



# BRAZIL

**63rd General Assembly**

**OEWG Meeting**

**26 January 2009**

**Statement by Ambassador Maria Luiza Ribeiro Viotti,  
Permanent Representative of Brazil to the United Nations**

*(Check against delivery)*

Mr. Chairman,

We understand that the main purpose of today's meeting of the OEWG is for delegations to submit their views on the presentation to be made by the Chairman to the informal plenary of the General Assembly regarding the results of our consultations on framework and modalities.

My first comment regards the nature of such presentation. A factual statement by the Chairman under his exclusive responsibility is the only option consistent with paragraph (c) of Decision 62/557, which does not refer to any report of the group for that purpose. The only report we will consider in the appropriate time is the one mandated in paragraph (f) of the Decision regarding the activities of the OEWG during the 63<sup>rd</sup> Session. Anything different from that goes beyond the mandates given respectively to the Chairman and to the group and, therefore, cannot be accepted.

As a suggestion for the Chairman's presentation, and as a matter of fairness and accuracy, I would like to remind that consultations in the OEWG have been pursued in line with paragraph (c) of Decision 62/557, which instructs the Group simply "to continue to address" the negotiating framework and modalities. In addition, we believe that the Chairman's statement would need to indicate that an important number of delegations, including mine, have maintained, throughout the consultations, that guidance on those two issues is already provided in the Charter, the rules of procedure of the GA and Decision 62/557. We have also stated more than once that, if additional clarifications are needed on other related matters, they can be worked out during the negotiations themselves. The presentation would also need to indicate that, in accordance to paragraph (d), the commencement of the negotiations, which, in any case, must begin not later than 28 February 2009, is in no way conditioned to the results of the consultations.

Mr. Chairman,

Since my delegation did not have the opportunity to comment the proposal made by Canada and Malta at our last meeting, I wish to briefly share with you and the other delegations our general assessment of the paper.

The ideas and even much of the language contained therein are by no means new. Most of them are proposals made by UfC delegations in the past with one major objective in mind, that is, to set substantive preconditions to the intergovernmental negotiations, so as to limit the options for a possible outcome of the reform. That goal has not been abandoned and is now pursued through the suggestion of "objectives", "principles" and "procedures". One quick example is the so-called "single undertaking". No doubt several aspects of the reform are interconnected and must be brought together in a harmonious whole. It is also likely that any reform that garners the necessary support will take the form of a "package". But this is not equal to agreeing to the notion of a "single undertaking". Such concept is borrowed from multilateral trade negotiations, where, due to the need to balance potential trade gains and losses across sectors and industries in a final agreement, participants usually resort to such procedures. One could hardly expect to apply such method in a negotiation dealing purely with political matters, unless the intent is to make the negotiating process more difficult. Besides, it is another form of bringing through the backdoor the old concept of decisions being reached by consensus or general agreement. These notions, as others contained in the Canada-Malta paper, were rejected by the membership during negotiation of Decision 62/557. Brazil and many other Member States do oppose them again now. Unequivocally and fully. Reopening a unanimous decision of the General Assembly is simply not acceptable.

I therefore appeal to all delegations to focus their energies on the informal plenary of the General Assembly and on substantive, result-oriented negotiations. The sooner we do this, the higher the chances we all have to develop a reform that can garner the widest possible political acceptance. As in past occasions, Mr. Chairman, my delegation respectfully asks your Excellency to fix a date for the start of the negotiations without any further delay.

Thank you.