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**Statement
by
Ambassador Prasad Kariyawasam,
Special Co-ordinator on the
Improved and Effective Functioning of the
Conference on Disarmament**

**At the Plenary of the
Conference on Disarmament**

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**Permanent Mission of Sri Lanka to the
United Nations Office at Geneva**

Mr. President,

Since this is the first time I am taking the floor during your Presidency, allow me at the outset to congratulate you on your assumption of this high office and, please be assured of the full cooperation of my delegation in fulfilling your responsibilities. I also would like to express my appreciation to your predecessor Ambassador Carlos Amat Forés of Cuba for his efficient and professional conduct as the President of the CD, typically characteristic of all Cuban diplomats.

Mr. President,

At its 877th meeting on 14 June 2001, the Conference on Disarmament took a decision to appoint, among others, a Special Coordinator on the Improved and Effective Functioning of the Conference on Disarmament as a result of sustained efforts of then President, Ambassador Camilo Reyes Rodreguez of Colombia. Pursuant to this decision, I was appointed and was mandated to take into account all proposals and views, as well as future initiatives in discharging my work. The Conference also requested the Special Coordinator to report to it before the conclusion of its 2001 session. I wish to take this opportunity to thank my group, the Group 21 as well as all members of the CD for the trust placed in me by assigning this onerous task.

Mr. President,

The decision to appoint a Special Co-ordinator on improved and effective functioning of the CD, I believe, is a manifestation that the membership of the CD agree in principle that there is a need and a desire for adopting measures for further improvement of the functioning of the CD. Yet, despite all of us agreeing on the need for reform, it seems that concrete decisions on any issue still remains elusive. Reasons for this impasse is apparent and has been referred to by some speakers who have chosen to take the floor at the CD. Some have also emphasised that work on procedure should not be construed as an alternative to work on substance. Many view that inability of this Conference to conduct substantive work is not a procedural matter, but a substantive political issue. As a result the link between substance and procedure also have come to sharper focus. However, many also believe that at these difficult times for the CD we could

innovate or streamline procedure so that it may help to spur a semblance of substantive work that at least can be useful and hopefully engender full-fledged substantive negotiations on agreed issues, sooner than later.

During the short period of time made available, I have taken all efforts to do justice to the mandate given to me. Since 1990 several of my predecessors have worked on this subject, in particular Ambassador Kamal of Pakistan, Ambassador Zahran of Egypt, Ambassador Illanes of Chile. I have drawn from their work for precedence and for direction. I have also learned from views expressed informally by several delegations and by some in writing. To achieve greater transparency in my work, I conducted two rounds of informal open-ended consultations. I was encouraged by the level of attendance and the number of delegations who participated in these consultations. While many delegations took the floor and expressed their views, a number of delegations did not offer their views at all on any issue or on some issues. I reckon that this reluctance is either by choice or perhaps by default. Either way, the omnipresence of the rule of consensus therefore makes my conclusions in this report, ad referendum.

Mr. President,

At consultations, I provided an indicative list of issues for discussion with a view to directing the work in a useful manner. These items were not exhaustive and I welcomed new proposals from delegations for further deliberations. At the conclusion of my consultations, it was evident that, it would not be possible to take any decision at this session on any of the issues. However, there are few issues on which there seemed to be a greater degree of understanding and agreement.

May I now comment on specific issues that were considered during discussions. These in my view belong to two broad categories. The First batch of issues to my mind seems to enjoy a general level of agreement among delegations. The other set of issues requires a lot more work to reach a higher level of understanding among delegates.

Issues that enjoy a level of general agreement are as follows :

First, the Conference has not made optimal use of mechanisms provided for it in the rules of procedure. According to some, several rules are either misinterpreted or simply ignored. Many were of the opinion that some rules are outdated and require updating to remove ambiguities. In this regard, CD/1036 which was adopted in August 1990 came in for focus and discussion. There was a proposal, supported by many to amend paragraph 5(d) of the CD/1036 to make it less ambiguous. This section of the CD/1036 which deals with appointing Special Coordinators in the event of absence of consensus on the establishment of subsidiary bodies or their mandates in the first two weeks after the beginning of the annual session of the CD, merits further consideration. I strongly recommend that we work on this issue with a view to adopting a decision early in the next session. Para 5 (c) and para 7 of CD/1036 were also viewed by some as having merit for revival.

Second, wider and more frequent use of informal and open-ended consultations. Some were of the view that CD has not used the plenary to full advantage and therefore the President of CD would convene open-ended informal consultations on substantive issues to prepare the ground work to commence negotiations.

Third, appointment of "Friends of President". General agreement on this measure however was qualified with a clear distinction between "Friends of President" and Special Coordinators and it was emphasized that term of office of "Friends" should be co-terminus with the President who appoints such "Friends".

Fourth, the involvement of the civil society in some form. Nevertheless, there were many different views and perceptions as to how NGO participation could be operationalised. Therefore, no apparent objection for involvement of NGOs in CDs work may not be construed as a ready acceptance of unqualified participation of NGOs in the CD.

Fifth, the role of the Secretariat. No delegation expressed any misgivings pertaining to the role of the Secretariat.

Sixth, the expansion of the membership of the Conference. While no delegation expressed any view against expansion, there were divergent views as to how such an expansion should take place. This issue was considered fleetingly in the context of its link with effective functioning of the CD, and my fellow Special Co-ordinator has conducted further work on this specific issue.

Mr. President,

There are several other key issues, which require further substantive discussions with a view to arriving even at a general level of understanding. They are :

First and most importantly, the rule of consensus. This was by far the most focussed as well as the contentious issue during the discussion. Some delegations believe that the rule of consensus as applied in CD, the requirement for unanimity on all issues, is the bane of the Conference. They strongly assert that consensus rule in the CD should be applied with qualifications. However, number of other delegates were of the opinion that there is no need for any change in the present rule of consensus due to the nature of the work of the CD and the apparent flexibility the rule offers to safeguard national interests.

Second, the question of whether to adopt the CD agenda and the programme of work annually or otherwise. This was discussed in relation to my mandate despite the issue being handled by my fellow Special Co-ordinator. There was no apparent agreement to change the present status on this issue on its own or in relation to any other issue related to the effective functioning.

Third, the efficacy of the present system of groupings. For some the current system is working well, while there were some others who strongly felt that the current group system should be more flexible and informal. There was a desire among some to create Like Minded Groups on the basis of common interests cutting across the present group system.

Fourth, the establishment of new category of committees. While some kept an open mind on creating a new category of committees for substantive discussions on agenda items, others felt

that it would be a proliferation of mechanisms devoid of any possibility for substantive progress and that such a measure would only contribute negatively to the efficiency of the Conference.

Fifth, the continuation of the work of pre-existing subsidiary bodies. Many believed that once a subsidiary body is established, it should continue from year to year until such a body completes its mandate or until it becomes obvious that negotiations cannot lead to a successful conclusion. Nevertheless, there were some who felt that the continuation of a subsidiary body beyond a session is illogical since the agenda and the programme of work are required to be adopted first, every year.

Sixth, automatic establishment of ad-hoc committees on all agenda items. Many delegations were of the opinion that automatic establishment of ad-hoc committees on all agenda items may prove to be difficult since the Conference may not be ready to engage in substantive work on some agenda items.

Seventh, the tenure of the Presidency. This was a subject of lively discussion. Some supported strongly a change in the present system of rotation with several specific ideas as to how to adopt a new system. Nevertheless there were contrary views that the current system is fair and a necessary tool to keep delegations engaged in the work of the Conference.

Eighth, the annual report. While some supported the idea of having a summary of main issues, themes, initiatives made through statements at the plenary as part of the report, some others were of the view that it is simply a duplication of procedure since verbatim records of the CD are available.

Ninth, a small group to study the subject of improved and effective functioning of the Conference. While some welcomed this idea, several others viewed that this matter is better handled by Special Co-ordinator, dealing with the subject where transparency and wider participation in the work is ensured.

Tenth, the establishment of the Bureau of the Conference comprising of the President, the Secretary-General and representatives of member States or Groups. On this proposal, there

were doubts expressed by some over the need or the efficacy of such a Bureau and they expressed misgivings that the establishment of a Bureau would be tantamount to institutionalization of the present process of Presidential consultations.

Mr. President,

As I mentioned earlier, the reflection of the current geo-political climate on the CD as well as time constraints did not permit us to agree on any specific procedure for improved and effective functioning of the CD. However, there is an apparent overwhelming desire to continue with the work of the Special Co-ordinators on these issues next year, too. In this regard, I lend my support for the appointment of three new Special Co-ordinators early next year, so that they will have sufficient space to work towards decisions and conclusions on some of the issues which enjoy a level of general agreement.

Mr. President,

May I also take this opportunity to say good bye to both my fellow Special Co-ordinators. Ambassador Petko Draganov of Bulgaria, has already left us being assigned higher responsibilities. Ambassador Günther Seibert of Germany will leave us shortly on completion of his tour of duty. The Conference, and I personally will miss the experience and excellent professionalism of these two friendly diplomats and I wish them, all the very best in future endeavours.

Mr. President,

Last, but not least, Mr. Vladimir Petrovsky, Secretary-General of the Conference deserves a special word of thanks for his steady support for my endeavours on this matter. He was present at all times during informal consultations, listening attentively to the views of the delegations. He encouraged us to move forward. I wish to thank him and Mr. Roman-Morey, Deputy Secretary-General, Mr. Jerzy Zelesky and Secretariat staff, as well as the interpreters for the ready support they provided during my tenure as Special Co-ordinator.

Thank you.

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