

Conference on Disarmament

English

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

Held via videoconference on Tuesday, 26 January 2021, at 3 p.m. Central European Time

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

The President: I call to order the 1553rd meeting of the Conference on Disarmament. I would first like to welcome the representative of the non-Member State whose request to participate in the Conference has been accepted.

As announced at the end of this morning's session, we will continue with the remaining speakers on the list for the general debate, but we will first hear the representative of Japan, speaking in exercise of the right of reply.

Mr. Ogasawara (Japan): Mr. President, I would like to exercise my right of reply in response to the statement made by the representative of the Democratic People's Republic of Korea. I will not repeat all of my previous remarks and will not address every point that was raised.

I would like to remind the member State of my country's sincere and humble efforts to contribute to international peace and prosperity over many decades. I would also like to call once again upon the Democratic People's Republic of Korea to share in this cooperative approach and to work together to seek a brighter future.

The President: Thank you. We will now return to the list of speakers. The representative of Switzerland has the floor.

Mr. Baumann (Switzerland) (*spoke in French*): Mr. President, this year, the Conference is meeting in a particularly complex environment, due to both the epidemiological situation and the increasing international security challenges. In this context, the gradual crumbling of the global arms control architecture is of particular concern. We urge the Russian Federation and the United States of America to extend the New START without further delay and we welcome the fact that both parties to this important instrument have expressed their willingness to extend it for five years, without further conditions. An extension is essential, both because the New START is the last instrument still in force limiting nuclear arsenals and because its extension would have implications for the negotiation of broader agreements in the future.

Important events directly related to our work will take place in 2021. We must take advantage of the Tenth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to strengthen non-proliferation and move forward on the path to nuclear disarmament. Regarding the latter, I would like to note that the Treaty on the Prohibition of Nuclear Weapons entered into force last Friday and a ceremony, which we followed closely, was held to mark the occasion.

Mr. President, overcoming the long-standing stalemate in the Conference on Disarmament is essential if we are to meet the challenges I have mentioned and work towards strengthening the multilateral security framework. I know that we will shortly turn to the package that you have submitted to us, but, with your permission, I would first like to raise several points relating to our work.

First, I would like to welcome the increased collaboration among the six Presidents of this year's session of the Conference along the lines established last year. This is a positive development that can help enhance the coordination and continuity of our activities, including those related to the adoption of a programme of work.

In addition, I would like to thank the six Presidents for distributing, already in December, a draft decision providing a framework for our work this year. We welcome the general substance of the draft and the various elements within it, particularly the draft programme of work, which reflects a pragmatic approach similar to the one applied by the Conference in its substantive work when it was fully functional. Separating the adoption of the programme of work from a negotiating mandate allows us to focus on the substance, move forward gradually and launch negotiations during the year when the circumstances are right. Above all, it allows us to rethink the current all-or-nothing approach that stops almost any work from being done if a negotiating mandate has not been adopted.

Moreover, by incorporating work on all agenda items, the draft meets the requirement that it be comprehensive and balanced, qualities dear to many delegations. We also welcome the fact that the proposal submitted by the six Presidents includes a component that will allow us to look at the Conference's working methods. As we have pointed out on several occasions,

all bodies should regularly reassess how they operate. It should be noted that the Conference dealt with these issues on an almost constant basis during the period when it was most productive in terms of substance.

Finally, we would like to point out that the package submitted by the six Presidents is broadly based on the one introduced by the Algerian presidency in early 2020 and on which we came close to consensus.

Mr. President, in summary, we strongly support the package that you have submitted for our consideration. We can see no real alternative to the draft that would allow us to overcome the current deadlock. While some of its provisions can of course be reworked, it is, in our view, essential that we not stray from its core elements. We plan to do everything we can to facilitate its adoption.

Mr. President, before I conclude, there is one more issue that I must address. We regret the fact that there have been objections – reminiscent of those raised in similar cases in recent years – to the requests of several States to participate in our work as observers. This is a worrying development because it calls into question the very principle of multilateralism, which should allow all United Nations Member States to express their views. It is also of concern for the Conference itself, for its role in the disarmament machinery and for its effectiveness and credibility. The fact that most observer States have been asking for full membership of the Conference for many years, without a response from us, makes the current situation even less acceptable. We therefore call on the States that have raised objections to reassess their position and on the Conference to promptly find a solution to this problem.

The President (*spoke in French*): I thank the Ambassador of Switzerland and I give the floor to the Ambassador of the Russian Federation.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): Mr. President, first of all I would like to congratulate you on assuming the duties of President of the Conference and assure you, and the other Presidents of this year's session, that you can count on the constructive cooperation of the Russian delegation.

During the opening meeting, the representative of the Russian Federation already touched on the main points that we believe should be remembered when organizing work in the context of the ongoing pandemic. I will not repeat those words, but will simply highlight that our delegation is in favour of this year's Conference operating on the basis of a previously prepared plan, which will mean more predictability and consistency than in 2020. We believe that it is possible to achieve this, even with the challenging financial restrictions and the epidemiological situation.

We are certain that the delegations to the Conference have at their disposal all the necessary tools to begin effective substantive work, namely the agenda, which has already been adopted, and the rules of procedure. Despite the limited composition of the Conference, it is envisaged that any other State Member of the United Nations may participate in its work. That is their inalienable right. That guarantee was laid down in the rules of procedure to ensure that our forum does not become a private club and that the security interests of other States are considered during negotiations. We intend to continue upholding this principled and consistent position and call on all the other delegations to do the same.

We think that changing anything in the so-called working methods of the Conference would be not only unnecessary but counterproductive. Otherwise, as well as disagreement on substantive issues, we will have divisions over procedural and technical matters. It will be almost impossible to break that vicious circle and the Conference will spend a long time bogged down in arguments and altercations.

Meanwhile, in a deteriorating situation with respect to arms control, disarmament and non-proliferation, the inaction of the Conference can only be disheartening. Tensions and unpredictability remain, old threats grow while new threats and challenges emerge, and the military and political factors that undermine global strategic stability are gaining ground. The architecture of the international security agreements, which took so much work to build up brick by brick, has almost been destroyed at its foundation.

That is the diagnosis of the state of affairs in arms control, disarmament and non-proliferation given by the overwhelming majority of delegations that spoke at the opening of the session. At the same time, speakers mentioned the need in these unfavourable conditions for a constructive agenda and initiatives that help increase and strengthen trust and are aimed at respectful and equitable dialogue. We fully share this opinion and are open to this type of cooperation with all States. Moreover, in recent years, Russia has put forward a number of vital initiatives on arms control, disarmament and non-proliferation, which can be considered a significant part of this kind of positive international agenda. President Putin was very clear about this when he spoke at the opening of the seventy-fifth session of the General Assembly.

We are also prepared to continue regular talks with the United States of America on the strategic agenda. We have spoken about this on many occasions. We believe that the first step in this direction should be the unconditional renewal of the New START, which ensures predictability in the strategic field, has a stabilizing influence on a global scale and also makes a significant contribution to the nuclear disarmament process.

In this regard, the recent statements by representatives of the new United States Administration in favour of a five-year renewal of the New START are cause for hope. We can only welcome such an attitude. Moscow is ready to make contact without delay through the foreign services of Russia and the United States towards the rapid formulation of such an agreement.

The time gained through extending the New START would allow Russia and the United States to work together seriously to find responses to the issues now arising in the area of international security and strategic stability. It should also be used to launch comprehensive Russian-American negotiations on the outlines of nuclear weapons control in the future, in which all factors affecting strategic stability must be considered.

We have presented to our American colleagues our vision of a new “security equation” which could form the basis for such negotiations. Our concept implies the development of an agreement or agreements on nuclear and non-nuclear offensive and defensive arms control suitable for addressing strategic challenges. Among other things, it includes the elaboration of common approaches to solve the problem of preventing an arms race in outer space. The implementation of these proposals would help to restore trust between the two leading nuclear States and therefore significantly improve the international atmosphere.

Given the collapse of the Intermediate-Range Nuclear Forces Treaty (INF Treaty) and in order to promote predictability and so keep open the window of opportunity for dialogue, Russia has declared a moratorium on the deployment of land-based intermediate-range missiles in any region where no equivalent American-made system appears and has also proposed specific verification measures to eliminate any concerns. A rational response to this by the United States and the North Atlantic Treaty Organization (NATO) would be an equivalent reciprocal moratorium. I would like to recall the statement made by President Putin on 26 October last year on additional steps to de-escalate the situation in Europe in view of the termination of the INF Treaty. We are prepared to continue our efforts to minimize the negative consequences of the collapse of the INF Treaty, for which we are not responsible. Unfortunately, the United States and NATO member countries have so far preferred to consider this problem through the lens of political (national or group) goals, rather than from the perspective of the need to strengthen regional and global security and promote strategic stability.

In the current context, we believe that it is becoming ever more important to ensure the sustainability and protect the integrity of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). To achieve this, we must pool the efforts of all parties to the Treaty, so that together we can work to reinforce its three harmoniously interconnected pillars (non-proliferation, disarmament and the peaceful use of nuclear energy). We believe that the measures set out in the 2010 action plan remain fully relevant. We think it is important for States to reaffirm their commitment to the obligations undertaken in previous Treaty review cycles. We are willing to cooperate with all partners in the interests of a constructive and non-confrontational Review Conference.

The agenda of our Conference offers a wonderful opportunity to make a significant contribution to the success of the Tenth NPT Review Conference. This would be facilitated

primarily by the comprehensive examination of item 1 on cessation of the nuclear arms race and nuclear disarmament and item 2 on the prevention of nuclear war, including all related matters.

I would like to note that Russia submitted its national report on implementation of the Treaty on time, back in March. That is still more proof of our country's commitment to fulfilling its obligations and the goals enshrined in the Treaty. Of course, the main thing is to achieve a world free of nuclear weapons and other weapons of mass destruction.

Russia has made a significant contribution to the nuclear disarmament process, including through its fulfilment of previously concluded agreements on the subject. Further progress in this direction must be made in strict accordance with article VI of the Treaty. It can only be gradual, based on consensus decision-making, considering the interests of all countries and leading to the consolidation of international peace and stability, while reinforcing the security of all States without exception.

Such universal criteria are incompatible with the approach lauded by those who advocate forcing nuclear States to give up their nuclear arsenals without considering their legitimate defence interests and the existing strategic realities.

The Treaty on the Prohibition of Nuclear Weapons, which was drafted on a non-inclusive and non-consensual basis, may serve as an example of such an erroneous approach. It creates tensions between members of the international community and undermines the authority of the Treaty on the Non-Proliferation of Nuclear Weapons and the nuclear non-proliferation system based upon it. I repeat once again that the Treaty on the Prohibition of Nuclear Weapons was drafted without considering the fundamental principles that form the basis of the Treaty on the Non-Proliferation of Nuclear Weapons, which should be adopted consistently and correctly. The Treaty on the Prohibition of Nuclear Weapons cannot make a practical contribution to the process of restricting and reducing the number of nuclear weapons. It does not establish any new standards or rules and does not help develop customary international law. Its entry into force changes nothing in that regard.

We consider that the alternative to this approach is to launch a debate on the subject of arms control, disarmament and non-proliferation, including in a multilateral format. The conversation should be held on the basis of consensus decision-making, guaranteeing the capacity and effectiveness of the international instruments developed and considering the legitimate interests of all sides, with no external pressure or coercion. In recent years, the Russian delegation has consistently called for the start of such substantive discussions at the Conference, which is the ideal forum for them.

We confirm our principled position, namely that progress towards a nuclear-free world and full and comprehensive disarmament is possible only if the full range of factors affecting global security is taken into consideration. Indeed, the same systematic vision of the international security situation was shared by the founders of the Conference, who gave the agenda of our forum its comprehensive nature. This includes provision for resolving the issue of an arms race in outer space.

Russia stands for an outer space free from any kind of weapons. We are proposing and promoting specific practical measures for the prevention of an arms race in outer space. The only way of protecting humanity is through the conclusion of a legally binding agreement to which all spacefaring States will accede, one that provides for the prevention of the placement of weapons in outer space and the threat or use of force against outer space objects. Back in 2008, we and our Chinese partners submitted a draft treaty on the subject, which was updated in 2014 in the light of the views of other delegations.

It is clear that the complex realities of international relations today, which we see reflected in the work of our Conference, do not yet allow us to move to negotiations on that treaty and a number of other Conference agenda items. That was why, in 2016, we suggested to colleagues that, at this stage, we should work on a goal that is less ambitious but no less beneficial to the international community and draft a convention for the suppression of acts of chemical and biological terrorism. This goal does not conflict with the fundamental national security interests of a single country, while the practical outcomes of its implementation would be enormous.

In our view, such a convention, an outline of which we have submitted to our Conference partners, would greatly enhance the effectiveness of the international legal instruments in combating the scourge of terrorism using weapons of mass destruction.

In my statement, I have mentioned only the most consequential issues of international security. The Russian delegation is prepared for in-depth substantive cooperation on all the Conference's agenda items with all delegations.

The President: I thank the ambassador of the Russian Federation for his statement. I now give the floor to the representative of Nigeria.

Mr. Oriaku (Nigeria): Mr. President, first of all, I would like to congratulate you on your assumption of the presidency of the Conference on Disarmament. The Nigerian delegation will actively support your work and make its contribution to advancing substantive progress in the Conference in 2021. I would like to take this opportunity to express our appreciation to Ms. Tatiana Valovaya, the Secretary General of the Conference on Disarmament and Personal Representative of the United Nations Secretary-General to the Conference on Disarmament, for her profound and thoughtful remarks on the opening day of the Conference on Disarmament. I also salute the robust collaboration between the six Presidents of the Conference's session in 2021 and, in advance, pledge my delegation's support for the five forthcoming presidencies, of Brazil, Bulgaria, Cameroon, Canada and Chile.

Mr. President, my delegation aligns itself with the statement made by the distinguished Ambassador of Indonesia on behalf of the Group of 21. In my national capacity, I would like to add the following.

This year will be marked by important events for the global nuclear disarmament, non-proliferation and arms control regime. The tone has already been set with the coming into force on 22 January 2021 of the Treaty on the Prohibition of Nuclear Weapons. While Nigeria, alongside other countries, is celebrating that event, we must observe that the Treaty will not, by itself, make the over 13,865 nuclear warheads worldwide disappear. It is up to Nigeria and other countries to continue to work to ensure that these weapons are completely eliminated. My delegation therefore wishes to stress the importance of this treaty and to urge those States that have not signed and ratified it to do so.

Mr. President, the postponed Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference of the High Contracting Parties to the Convention on Certain Conventional Weapons and the Meeting of States Parties to the Biological Weapons Convention will also take place this year; these conferences present an opportunity for the disarmament community to show its resolve on the issue of disarmament. How successfully we handle them will form our report card for 2021. Because of the stalemate and redundancy in its work over the past 20 years and more, the Conference on Disarmament is already beginning to be viewed as a yearly talk show without anything to show. My delegation strongly believes that it is time to correct this negative narrative.

The pandemic has shown us that arms and proliferation are not what will save any country, or indeed the world; it is, rather, conscious efforts by all countries, both big and small, to invest in human security that may do so. As we grapple with the new normal of virtual meetings in the months ahead, we should bear in mind that the way forward remains robust investment in poverty eradication, basic health infrastructure, the environment and other areas of human security that will promote development across the world. It is sad and unfortunate that we are still channelling scarce resources and manpower that should have been allocated to human development into the production and development of the one sure threat that faces mankind.

The ongoing coronavirus disease (COVID-19) pandemic and its health, socioeconomic and other negative fallout has exposed a vulnerability across all divides. We are moving in the wrong direction: it is not the number of nuclear weapons we have amassed that will save us, but the level of human security that we are able to establish in our world. I urge all governments and nations, particularly nuclear-weapon States, to begin to steer away from the path of nuclear destruction to one that seeks to enthrone human security in all its forms. That is the only sure trajectory.

Mr. President, Nigeria welcomes the constructive spirit and the flexible approach of the Belgian presidency and the early draft programme of work. We urge all delegations to show the necessary political will and to explore creative and consensual solutions that will lead to substantive negotiations on the core disarmament issues in 2021. In this respect, my delegation associates itself with calls for Iran and Turkey to reconsider their position on the requests by Saudi Arabia, the United Arab Emirates, Cyprus and Yemen to be granted observer status in the work of the 2021 session of the Conference on Disarmament. This is in line with the spirit of multilateralism, inclusiveness and dialogue by all.

The President: I thank the representative of Nigeria. We have received two more requests for the right of reply, from the Islamic Republic of Iran and the Democratic People's Republic of Korea. I give the floor to the representative of the Islamic Republic of Iran.

Mr. Azadi (Islamic Republic of Iran): Mr. President, my delegation asked for the floor to exercise its right of reply in reaction to the intervention of the German delegate. I have to thank our very esteemed German colleague for giving us a new definition of "high grade". I was not aware that being "high" would mean becoming so intolerant and fanatical in reaction to another State's comments that were made, by the way, in response to his own pointless allegation against Iran.

My German colleague took umbrage at my past remarks, forgetting the fact that it was the same delegate and the Israeli representative who first levelled certain allegations against Iran. I would like to share a few thoughts in this regard and I will try to copy the same very refined language used by my distinguished colleague.

One, I wonder why Germany bothered to feel obliged to speak for the Israeli regime. Is this a new way of defining professionalism? I guess no reasonable observer could fail to understand why.

Two, my esteemed German colleague tried to justify the constant violation of the Treaty on the Non-Proliferation of Nuclear Weapons resulting from the storing of nuclear weapons on their territory by saying that it has been going on, and I quote, "for approximately half a century or even a little longer". He then asked why Iran was raising this issue now and then he left both those points to a mythical reasonable observer to understand why. I am truly stunned and astonished to hear such an argument.

I guess no such reasonable observer could agree with our distinguished German colleague that the passage of time can launder the illegal character of an act or omission. I should hasten to add that this was not the first time that Iran has raised this issue, and it will certainly not be the last. Many others have also raised it in other forums that discuss the Treaty on the Non-Proliferation of Nuclear Weapons. It is a matter of the emperor and his clothes.

Let me elaborate a little bit. Article I of the Treaty on the Non-Proliferation of Nuclear Weapons clearly stipulates that "Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices, directly or indirectly". Article II of the Treaty states that "Each non-nuclear State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices, directly or indirectly". Maybe, to some delegations, the definition of the spirit of the Treaty has changed, and we are not aware of it, but the hosting of nuclear weapons by a non-nuclear-weapon State is in direct violation of the Treaty.

Third and last, but certainly not least, I found it appalling that my German colleague treated the case of criminal chemical attacks by Saddam's regime against innocent Iranians so lightly as to suggest that it belongs to past history. It does not. It is as fresh today, not only in the minds and memory of the Iranian nation, but also in the flesh and bodies of the victims who are still suffering from the consequences, as it was in the 1980s when repeated gas attacks were carried out against military and civilians alike. I am really disappointed to see such a non-apologetic mentality. Iran has never ceased to raise the grave injustice inflicted on its people as a result of the use of chemical weapons, and we have always sought justice and truth in respect of this chemical crime.

I am pleased though that our German colleague admitted the need to hold those who were involved or complicit in Saddam's chemical attacks to account, and really hope that the German authorities will continue to pursue justice, including by revealing the acts or omissions of relevant official authorities in this regard.

The President: Thank you. I now give the floor to the representative of the Democratic People's Republic of Korea.

Mr. Han Tae-song (Democratic People's Republic of Korea): I wish to speak in exercise of our right of reply to the statement made by our Japanese colleague. What Japan said is the repetition of their far-fetched claim, which is not understandable to everyone. If Japan is really committed to peace and prosperity in the region, as it said, it must abandon its ambitious military attempts to become a military power, which threaten peace and security in the region.

The President: Thank you. I have a point of order from the representative of Israel, to whom I give the floor.

Ms. Maayan (Israel): We demand that the Islamic Republic of Iran refer to us by our official name, the State of Israel.

The President: Thank you. I still have one request for the right of reply, from the representative of the United States of America, to whom I give the floor.

Mr. Wood (United States of America): Mr. President, I would like to take the floor very briefly to make some comments following remarks that were made by the distinguished Ambassador of the Russian Federation.

President Biden has said he intends to seek a five-year extension of the New Strategic Arms Reduction Treaty (START), as the Treaty permits. President Biden has long been clear that the New START is in the national security interest of the United States. This extension makes even more sense when the relationship with Russia is not at a good stage. Americans are much safer with the New START firmly intact.

President Biden has also made clear that he views the Treaty's continuation as the beginning, and not the end, of efforts to engage Russia and other countries, in close consultation with our allies and partners, on the threats facing us from nuclear weapons and new and emerging challenges to strategic stability.

The President: Thank you. That concludes our general debate. I would now like to present the package proposal which was circulated electronically to Conference on Disarmament members by the secretariat in December.

As I said in my introductory remarks as President, during the bilateral and regional consultations that I have conducted over the past months, the calls have been numerous, not to reinvent the wheel, but instead to build on the good foundations set by the group of six Presidents of the 2020 session of the Conference with regard to the programme of work. More specifically, the package proposal circulated by the group of six Presidents under the Algerian Presidency was considered by many delegations as the approach most conducive to consensus.

So this year's group of six Presidents has thus circulated an updated version of last year's package proposal. The proposal you have received contains, first, a draft proposal for the programme of work; second, a draft decision for the implementation of the programme of work; and, third, a draft presidential statement on the improved and effective functioning of the Conference on Disarmament.

You will see that the draft proposal for a programme of work contains a proposal for the Conference to set up five subsidiary bodies on all items on the Conference's agenda. The number of meetings per subsidiary body – four instead of the six that were held last year – has been adjusted to take into account the heavy programme related to disarmament this year, in particular the impact of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Four meetings per subsidiary body over the course of 10 weeks, running from early March to the end of June, would appear to us to be a good compromise.

I would like to thank the delegations that have already expressed their views on the package during the general debate or in writing. I now look forward to our first general exchange of views on the package. The first speaker I have on my list is Pakistan.

Mr. Omar (Pakistan): Mr. President, we appreciate the outreach and consultations that you have undertaken and thank you for providing the members with an opportunity to reflect on your draft proposal. As you will recall from our discussions last week, many members have reiterated the call for a comprehensive and balanced approach to our work at the Conference on Disarmament.

As we endeavour to find a way forward, my delegation reiterates the significance of realism, comprehensiveness and balance in our efforts. We recognize your efforts to build on the Algerian draft from last year. This represents an acknowledgement of the realities that this body has to contend with. We note, however, that, in some important ways, your proposal goes beyond the emerging agreement of last year.

The document presented by Algeria was an organic document with inextricable links between the substantive decision on a programme of work and the subsidiary bodies established to implement it. Changing one element of the document necessitates a close examination of other aspects that we would have to amend to ensure the delicate balance that the proposal aimed for. A similar dynamic exists within each of the operative paragraphs as well.

Mr. President, last week my delegation clearly stated our view on the Conference's work and that view remains clear. There can be no creative drafting solutions to the larger challenges we face, the positions of various delegations and the larger realities that shape them every day. We heard nothing different during our discussions last week either.

The records of this Conference demonstrate that there is no consensus on commencing negotiations on any issue on the agenda. And increasingly, over the past few years, we are finding it difficult to agree even on process and procedure. Similarly, there is no agreement on according preferential treatment to any agenda item. If at all there is to be a preference, then nuclear disarmament remains the Conference's priority.

Mr. President, my delegation also recalled at the last meeting that the Conference on Disarmament has and should continue to work towards resuming substantive work on all its agenda items. Even with its list of disagreements over the years, the Conference has agreed to conduct substantive work. In pursuing its future work, we should therefore build on these elements and avoid the pitfalls of arbitrary or subjective notions. Ensuring equal treatment and equal preference for each agenda item remains the best and only option. If we are to make headway in our work, we must remain mindful of the dynamics which govern and shape our world.

Mr. President, in consideration of what I have outlined, we see no need for any unnecessary treatment of subsidiary body 2 or any particular item in a preferential manner. Similar subjective approaches and arbitrary preferences have hamstrung the Conference in the past. In our view, there are redundancies in the document which should be eliminated, particularly in the descriptive part of the subsidiary bodies' timetable.

The operative paragraphs also require some modification to ensure coherence of our work. Adjustments to paragraphs 1 and 2 would have to be made to remove redundancies and bring clarity. A comprehensive, balanced and objective approach remains fundamental and needs to be reflected in the document.

Mr. President, we are fully aware that a return to subsidiary bodies does not fully cater to any member's aspirations. Nor is it entirely reflective of our ultimate objective, which remains nuclear disarmament. However, it remains an option that has worked, given the larger realities that inform our work. It also remains crucial to address the legitimate concerns of all delegations. It is only through such a spirit, Mr. President, that we can chart a way forward to substantive work in the Conference on Disarmament during our 2021 session. Certainly it is not an optimal solution, but it is a practical one in the given circumstances.

My delegation looks forward to continued and constructive engagement and reaffirms our support and commitment to work towards a way forward that needs the consent of all members of the Conference on Disarmament.

The President: I thank the representative of Pakistan. I now give the floor to the representative of Argentina.

Mr. Villegas (Argentina) (*spoke in Spanish*): Mr. President, my delegation welcomes the presentation of the package that you have developed in agreement with the other five Presidents of the 2021 session. We believe that, given the current context, in which our customary face-to-face meetings – which are so valuable for negotiations – have been cancelled because of the coronavirus disease (COVID-19) pandemic, the Conference on Disarmament should resume substantive discussions through a mechanism that is already familiar to us all: that of subsidiary bodies.

Establishing subsidiary bodies is far from an ideal exercise for the Conference, whose primary objective should be to negotiate and move forward with all legally binding disarmament and non-proliferation mechanisms and agreements. However, in view of the Conference's almost non-existent work over the past two years, the creation of subsidiary bodies would undoubtedly be a step forward. It would allow us to discuss and exchange views on all agenda items, with a view to identifying consensus items that could serve as a basis for the future negotiation of those treaties that the Conference owes to the international community.

With regard to the agenda items that the subsidiary bodies would address, we agree that all agenda items should be treated equally and that all subsidiary bodies should have the same number of meeting days.

I would like to point out that the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons will be held in August, if the international context permits. Therefore, discussions in the subsidiary bodies during 2021 will take on particular importance, as they will feed into the preparations for the Review Conference and facilitate its successful conclusion.

We welcome the creation of the post of facilitator to enhance the effectiveness of the Conference's work, as the Conference is doubtless in need of a mechanism for deliberation on how to break the deadlock, especially this year, which has begun with a long debate on the admission of observer States. I believe that the facilitator and the meetings that he or she will convene will be useful for clarifying and reaching consensus on sensitive issues such as the one I have mentioned.

The President: I thank the Ambassador of Argentina. I now give the floor to the representative of India.

Mr. Sharma (India): Mr. President, I wish simply to express my support for the tremendous work that you have carried out through all these months. It is rare that presidents share such a draft document in the month of December, and I congratulate you on that achievement. As Ambassador Villegas of Argentina has said, subsidiary bodies are not the optimal outcome of our work. However, looking at the past two years when no work could be carried out by the Conference on Disarmament, I think this is the very best that we could have hoped for under the circumstances.

And since I wish to see the Conference undertake concrete work, I will not go into polemics, but will make some of the suggestions that my delegation has with regard to the package: they are concrete suggestions because we want to see progress and the adoption of this package. I will therefore refer to the package shared by the distinguished President from Algeria, which was later refined by Ambassador of Argentina, but will also refer to document CD/2119, because that was the document on which we all agreed by consensus in 2018, when we were able to carry out some real work.

Mr. President, paragraph 1 of your proposal mentions “or additional measures, and options for negotiations” in the context of the work of the subsidiary bodies. Now, that creates a little bit of difficulty for us because the Algerian proposal used the words, “and additional measures and options for negotiations”. We notice that the word “and” has been replaced by

the word “or”, and the impact of this is to dilute the mandate of the subsidiary bodies from focusing only on substantive elements or legally binding instruments to also focusing equally on additional measures and options for negotiations. The net effect of this formulation is the theoretical possibility of moving completely away from the objective of legally binding instruments, which I do not think was your intention. However, that is the impression given when one reads paragraph 1, so perhaps a little fix might be in order there.

Secondly, if I go to document CD/2119, it said that one of the aims of the subsidiary bodies was to “pursue the following areas and any other areas agreed by the subsidiary bodies, in accordance with the rules of procedure” with regard to their work. But that phrase is missing in your proposal, as is the wording of paragraph 1 (c) of document CD/2119, which said that the bodies should “consider effective measures, including legal instruments for negotiations”. With that, we are moving away from the mandate as given by the first special session of the General Assembly devoted to disarmament, even though you have mentioned it in the document.

My third point concerns the work of the subsidiary bodies in paragraph 2. The current draft shared by you notes that the aim of the subsidiary bodies will be “to consider and recommend the nature and scope of agreements for possible negotiation” whereas, in CD/2119, it was drafted as, and I quote, “Consider effective measures, including legal instruments for negotiations”. While your package broadens the scope on one hand, in that it allows the subsidiary bodies to recommend, I believe that the wording of document CD/2119 offers a more direct approach, in that it allows subsidiary bodies to consider legal instruments. The wording “legal instruments” is crucial in our view, as it is a signal for legally binding instruments, a long-standing demand of the international community and the Conference on Disarmament. When you add the phrase to “consider and recommend the nature and scope of agreements for possible negotiation”, it becomes problematic, at least for my delegation, because the intent that we read is that we are going to discuss confidence-building measures and codes of conduct, rather than legally binding instruments. And, in the view of my delegation, the focus should be solely on legally binding instruments and not on any other form of document or arrangement, such as confidence-building measures and codes of conduct, because we consider that this is not the place for them.

I come to paragraph 6 where the word “adoption” has been left out. In document CD/2119, the word “adoption” is used in respect of the reports. However, paragraph 6 of your report only mentions reflection of the report, and we need to clarify what you mean by “reflection”. Your proposal calls for submission of the report “by the coordinators to the Conference on Disarmament through the President, for due reflection”. Now, this leaves open the question of the adoption of the report of the subsidiary bodies; it does not even refer to adoption of the report by the Conference on Disarmament. We therefore wonder what we are going to do with these reports, for instance, whether they are only to be reflected on and if that reflection could even be in the form of a mere procedural reference to the meeting of the subsidiary body rather than its report. So we certainly need to look into this aspect.

With regard to the second part of the package, the draft decision for the implementation of the programme of work, where you clarify that the number of sessions has been reduced in view of the heavy calendar related to disarmament. I do not think we should compromise on the work of the Conference on Disarmament because it is one of the primary purposes for which we are here. I believe it would be preferable to restore the number of sessions to seven, if possible.

And then I come to the third part of your package, the draft presidential statement. You have said that “the facilitator shall report to the Conference in a personal capacity on the results of the informal consultations no later than the start of the first week of the third part of 2021 session”. However, the statement also says that “the report shall not be put to the Conference for decision”. The proposal leaves some ambiguity, therefore, as to the status of the report on the working methods, and that needs to be clarified.

And finally, I would like to make a point which is extremely important for my delegation and for which several other delegations expressed support in the general debate. One of the instruments which we have expressed support for is the fissile material cut-off treaty. Now India also supports a comprehensive and balanced programme work and is ready

to work on all the agenda items. However, we all know from experience that there is one treaty which is almost ready for negotiation. I think that most progress has been made on those aspects, given also the reports of the Group of Governmental Experts on a treaty banning the production of fissile material and the high-level fissile material cut-off treaty expert preparatory group, which also expressed support for the Shannon mandate. I have heard voices that Shannon mandate is a relic of the past, but that is certainly not the view of my delegation or of many others.

Therefore, if we have to make progress – concrete progress – in the Conference on Disarmament, I think that the fissile material cut-off treaty should certainly be on the agenda and we would definitely want to see some mention of the Shannon mandate. However, we will not block the work of the Conference or any decision as long as the core priorities of the Conference on Disarmament, in line with the objectives set by the first special session on disarmament, are preserved. That, Mr. President, is why I made a somewhat long intervention, but the idea is to express support for your efforts and see if we can adopt a programme of work, as soon as possible.

The President: I thank the Ambassador of India. I now give the floor to the representative of Mexico.

Mr. Martínez Ruiz (Mexico) (*spoke in Spanish*): First of all, my delegation would like to again praise the coordination between the six Presidents of this year's session, which has led to the development of a joint draft programme of work. As in last year's session, we see this cooperation as an opportunity to present a draft that incorporates the positions of countries from different regional groups and that allows better organization of the Conference's work.

We also appreciate the fact that this draft is based on the one considered during the Algerian presidency, recognizing the broad consultations that were undertaken at that time and the fine balance it sought to strike between the delegations' positions on the language of the programme of work and the package of draft decisions.

My delegation regrets that the new draft does not fully meet the expectation of having a programme of work that unequivocally sets out a clear negotiating mandate and is thus in conformity with the mandate conferred upon the Conference by the General Assembly in the Final Document of its first special session devoted to disarmament. Last year, my delegation was ready to join the consensus in a spirit of flexibility. Obviously, that commitment remains. Nevertheless, we are particularly concerned about one of the small amendments that have been made to the text, which has also been pointed out by the delegation of India and, in our view, is aimed at weakening the text and moving away from the spirit of compromise that the Conference sought to build during the Algerian presidency. The change to which I refer is in operative paragraph 1, where the word "and" has been replaced with the word "or".

Last year's language made it clear that the work of the subsidiary bodies would have a particular focus on the substantial elements of legally binding instruments as well as other additional measures, thus providing for a breadth of negotiating possibilities but not allowing for the exclusion of legally binding instruments, which must necessarily be considered in accordance with the agenda items adopted last week by this Conference.

However, this new proposal allows for an interpretation that leaves the door open to a focus on additional measures as an alternative, rather than a complement, to legally binding instruments. My delegation does not consider this wording to be constructive in the search for consensus. Nor is it logical, since, in last year's text, additional measures were understood as being taken in conjunction with legally binding instruments; the reference to additional measures on their own is meaningless. My delegation is certainly struck by this change, since we do not recall that it was a subject of controversy during the consideration of the Algerian draft last year.

My delegation also believes that this change must be read in the context of the draft programme of work as a whole. Thus, in paragraph 2, the term "agreements" could be construed as referring only to additional measures, not including legally binding instruments. This would imply a need to redraft paragraph 2 in order to make it more explicit and to refer directly to legally binding instruments.

Mr. President, my delegation is willing to continue working constructively and in a spirit of consensus-building in order to find an acceptable solution, notwithstanding the shortcomings and limitations of subsidiary bodies, which we have consistently reiterated and which have also been mentioned on this occasion by the delegations of Argentina and India. My delegation stands ready to keep working with you and to participate in such consultations as are necessary to strengthen the text.

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

Mr. Elsayed (Egypt): Mr. President, I would like to commend your early engagement with the different groups and extensive consultations with delegations. We welcome the fact that your proposed draft for a programme of work is largely based on the draft programme of work that was presented by the Algerian presidency last year.

We fully recognize the difficulties that the Conference has been facing in its attempt to adopt a programme of work and we believe that your proposal, with a few minor amendments, could be a practical and pragmatic solution that would advance the work of the Conference. We reaffirm the need to adopt a balanced and comprehensive programme of work in a manner that ensures the sustainability of the basic principles and tenets of the Conference, as well as its rules of procedure. My delegation is of the view that this proposal could provide the Conference on Disarmament with the necessary impetus by establishing subsidiary bodies, which will allow us to deepen our technical discussions and broaden our areas of agreement on the four core agenda items, as well as advance the work on agenda items 5, 6 and 7.

In this regard, we believe that some minor amendments should be made to the timetable to ensure that the concerns of all delegations are taken into consideration. This can be done by just replicating the same language of the agenda items as they correspond to the subsidiary bodies relevant to them.

While my delegation agrees that discussion on the improved and effective functioning of the Conference on Disarmament could be a beneficial practice for the Conference, if, of course, it is conducted in good faith and in an inclusive and non-discriminatory manner, we must, nevertheless, be clear that the impasse in the Conference cannot be attributed to its rules of procedures or anything but a lack of political will on the part of some States. We strongly believe that such discussions should not be abused in any way to antagonize any of the members of the Conference on Disarmament or to devalue its basic rules, principles and tenets. That would only deepen the divergences, increase the mistrust and erode the credibility of the Conference. In this regard, I should refer to the remarks just made by the distinguished Ambassador of India, as my delegation also believes that we need some clarity on the status of the report to be presented by the facilitator on this topic.

Finally, Mr. President, we should strive to preserve the Conference and its credibility, and we believe that your proposal should help us achieve that end. We have full confidence in you and your team, and we stand ready to assist you in achieving a productive outcome under your presidency.

The President: I thank the representative of Egypt and give the floor to the representative of the Islamic Republic of Iran.

Mr. Azadi (Islamic Republic of Iran): Mr. President, Iran has already shared its views regarding the programme of work with you and your team, during the earliest stages of your consultation. We are looking forward to working on a balanced and comprehensive programme of work on four core issues. We should avoid repeating certain moves and processes that failed to garner the necessary consensus last year. We are not sure that the so-called package that was submitted to the Conference last year and proved that it could not be a viable substitute for a programme of work should be entertained this year again. We should avoid mishandling the long-established methods of work and procedure of the Conference on Disarmament and, instead, focus on the substantive work.

Mr. President, we believe that the programme of work and the decision to implement that programme form a good basis for work, requiring just some amendments and modifications. We express our willingness to discuss the programme of work in detail and

consult with you in order to improve the text in accordance with the mandate of the Conference on Disarmament, as the sole multilateral negotiating body devoted to disarmament in accordance with the Final Document of first special session on disarmament.

The President: I thank the representative of the Islamic Republic of Iran. I now give the floor to the representative of France.

Mr. Hwang (France) (*spoke in French*): Mr. President, adopting a programme of work is a laudable objective, and even though we know that the task is a difficult one, it is important that we continue in our efforts to tackle it. We fully support the package of draft decisions, as it is in line with the approach taken during the Algerian presidency, when we were close to a consensus. We assure you that France is fully committed to your efforts to ensure that the Conference on Disarmament returns to its original mandate – the negotiation of multilateral disarmament agreements – taking into account the progress and achievements of recent years.

My country's priority remains the immediate launch of negotiations on a treaty banning the production of fissile material for nuclear weapons, as outlined in document CD/1299 and the mandate contained therein. On this point, I would also like to state that we believe that this mandate, which was called the Shannon mandate, is and will remain fully relevant. Of all the possible advances in the field of disarmament, this is undoubtedly the most developed project, the negotiation of which is within reach, as evidenced by the extensive work carried out in recent years by the various groups of experts on fissile material. A treaty to cap current stocks of fissile material usable for nuclear weapons remains relevant and important. It is not only the next logical step but also an essential and invaluable step forward in making any tangible progress towards nuclear disarmament. It is therefore our view that this issue must be clearly reflected in the decisions that we will be called upon to adopt.

To be realistic, we clearly must explore practical solutions, such as continuing the work of thematic subsidiary bodies. The work carried out within this framework in 2018 enabled substantial and very encouraging progress to be made. In particular, it made it possible to move beyond the procedural debates and fruitless political confrontations that unfortunately all too often characterize this forum. It allows for a calmer exchange of views on the main technical issues relating to the different matters on the agenda. We must therefore build on the successful cooperation among the six Presidents of the current session and re-establish the subsidiary bodies.

The President (*spoke in French*): I thank the Ambassador of France and now give the floor to the representative of the United States of America.

Mr. Wood (United States of America): Mr. President, my delegation has no problem with the package as you have presented it, but I just have a couple of points, one of which is actually a question. In paragraph 1 of the first document in your package of documents, I think that it needs to be made clear that the mandate is a discussion mandate, not a negotiating mandate. And so, to avoid any confusion, perhaps we could add the words “the discussion of” after “focus on” in that first sentence. That part of the sentence would then read: “focus on the discussion of substantial elements of legally binding instruments”. I think just adding those three words would be an adequate fix for my delegation.

My question concerns the draft presidential statement on the improved and effective functioning of the Conference, where the last paragraph talks about the facilitator presenting the report to the Conference. I assume that that presentation would take place in an open session; is that correct?

Mr. President, we understand the need to be flexible and we hope that other member States of the Conference on Disarmament will show flexibility so that we can adopt this package and move forward.

The President: I thank the Ambassador of the United States of America. We have no more speakers on the list at this stage, so thank you very much for your very useful comments and suggestions. We have taken note of them and, together with the other members of the group of six Presidents of the current session, will consider them carefully. I also invite

delegations to contact me bilaterally should they have any matter or questions that they would like to discuss further.

So, dear colleagues, that concludes our work for this afternoon. Thank you very much for your excellent cooperation.

This meeting is adjourned.

The meeting rose at 4.30 p.m.