weapons and certainly a commitment to the peace of peoples.

My delegation appreciates the efforts of the President and his team, which have made it possible to pursue the activities of the Conference by presenting a draft programme of work. We join in the various expressions of gratitude for your strenuous efforts to put these documents to extensive consultation.

My delegation has been attentive to the comments of member States with regard to the proposal submitted by the President, and we look forward to contributing constructively to the discussions. We take this opportunity to make some preliminary remarks on the documents while they are being examined by our capital.

With regard to the first draft decision on a programme of work for the Conference for the 2021 session, it is important to stress that the Conference should implement the mandate set out in the Final Document of the first special session of the General Assembly devoted to disarmament and adopt a balanced and comprehensive programme of work on the basis of its agenda, taking into account the security interests of all States. In that connection, we note that operative paragraph 1 indicates that the Conference decides to work in 2021 according to the annexed table. We would like to emphasize that the impact of the coronavirus disease (COVID-19) pandemic on the work of the Conference in 2020 and its possible consequences for 2021 should be taken into account. In my delegation's view, the Conference should plan its future work on the basis of face-to-face or, failing that, hybrid meetings. The past few weeks of virtual-only meetings have shown us how difficult it is to have a substantive interactive discussion elsewhere than in a conference room.

My delegation is further concerned that the Secretariat is currently preparing a budget for virtual-only meetings for the entire year 2021, which would limit our meetings to two hours. We consider it important to preserve the negotiating mandate of the Conference, as this is not a purely deliberative organ and therefore cannot be satisfied with only holding discussions without producing results. In that connection, it is appropriate to highlight the efforts of the President to address the concerns of member States with regard to the Conference's negotiating mandate.



Concerning the establishment of subsidiary bodies, although we believe that the work of the Conference should take place in plenary meetings, our delegation is open to progressively overcoming the deadlock by establishing subsidiary bodies, provided that the Conference's negotiating mandate is preserved. For that reason, it is positive that the revised version of operative paragraph 3 recognizes that the aim of the subsidiary bodies "may include discussion of legally binding instruments for negotiations", although we would have preferred language indicating that the aims might include the negotiation of legally binding instruments – in recent years, several member States have submitted to the Conference working papers containing concrete treaty proposals on, inter alia, the cessation of the arms race, nuclear disarmament and the prevention of an arms race in outer space and nuclear war that deserve the attention of the Conference.

With regard to operative paragraph 7, we share the view of other delegations that the reports of the subsidiary bodies should be submitted for the consideration of the Conference in plenary and subsequently discussed before being duly reflected in the Conference's annual report.

Regarding operative paragraph 8, we share the concerns of other delegations about not prejudicing future meetings of the Conference. Furthermore, according to the table annexed to the first draft decision, we would like clarification on the items entitled "implementation of arrangements for subsidiary bodies" and "other organizational questions". We wonder what the difference is between these two items and what tasks are meant to be carried out under each one. Do they refer to the adoption of the second decision or the implementation of the first? In other words, it would be very important and helpful to have more clarity on what these arrangements are.

My delegation wishes to continue to participate in the discussions on the programme of work in a completely constructive spirit and, in that spirit, we are hopeful that, in 2021, the Conference will finally be able to agree on a programme of work designed to overcome the impasse in which it finds itself. It is also in that spirit that we ask ourselves whether the draft presidential statement is really necessary. According to some member States, the need to adapt and improve its working methods in order to make them more effective justifies the issuance of a statement. But if the member States of the Conference can agree to adopt draft decisions 1 and 2, that would demonstrate that the Conference's methods suit our purposes.

I reiterate my country's position that we should not make the discussion of substantive matters conditional on the discussion of procedural matters, as that would only contribute to the further politicization and polarization of the Conference's work, which does not help in overcoming the deadlock. In addition, it is not clear to my delegation what the status of this presidential statement is in relation to the two draft decisions contained in a single document. It would be most prudent to separate the texts of the decisions and try to reach consensus on each one in turn, as was done in 2018.

Mr. President, the Bolivarian Republic of Venezuela is committed to working together to advance substantive work in this forum through constructive, transparent and participatory dialogue.

**The President:** I thank the representative of the Bolivarian Republic of Venezuela and I now give the floor to the representative of Poland.

**Mr. Szewczuk (Poland):** Poland regards the extension of the New Strategic Arms Reduction Treaty for a further five years as a positive step which will contribute to maintaining strategic stability between the United States and the Russian Federation, the States possessing the largest nuclear arsenals.

We believe that the parties to the Treaty will continue their dialogue with the aim of concluding a broader follow-on agreement which will cover all nuclear weapons, including non-strategic nuclear weapons, as well as new types of nuclear armaments. Further discussion should also lead to increase effectiveness of verification mechanisms.

As regards the package proposal, we fully subscribe to it.

**The President:** I thank the representative of Poland and would now give the floor to the representative of Brazil.

**Mr. Dalcero** (Brazil): Mr. President, as we stated in our opening remarks, you have our full support in your endeavours towards the approval of the package.

Brazil believes that an early breakthrough in the negotiations will be very important, taking into account the disarmament agenda that we have this year, which includes the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the review conferences of other disarmament treaties.

As one of the countries that will hold the presidency during the 2021 session, we did not have the intention of taking the floor today. However, I would like to make a comment in view of the questions of two delegations this morning concerning how negotiations are going to take place in the virtual format.

Please allow me to share with colleagues a personal experience. In 2018, the last time we had substantive negotiations in this body, I was already following the Conference on Disarmament and assisting my Ambassador as Chair of the subsidiary body 3 on the prevention of an arms race in outer space. I remember very well that most of our work was accomplished through informal negotiations and consultations that involved two and sometimes three delegations at the same time.

Of course, we can repeat that experience under the current sanitary situation. We can have bilateral consultations through digital platforms, and if necessary, even in-person meetings of up to five people. Furthermore, we do not know how the public health situation will be in some months. Maybe we will be able to go back to hybrid meetings while finalizing and adopting the reports of the subsidiary bodies and the Conference on Disarmament final report.

**The President:** I thank the representative of Brazil. That brings us to the end of the list of speakers. We have two requests for the right of reply. I give the floor to the representative of Ukraine.

**Mr. Kapustin** (Ukraine): Mr. President, Ukraine would like to exercise its right of reply in respect of a comment made by the Russian Federation. We want to reject all the fake and perverted allegations delivered by that country's representative, Mr. Belousov, although they do not deserve a lot of attention.

You know there is a good Russian proverb, which is rendered in English as "he who smelt it dealt it".

Once again, the Russian Federation tries to impose on the international community its own parallel reality. However, the actual reality is the opposite. Russia indeed creates the problems. It brings the problems to its neighbours – Ukraine, Georgia and other countries – through its military aggression. Russia damages the international security architecture by violating the key international documents, including the Budapest Memorandum. And the signing by Russia of the extended New Strategic Arms Reduction Treaty is not going to be an excuse for that.

The Russian regime creates problems for its own citizens by poisoning them using a sophisticated chemical weapon.

In trying to reveal all the crimes and wrongdoings performed by Russia, Ukraine is talking the language of real facts and trusted arguments, and our arguments and facts are not simply allegations. The fact is that there is no internal conflict in Ukraine; there is continued foreign Russian aggression against my country. The actions by the Russian occupation administration in Donbas and Crimea violate international humanitarian law, are of a subversive nature and are aimed at ruining the territorial integrity of my country. I would like, once again, to recall General Assembly resolution 68/262 on the territorial integrity of Ukraine, whereby the General Assembly, in response to the illegal occupation of Crimea by the Russian Federation, called upon all States, international organizations and the specialized agencies not to recognize any alteration to the status of Crimea and to refrain from any action or dealing that might be interpreted as recognizing any such altered status.

I would also recall that it was the result of neither the legitimate choice of the Crimean population nor a free so-called referendum. On the contrary, it was the outcome of a treacherous scenario played out in Crimea by unlawful self-proclaimed authorities at the

gunpoint of Russian servicemen, the so-called “green men”, that ended up in the attempted annexation of the peninsula by the Russian Federation, unrecognized by the international community.

We urge the Russian Federation to reverse its illegal occupation of Crimea and militarization of the Black Sea and the Sea of Azov, and to stop its aggression against Ukraine, including by withdrawing its armed formations, mercenaries and their hardware from the temporarily occupied territories of Ukraine, establishing effective border controls and fully implementing its commitments under the Minsk agreements.

We would like to note once again that Crimea is and will remain part of Ukraine, despite all the attempts by the Russian Federation to steal it. The time is coming to return what has been stolen. We are sure that international accountability will come for the aggression by the Russian Federation against Ukraine. The international courts have already been considering a few relevant cases.

Mr. President, let me now turn to the broader international security agenda. Our Ambassador has spoken about the need to restore trust, but how can we build trust if we have among us a party that violates international treaties and the Charter of the United Nations, not to mention multiple bilateral agreements? We have all heard more than once, in respect of some countries, particularly Ukraine, statements by the Kremlin about partnership, trust and transparency. But, behind those statements, as we have discovered, there is brutal well-planned armed aggression with subsequent occupation of the territories of States neighbouring Russia.

This approach which the Russian Government follows in most cases can be succinctly and meaningfully described by the saying “a wolf in sheep’s clothing”. Under the cover of lofty goals in the field of arms control and disarmament, the Russian Federation in every possible way hides in the shadows its outrageous violations of international law, the Charter of the United Nations and bilateral agreements. As a result, innocent people are dying and tremendous harm is caused to the peaceful existence and development of individual countries. Trust between international players is undermined and the global security architecture has been damaged.

As an example, let me dwell on just two things. First, the Budapest Memorandum: while it is true that the Russian side has not used nuclear weapons against Ukraine, which is prohibited under article 5 of that document, at the same time, it has perfidiously violated all other outputs of this document, fundamental to the whole international security architecture, which stipulates respect for the independence, sovereignty and existing borders of Ukraine and the obligations to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine and to refrain from economic coercion of Ukraine, *inter alia*.

Second, the representative of the Russian Federation mentioned the support offered by the Russian Federation over the past 20 to 30 years for strengthening the international security architecture. This reminds me that there is a principle which stipulates that the simplest explanation is usually the right one. I would therefore give the Russian representative the simplest possible advice: just obey the existing agreements, including, and foremost, the Budapest Memorandum, the Chemical Weapons Convention and other treaties which you are a party to and which already constitute the international security architecture. That could go some way to restoring the trust which is necessary to advance the work of the Conference on Disarmament.

**The President:** Thank you. I now give the floor to the representative of the Islamic Republic of Iran.

**Mr. Azadi** (Islamic Republic of Iran): First of all, I would like to welcome the distinguished Ambassador of Norway and wish her all success.

Mr. President, I asked for the floor to exercise my delegation’s right of reply in response to the remark made by the United States representative. The United States representative alleged that Iran was not in compliance with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons. That is simply too false to require any clarification. As a matter of fact, it is true to say that Iran has been in over-compliance with

the Treaty, particularly following the conclusion of the Joint Comprehensive Plan of Action, the same multilateral agreement endorsed by United Nations Security Council resolution 2231 (2015), that the United States whimsically pulled out of and still remains a tremendous violator of. The United States continues to be a persistent violator of Security Council resolution 2231 even weeks after the infamous Trump regime disappeared.

The United States' long tradition of violating its obligations under the Nuclear Non-Proliferation Treaty includes, but is definitely not limited to, the following. One: regarding the obligations under article VI, the development of new nuclear weapons, the statement by United States officials that the obligations agreed on during previous review conferences, particularly the 13 practical steps towards disarmament adopted during the 2000 Review Conference, belonged to the past and that the United States is not obliged to comply with them was a material breach of its obligations under article VI and previous review conference obligations. It is a fact that the United States has not complied with its obligations under article VI of the Treaty, which calls on all parties to pursue negotiations on nuclear disarmament in good faith. Perhaps the United States representative may clarify their reading of their obligations under this article.

Two, nuclear weapon-sharing of any kind is a clear violation of explicit obligations under articles I and II of the Treaty. By transferring hundreds of nuclear weapons to certain non-nuclear-weapon States, the United States is in clear non-compliance with its non-proliferation obligations under articles I and II.

As stipulated in article IV of the Treaty, none of the Treaty's provisions shall be interpreted as affecting the unalienable rights of the States parties under article IV. All States parties are obliged to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy.

In this regard, I just want to reiterate that the final documents of the 1985, 2000 and 2010 review conferences provide that each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected and protected. The way that the United States prevented Iran's enjoyment of its rights under this article is, once again, non-compliance by the United States with its obligations under article IV of the Treaty.

Iran has always fully respected international law and fully complied with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, and it is high time for the United States to live up to its international obligations.

**The President:** Thank you. As there are no more speakers for this afternoon, let me thank you all once more for your useful comments and suggestions. I would ask delegations who have made text proposals to kindly submit them in writing. I also invite delegations to continue to contact me bilaterally should they have any matter that they would like to discuss further.

Now, there were also a few questions raised and I will try to answer at least some of them. As to whether the Conference's financial resources would be sufficient to cover the meetings of the subsidiary bodies, I would refer you to the note verbale which the Secretariat sent to all delegations last week. On the basis of that, I am quite hopeful that resources will be found to make sure that these meetings can take place. I give the floor to the Secretary.

**Ms. Day** (Secretary of the Conference on Disarmament): Thank you, Mr. President. I confirm that the Division of Administration of the United Nations Office at Geneva has worked closely with the Office of the Controller at United Nations Headquarters, who has committed to finding the resources to cover the extra expenditure that the use of virtual platforms will require for the work of regular budget bodies, such as the Conference on Disarmament, in 2021. So the finances will be made available while the Conference on Disarmament needs to meet in a virtual format because of the measures taken by the host country and the United Nations Office at Geneva.

**The President:** I thank the Secretary for that clarification.

There was also a question as to whether the meetings of the subsidiary bodies would be formal or informal. I would say that both are possible. Each subsidiary body will have four meetings and, while each coordinator will be free to organize the work as he or she sees

fit, I would suggest starting with a formal meeting with more general statements and then perhaps moving to informal meetings for the two following meetings, with the last meeting formal again, to finalize the work. However, as I said, it is up to each subsidiary body to organize its own work.

The question of whether meetings could be in-person or hybrid is not in our hands. It depends on decisions made by the Swiss authorities, so we will have to wait and see what will be possible.

The representative of India asked about the rationale for the change in the last preambular paragraph of the first draft decision to say “recalling rule 28” rather than “pursuant to rule 28”. The proposal was made by the Russian Federation, and we thought it might be a better formulation. However, there is not too much difference in substance.

Then there was an important question on the way ahead and what the road map is. As I said, we have listened very carefully to all comments and proposals made, some of which were broadly supported by several delegations, while some delegations perhaps do not agree with other proposals. We will try again to take on board as much as we can to try to accommodate the concerns, but we will need to keep a general balance.

Some of you have said that the package is not perfect and cannot be perfect, and I quite agree with that. I think that, if a package is perfect for one delegation, then it might become unacceptable to another delegation, and that perhaps explains why we are facing this problem. I have, however, heard many expressions of support from delegations prepared to be flexible, for which I am very grateful. We will consider the proposals and discuss them with all members of the group of six Presidents of the current session. And we will try to come back to you, as soon as possible, with an improved proposal that, while it may not be perfect, could, in our judgment, be acceptable. So I suggest we meet on Wednesday morning, with the aim of adopting the different elements of the package proposal. In the meantime, I am available for consultations anytime.

The meeting is adjourned.

*The meeting rose at 4.20 p.m.*