



General Assembly

Official Records

Disarmament Commission

375th meeting

Thursday, 14 February 2019, 10 a.m.
New York

Chair: Ms. Bird(Australia)

The meeting was called to order at 11 a.m.

Opening of the session

The Chair: I declare open the 2019 organizational session of the Disarmament Commission.

My apologies for the delay in starting this session. Unfortunately, the technical issues I referred to a little while back are continuing. As there is a need for further discussions, I intend to suspend this meeting, which will be resumed at a time to be announced.

The meeting was suspended at 11.05 a.m. and resumed at 3.15 p.m. on Tuesday, 2 April 2019.

Draft provisional agenda for the 2019 organizational session of the Disarmament Commission (A/CN.10/L.81)

The Chair: As in past years, the Commission is convened today for a brief session to deal with its organizational matters, including the election of the Chair and other members of the Bureau for 2019.

I would now like to draw the Commission's attention to the provisional agenda for this organizational session, as contained in document A/CN.10/L.81.

I call on the representative of the Russian Federation.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): Unfortunately, the Russian Federation must share some information on a situation that is of great concern to us and questions our ability to take part in

the substantive work of the Commission. The United States of America, in violation of its obligations under article 4 of the 1947 Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, is actively hindering the arrival of the head of the Russian delegation, Mr. Vorontsov, in New York to participate in a substantive session of the Commission. Moreover, in response to our many attempts to address that issue bilaterally, we received one response: that leading Russian expert in multilateral disarmament will not receive a visa to the United States of America under any circumstances and Russia needs "to look for another representative".

We believe that such attempts by the United States of America to dictate to States Members of the United Nations who can and who cannot represent their interests in activities under the Organization is an abuse of their status as the host country to the United Nations Headquarters. In view of that and the unacceptable conditions in which our delegation finds itself, we must inform the Commission that the Russian Federation, while invoking many years of the Commission's practice of consensus on procedural and substantive decisions, expresses its opposition to the adoption of the agenda of this organizational session of the Commission.

We request to delay the session so that a specific proposal can be prepared by the Secretariat on options to address the problem faced by our delegation or to transfer the substantive session to Geneva, Vienna or any other country that can fulfil its obligations to the

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

19-04008 (E)



Accessible document

Please recycle



Organization. If the situation surrounding the head of the Russian delegation is not resolved, we will have to oppose any procedural or substantive decisions of the Commission's organizational and substantive sessions.

In conclusion, I would like to assure the Commission that our actions are focused on one objective: to ensure the inclusive and equal participation of all States Members of the United Nations in the work of the Commission.

The Chair: The concerns raised by the representative of the Russian Federation relating to the participation of a member of his delegation to the Commission have been noted and will be reflected in the record of today's meeting. I hope that concerns will be addressed through the appropriate channels.

I would, however, like to recall that the Commission has an important task to fulfil during the 2019 session, and the adoption of the agenda is a critical step to allow the Commission to duly deliberate on the items on its agenda. May I remind representatives that the draft agenda we will adopt right now is the one before us regarding the organizational session.

I call on the representative of the Syrian Arab Republic.

Mr. Hallak (Syrian Arab Republic) (*spoke in Arabic*): We listened carefully to the concerns expressed by my colleague the representative of the Russian Federation. As his country is a Member State of the United Nations and participates in these meetings, he requested that consideration of the items of the meeting agenda be postponed until the issue he raised is resolved.

It is our opinion that there is a request now, which we have heard from the representative of the Russian Federation, to suspend the meeting until the issue raised by the Russian colleague is resolved. We did not expect to consider other items before this issue was resolved.

The Chair: In the absence of a formal motion before the Commission, I would again propose to seek the Commission's request to adopt the draft agenda for today's organizational session, as reflected in document A/CN.10/L.81.

I call on the representative of the Russian Federation.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): With all due respect, I would again like to draw your attention, Madam Chair, to the fact that

we are calling for respect for the practice of taking decisions by consensus. In this case we do not see a consensus. In that connection, we would insist on stopping the work of today's meeting and postponing it to a later date so that the situation can be addressed. The Secretariat could find a way to relocate the meeting to a place where our representative could be present. I urge you, Madam, not to abuse your rights as Chair of today's meeting.

The Chair: In the absence of a formal motion before the Commission, I would like to propose that the provisional agenda of today's meeting be adopted.

I call on the representative of Belarus.

Mr. Tozik (Belarus) (*spoke in Russian*): The delegation of Belarus understands that all decisions, both procedural and substantive, should be taken by consensus, in line with many years of this practice in the Commission's work. We very carefully listened to the concerns expressed by delegations that took the floor before us, and we understand that consensus does not exist at this point. We therefore support the proposal to postpone or suspend today's meeting.

The Chair: I call on the representative of the Syrian Arab Republic.

Mr. Hallak (Syrian Arab Republic) (*spoke in Arabic*): I apologize for taking the floor again. The Final Document of the first special session of the General Assembly devoted to disarmament (resolution S-10/2) stressed reaching consensus concerning issues related to the work of the Disarmament Commission. It is a document that led to the establishment of the Disarmament Commission. We all heard the representative of the Russian Federation say that the Russian delegation is not in a position to join the consensus on the proposed agenda.

We look to you, Madam, as Chair of the Disarmament Commission, to play a role that will successfully resolve the problem we are facing and not to push for decisions at a time when we do not know whether or not we will be voting on them. That steers us away from the practice established in the Disarmament Commission.

To my knowledge, we have never had a vote on a subject of any kind while the Commission was facing difficulties. However, we have always been able to reach consensus on the agenda and on other items. We have even added items to the agenda. We wish to see

you, Madam Chair, play an additional role and resolve the problem we are facing now.

The Chair: My experience as Chair of the Commission is only one session, so I speak with only one session's experience. However, I have been reminded by the Secretariat, who has a wealth of experience in the Commission, that paragraph 118 (b) of resolution S-10/2, which was adopted at the tenth Special Session of the General Assembly in 1978, clearly sets out that

"The Disarmament Commission shall function under the rules of procedure relating to the committees of the General Assembly with such modifications as the Commission may deem necessary".

And I think this is the critical part of the quote, and I thank the Secretariat for drawing it to my attention:

"and shall make every effort to ensure that, in so far as possible, decisions on substantive issues be adopted by consensus".

That is the underlying basis, so I again thank the Secretariat.

It is very important that the Commission try as hard as it can, on substantive issues, to ensure that they are adopted by consensus. What we have before us is the draft agenda for today's organizational session, which is a procedural matter, and I would therefore hope that the Commission, in the interests of ensuring that we can begin our work expeditiously on Monday, would agree to allow this organizational session to proceed.

I call on the representative of the Russian Federation.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): I do not want to abuse the time or attention of other representatives but, nevertheless, I would like to highlight once again that for us the question of facilitating the participation of the head of our delegation in the work of this session is indeed a substantive issue. As you said yourself, Madam Chair, in such cases, as in all other cases, as shown in the Commission's established practice, the work is done by consensus. We believe that breaking with this practice is unacceptable. In this case we face a truly serious problem that does not allow our delegation fully to participate in today's meeting — or future meetings — if it is held. Therefore, we would insist on the fact that this meeting should be postponed to the provide the Secretariat time to find a solution to the issues based on the options I already mentioned.

The Chair: As I noted earlier, the concerns raised by the representative of the Russian Federation will certainly be reflected in the record. I know there will be ongoing discussions on those issues.

The question before us is the adoption of today's draft agenda for this procedural session. If no other delegation wishes to comment, I wonder if I could try just one more time, with indulgence, to seek to adopt the draft agenda for today's organizational session only, noting that the concerns and issues raised by the Deputy Permanent Representative of the Russian Federation will be reflected in the record of our meeting and will no doubt be the subject of further discussions with a view to finding a solution, as I think our colleague from a Syrian Arab Republic hoped would be possible.

I call on the representative of the Russian Federation.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): With all due respect, this is not an option we can accept. It is not enough for us that our concerns would be reflected in the record of this meeting. We observe that you, Madam Chair, are creating an unprecedented situation that breaks with consensus. In that connection, we would demand a vote by all delegations on the question of whether consensus is the basis of the work of the Commission. We would insist on putting this question to the vote.

The Chair: I call on the representative of Nicaragua.

Mr. Jiménez (Nicaragua) (*spoke in Spanish*): Our delegation listened carefully to the various points made in connection with this situation. As a matter of principle, we would like for us to respect the concerns expressed by delegations regarding their due participation in this important session, especially given the specialized knowledge required. We would therefore like to support the motion advocating further consultations on the request by the representative of Russia. We believe it is only right that we should ensure that all delegations are duly represented in the work of the Commission. We are therefore in your hands, Madam Chair, but underscore our belief that it is important that all delegations be duly represented in the United Nations Disarmament Commission.

The Chair: I call on the representative of Cuba.

Ms. Sánchez Rodríguez (Cuba) (*spoke in Spanish*): The delegation of Cuba wishes to endorse and echo the suggested approach put forward by the delegations of Belarus, the Russian Federation, the Syrian Arab

Republic and Nicaragua. We vigorously request that you, Madam Chair, undertake all the necessary efforts to reach consensus on the adoption of the draft agenda of the Disarmament Commission for this year. All States Members of the United Nations represented here have equal rights before the United Nations, and we request that we be equally represented in its work.

Moreover, we insist that the host country abide by its obligations pursuant to the United Nations Headquarters Agreement and the 1961 Vienna Convention on Diplomatic Relations. As a State that has been affected by these issues, Cuba rejects the arbitrary and selective application of conditions by the host country in abiding by the Headquarters Agreement, in particular with regard to delaying or refusing to grant visas to representatives of Member States to participate in the work of the Commission.

The Commission cannot be hostage to bilateral disagreements. We therefore sincerely urge you, Madam Chair, once again to discharge your responsibilities as Chair by holding consultations on the motion proposed by the Russian Federation.

The Chair: I see no further requests for the floor.

I would propose, in the light of the request for further consultations, that we take a short break. I would very much like to take a decision today on the organizational matter before us. I shall now suspend the meeting for 30 minutes of further consultations.

The meeting was suspended at 3.35 p.m. and resumed at 4.05 p.m.

The Chair: Before the suspension, the representative of the Russian Federation proposed that we postpone today's session rather than move to the adoption of our draft provisional agenda. Would any other delegation like to comment.

I call on the representative of the United States.

Mr. Lee (United States of America): We really appreciate all your efforts, Madam Chair, to move things along, and wanted to make a few comments.

We certainly recognize and sympathize with the concerns raised by the representative of the Russian Federation. We do, however, also want to note that this is a matter of bilateral concern between us, the United States, as the host country, and the Russian Federation. While the concern is fully understandable, the United States Mission had not been formally informed of this

issue until very recently — today. Therefore, despite what might have occurred between our Embassy in Moscow and Washington, the United States Mission here in New York is not aware of the matter. We are more than happy to sit with our Russian colleagues to work through this issue.

We do not, however, believe that this bilateral issue is a concern that should slow down the work of the United Nations Disarmament Commission, in particular today's important draft agenda for the organizational session, so that we can be prepared to actually hold the substantive discussions beginning on Monday. We would therefore recommend that the Russian Federation work with us bilaterally on the margins of this meeting to try to see a way forward on the visa matter while the Commission can then convene today to run through all the decisions that are necessary to prepare ourselves for Monday.

The Chair: I call on the representative of the Russian Federation.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): I thank you very much, Madam Chair, for your patience. I hope we can reach a decision today that suits everyone based on our usual consensus.

We would like to thank our American colleagues for their understanding. However, we would like to highlight that this problem is not a new one, and it is hard for us to imagine that the United States Mission to the United Nations has not have been up to speed with it. We had raised the issue both in Moscow and in Washington, D.C., at the United States Department of State. We would also like to recall the obligations of the United States as host country of the United Nations Headquarters, pursuant the 1947 United Nations Headquarters Agreement between the United Nations and the United States of America:

“The provisions of Section 11 shall be applicable irrespective of the relations existing between the Governments of the persons referred to in that section and the Government of the United States.”

Bilateral relations with the United States here are not an issue. I hope everyone understands that. The United States has obligations, and it must fulfil them. If it cannot, then the meetings may have to be held elsewhere.

I think that, following the statement by our American colleagues, it is even clearer that the only possible solution today is to postpone our meeting to

a later date so that our American colleagues may duly grant a visa to our representative, thereby enabling us to fully participate in the work of the session.

The Chair: I call on the representative of the United States.

Mr. Lee (United States of America): We thank the Deputy Permanent Representative of the Russian Federation for his comments. We certainly understand his point that this may not be the first time that this is occurring. But, nevertheless, we do not believe that holding up the progress of the United Nations Disarmament Commission is the appropriate step to take with regard to the issuance of a visa for one member of his delegation to attend this Commission's meetings beginning of Monday.

We would therefore like to stress once again that we believe we should move forward with the organizational meeting today, to be able to run through all the various decisions, while we work in parallel and in earnest to try to resolve this issue in close coordination with our capital. Again, the United States Mission, which is on the front lines of this issue, was never informed formally by the Russian Federation or its Mission here in New York. We are more than willing to engage immediately on this issue.

The Chair: I call on the representative of the Russian Federation.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): I thank our American colleague for his understanding. I would like to clarify once again that

we cannot participate fully in the work of this meeting, as our duly instructed representative cannot come to New York. We therefore cannot agree with the proposal and must insist that this issue be resolved before the work of our session begins.

The Chair: I take it from the remarks of the representative of the Russian Federation that his proposal remains that this meeting be postponed.

I would just make the point that, if we are unable to proceed with adopting our draft agenda for today for our organizational session, we will be unable to elect a Chair and other officers or to adopt the agenda for our meetings, which are due to begin next Monday. A failure to adopt the draft agenda for our organizational session and take the actions set out therein does, in my view, put our substantive session at risk.

In the absence of further comments, may I take it that delegations wish to agree to the proposal that we postpone this organizational session?

It was so decided.

The Chair: Can I please encourage all delegations to work together to resolve this issue. It is really important that the Commission be able to proceed with its important work. We made progress last year; it would be a shame not to be able to continue doing so.

Delegations will be advised as to the date of our next meeting.

The meeting rose at 4.15 p.m