



Kingdom of the Netherlands

**Statement of the Netherlands**

**delivered by**

**H.E. Robbert Gabriëlse, Permanent Representative to the Conference on Disarmament**

**at**

**the Conference on Disarmament**

**Geneva, 6 August 2019**

Mr. President,

My delegation is taking the floor to introduce the working paper entitled “back to basics - the programme of work”, which was circulated yesterday by the Secretariat and which has been submitted as an official document of the Conference.

In light of the current situation, it could be argued that we have hit a dead end, when it comes to the organization of our work in the CD. Given the current situation, the Netherlands deems it useful to collectively trace back our previous steps to uncover how we arrived at the current situation. And more importantly how we can move forward from this. Our working paper seeks to contribute to this common endeavour to move the CD forward by critically looking at the organization of our work.

Mr. President,

The working paper argues that the Conference on Disarmament should return to its origins and return to organize its work on the basis of the programme of work as intended in the rules of procedure and used in the first 15 years of its existence. During this period, the programme of work merely served as a planning tool in which the allocation of time for each agenda item was set for the session ahead. The decisions on the establishment of subsidiary bodies, their respective mandates, were taken separately from the programme of work.

The link made in contemporary proposals on the programme of work between the establishment of subsidiary bodies and the programme of work is not reflected in the rules of procedure. Neither Rule 28 (on the programme of work), nor Rule 23 and 24 (on the establishment of subsidiary bodies) refer to each other. Moreover, the wording used in the different rules is clearly distinct, with Rule 28 using the wording: “*shall establish*”, which indicates that the programme of work is a requirement. In contrast to the wording of rule 23: “*Whenever the Conference deems it advisable for the effective performance of its functions ... may establish subsidiary bodies*”, which indicates that the establishment of subsidiary bodies is optional.

Moreover, rule 28 only sets out two requirements for the programme of work, namely: 1) it must be based on the Agenda of the Conference on Disarmament and 2) include a schedule of activities. The programme of work is thus intended as a planning tool to organize the work of

the Conference, which is the purpose of a programme of work in most – if not all – multilateral disarmament fora.

Mr. President,

The historical evidence also indicates that an approach whereby the programme of work is separated from the decision on subsidiary bodies is the most productive method of organizing our work. As demonstrated by the table in Annex I of our working paper, in the first two decades of its existence the CD successfully established on a yearly basis one or more subsidiary bodies, separate from the programme of work. Many of these subsidiary bodies had a negotiating mandate and two treaties were negotiated by separately established subsidiary bodies in the CD.

This in stark contrast to the last two decades, where efforts focussed on combining within the programme of work the prescribed schedule of activities with the establishment of subsidiary bodies. This linkage between the programme of work and the establishment of subsidiary bodies – including their respective mandates – has made the programme of work a procedural hurdle that has prevented the Conference from working on the substance of its agenda.

It is with these considerations that the Netherlands suggests to return to the well-established and functioning practice of using the programme of work as a planning tool for the plenary meetings of the session ahead and delinking it from the establishment of subsidiary bodies, which should be done through a separate decision. Such a programme of work should follow the letter of the rules of procedure and thus only provide for a schedule of activities for that session based on the agenda agreed. An example of such an approach is contained in annex II of our working paper, which is based on the programmes of work of the 1990 session (CD/963 & CD/1003) and the current agenda (CD/2153).

Taking this approach would allow the Conference on Disarmament to focus again on the substance of its agenda during its plenary meetings. During these meetings, the Conference should work on the substance of the agenda item under consideration and with the goal of launching of negotiations. Once sufficient progress is made on an agenda item or a specific topic covered by it, the Conference could subsequently establish a subsidiary body on that topic, while work on the (other) agenda items continues under the programme of work.

An additional advantage to such an approach is that it provides all delegations, including the rotating presidency, with a clear plan that allows for sufficient time by all delegations to prepare, to facilitate participation from capital and the submission of working papers and other proposals

Mr. President,

In closing, I wish to underline three things: First, separating the programme of work from the establishment of subsidiary bodies is fully in line with the existing rules of procedure. Second, this approach offers a pragmatic way forward, which has proven its success in the past. And third, it allows the conference to focus on the substance of its agenda, rather than procedural issues, which have stalled progress for far too long. Therefore, we encourage all delegations to study the working paper and look forward to any feedback and suggestions.

Thank you Mr. President.