
Conference on Disarmament

3 February 2011

English

Final record of the one thousand two hundred and second plenary meeting

Held at the Palais des Nations, Geneva, on Thursday, 3 February 2011, at 10.10 a.m.

President: Mr. Marius Grinius (Canada)

The President: I declare open the 1202nd plenary meeting of the Conference on Disarmament. I would just like to refer to Tuesday's discussions. We had 23 speakers and we went on until 1 p.m. I thought that it was a pretty good exchange of views on the issue of nuclear disarmament, and I hope that everybody found the exchange to be useful. We then had an informal event with our interpreter colleagues. They are back there – I can wave to them all. I thought that it was a very, very good event and I thank all of you for your engagement, both colleagues here and our colleagues who do all of the work sitting behind us – the interpreters. Certainly, I thought it was a very worthwhile event.

Lastly, I would like to refer to the request by Pakistan to circulate as an official document of the Conference on Disarmament a press release from Rawalpindi dated 14 December 2010. It is a reference to a meeting of Pakistan's National Command Authority and an exposé of their views, specifically on strategic deterrence, its importance and other aspects. So with that introduction, I would like to begin with our list of speakers today on the second core issue of fissile material. We have something like 24 or 25 speakers already inscribed on the list. I would ask all of you to be mindful of the time, because I would like to ensure that everyone who wishes to speak does have the opportunity. The first five speakers on the list will be Australia, Hungary, on behalf of the European Union, United Kingdom, Brazil and Turkey. I give the floor to Australia.

Mr. Woolcott (Australia): Mr President, I wish to thank you again for your suggestion that delegations should focus their statements on particular core issues during each of the plenary meetings of the second and third week of your presidency – today on fissile material. Australia looks forward to today's discussion and to hearing national views on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, commonly known as the fissile material cut-off treaty (FMCT).

Australia is committed to a world free from nuclear weapons, and to achieving this goal through balanced, progressive and reinforcing steps. In this regard, Australia's immediate disarmament and non-proliferation priority in the Conference on Disarmament is the early commencement of FMCT negotiations based on the 1995 Shannon mandate, as set out in document CD/1299.

Australia is, of course, not alone in regarding the early commencement of FMCT negotiations as being of particular importance. The 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirmed in its consensus action plan the "urgent necessity of negotiating and bringing to a conclusion a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices". The production of fissile material for weapons purposes represents a continuing threat to international peace and security. Australia continues to call on all States which continue to produce this material to join a global moratorium on the production of such material.

Addressing fissile material — the very basis of nuclear weapons — through a verifiable FMCT is the next logical step in nuclear arms control and disarmament. An FMCT would have both disarmament and non-proliferation benefits. It would not only significantly tighten international controls on fissile material, but would also raise the bar for any State looking to acquire the capability to produce nuclear weapons.

Australia recognizes that members of the Conference on Disarmament have a variety of views about issues which would form the basis of an FMCT. However, these differences of opinion should not prevent us from commencing negotiations; in fact, they are the point of undertaking negotiations. When FMCT negotiations in the Conference on Disarmament begin, there will be a range of issues that negotiators will need to address. These issues include verification, scope, entry into force, institutional arrangements and dispute

settlement provisions. In addition, FMCT negotiators will need to decide how the question of pre-existing stocks is to be treated.

However, today I wish to focus my comments on FMCT definitions. Although definitions is an issue which will provide very significant challenges when FMCT negotiations do begin, it is the best place to start technical discussions on an FMCT. The definition of two terms, “fissile material” and “production”, will provide a left and right of arc for the treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

Australia’s view on “fissile material” is that the fissile materials to be covered by an FMCT should be those relevant to the manufacture of nuclear weapons; broadly speaking, these are highly enriched uranium and plutonium.

The materials regarded by the International Atomic Energy Agency (IAEA) as “direct-use materials” for safeguards purposes, namely nuclear materials which could be used in the manufacture of nuclear explosive devices without transmutation or further enrichment, are: highly enriched uranium – uranium enriched to 20 per cent or more in the isotope uranium-235; plutonium containing less than 80 per cent of the isotope plutonium-238; and uranium-233.

These definitions would seem an appropriate basis for an FMCT, but with the following qualification: Australia considers that plutonium and uranium-233 in irradiated fuel should not be regarded as “fissile material”. This is because they cannot be used for nuclear explosive devices without first being separated from the irradiated fuel rods, fission products and other materials by reprocessing. Highly enriched uranium and plutonium are the materials which have historically been used in nuclear weapons; but we need to consider whether an FMCT should also cover other fissionable materials which could be used to produce nuclear weapons.

In this regard, IAEA has identified neptunium and americium as alternative nuclear materials of possible proliferation concern. Of these, neptunium is the most significant, in terms of the quantities potentially available in spent fuel and its suitability for use in a nuclear explosive device. Like plutonium and uranium-233, neptunium and americium are produced through the irradiation of uranium and should only become subject to FMCT consideration after separation by reprocessing.

Taking these definitions for fissile material into account, we can consider the definition of “production”. In this regard, Australia sees two processes as being particularly relevant: uranium enrichment, in the case of highly enriched uranium; and separation from irradiated fuel by reprocessing, for both plutonium and uranium-233.

As previously noted, Australia does not consider the plutonium or uranium-233 contained in irradiated fuel as “fissile material”, because it must first be separated by reprocessing before it can be used in nuclear weapons. Consistent with this view, Australia does not consider the irradiation of uranium or thorium fuel to form plutonium or uranium-233 to be “production” of fissile material. In Australia’s view, “production” of plutonium or uranium-233 should only include the process of separation by reprocessing. If the FMCT encompassed irradiation, it would have an extremely broad scope, making effective international verification cumbersome and extremely costly, and hence imposing an unnecessary burden on States parties to the treaty.

I should also make clear that Australia does not believe that an FMCT should proscribe the production of fissile material per se, only the production for nuclear weapons or nuclear explosive devices. Australia considers that reprocessing for civilian use should not be proscribed. Similarly, an FMCT should not proscribe the production of highly enriched uranium for civilian use. Although global efforts have succeeded in vastly

reducing the quantity of highly enriched uranium being used in civilian reactors or for non-explosive military use, for example in naval propulsion, existing IAEA safeguards provisions relevant to these activities would continue to apply.

In broad terms, those are Australia's views on how fissile material and the production of fissile material might be defined in an FMCT. Those of us who manage these issues from a political perspective have much to learn about them from a technical perspective. However, it is clear that this is an area that is rich for discussion – and for eventual negotiation. I look forward to other statements today on this important subject.

Mr. Dékány (Hungary): I have the honour to speak on behalf of the European Union. The candidate countries Turkey, Croatia, the former Yugoslav Republic of Macedonia, Montenegro and Iceland, the stabilization and association process countries and potential candidates Albania, Bosnia and Herzegovina and Serbia, and in addition Ukraine, Republic of Moldova, Armenia and Georgia, align themselves with this declaration.

In our opening statement of 27 January 2011, we already stated that we attach clear priority to the immediate commencement and early conclusion of the negotiation in the Conference on Disarmament of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices — an FMCT — on the basis of document CD/1299 of 24 March 1995 and the mandate contained therein and subsequently referred to in document CD/1864.

For the European Union, launching these negotiations is urgent and important. An effective FMCT would constitute a significant step in the process of nuclear disarmament, as well as strengthening nuclear non-proliferation. The European Union is convinced that, by banning the production of fissile material for nuclear weapons or other nuclear explosive devices, an FMCT will contribute significantly to nuclear disarmament efforts under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Logically, an FMCT constitutes the next multilateral instrument to be negotiated in the nuclear disarmament field as a complement to the NPT and the Comprehensive Nuclear-Test-Ban Treaty (CTBT). The international community's support for the immediate commencement of FMCT negotiations in the Conference on Disarmament was expressed in the Final Document of the 2010 NPT Review Conference and in General Assembly resolution 65/65.

We appreciated the very rich exchange of views on FMCT, which took place once again during last year's session, and which helped Conference on Disarmament members to clarify the many issues at stake, including issues related to scope, definitions, verification and institutional arrangements.

The European Union has repeatedly stated that nothing could be precluded from consideration if negotiations on an FMCT were to start. All Conference on Disarmament member States should appreciate that national security concerns, while legitimate, should be addressed as part of the negotiation process rather than as a prerequisite. We also consider that there are confidence-building measures that can be taken immediately, without the need to wait for the commencement of formal negotiations. This is why we call on all States possessing nuclear weapons to declare and uphold a moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices.

In his statement last Wednesday, the Secretary-General of the United Nations recalled the almost universal support within the Conference on Disarmament for negotiations on a treaty dealing with fissile material. However, in the face of continued deadlock in the Conference on Disarmament, he also referred to recent suggestions that alternative arrangements should be sought. He also wondered whether, as a first step, we could commence an informal process before agreeing on formal negotiations on a treaty in the Conference, thus educating each other and building trust and at the same time informing

and facilitating the formal process once the Conference on Disarmament has adopted its programme of work.

The European Union welcomes these ideas, which merit further discussion and reflection in this Conference. We also support robust plenary discussions on FMCT issues, reinforced by expert-level technical discussions, thus preparing negotiations in the Conference on Disarmament. We look forward to discussing creatively with all Conference on Disarmament members possible arrangements that will allow us to make headway towards the early start of negotiations on FMCT in this forum.

Mr. Duncan (United Kingdom of Great Britain and Northern Ireland): The United Kingdom fully endorses the speech by the Ambassador of Hungary on behalf of the European Union and, as I commented earlier this week, the British Government is committed to the long-term goal of a world without nuclear weapons and to progress on multilateral disarmament. We take seriously our disarmament obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and have made substantial progress in many areas, as outlined to the Conference in my speech on Tuesday.

In the five years it has been my privilege to serve as the Ambassador of the United Kingdom to this body, I have been regularly struck how we often look backwards to the glory days or indeed to the problems that have beset us ever since, and we therefore very much welcome your approach, Sir, for which you have our full support, to press forward and to try and respond to the many calls from many sources to take forward the work of this body. In order to take forward the obligations of the United Kingdom, we consider it a priority to pursue a fissile material cut-off treaty to verifiably ban the future production of fissile material for use in nuclear weapons or other nuclear explosive devices.

An FMCT is the next logical step along the road to a world without nuclear weapons. It constitutes an important building block of the international architecture alongside a strengthened Treaty on the Non-Proliferation of Nuclear Weapons to disarm and prevent the spread of nuclear weapons and the entry into force of the Comprehensive Nuclear-Test-Ban Treaty to prohibit nuclear test explosions.

The United Kingdom retains its strong commitment to starting negotiations on an FMCT within the Conference on Disarmament. In our view, the Conference remains the best option for negotiating an FMCT with all of the key nuclear players. The inclusion of these key players in any treaty is essential if it is to fulfil the ambition of the international community that it will strengthen the global disarmament and non-proliferation framework in a meaningful way.

The programme of work for 2009 (document CD/1864), which mandated, by consensus, discussions on all agenda items and the start of negotiations on an FMCT, remains the basis upon which we must seek to agree on a programme of work in 2011.

The United Kingdom believes the strength of the Conference on Disarmament to be the respect it shows for every member's national security interests through its rules of procedure. The consensus rule offers protection for such interests, both at the negotiation phase and in the eventual signature and ratification phases of any treaty.

However, as the Secretary-General of the United Nations reminded us, this comes with a responsibility for the international community to demonstrate ongoing progress. We are all aware of the growing frustration of the international community at the inertia of the Conference on Disarmament. We therefore yet again call on all Conference on Disarmament members to seek to engage in a constructive manner with their colleagues across the various groupings in an effort to find ways to build an understanding on the key issues and make some progress towards a verifiable and internationally acceptable FMCT.

If we fail to do this, it may encourage other States to seek alternatives to the Conference on Disarmament in order to further their disarmament ambitions. This would not, in our view, be conducive to concluding the sort of comprehensive and meaningful treaty to which the international community aspires.

For its part, the United Kingdom has repeatedly expressed its willingness to engage on all four core Conference on Disarmament issues, which should all be discussed as part of any programme of work. However, in order to do this, we need the membership to come together to ensure that the consensus rule is not employed in a manner that blocks discussion of anything at all.

The United Kingdom is also willing to engage with member States by proposing new ways to try and generate some progress on an FMCT, as long as their proposals remain firmly grounded in the framework and rules of procedure of the Conference on Disarmament. I very much welcome the detailed ideas put forward by our Australian colleague a few moments ago, and we will look very carefully at them. As he quite rightly said, those of us who look at the political perspective have much to learn from the technical side, given the use of fissile material in the civilian context, be that scientific or industrial.

In conclusion, the United Kingdom recalls the 2010 NPT Review Conference and the ways in which it demonstrated what can be achieved and the compromises that can be made during active negotiations between countries. In this vein, we call on member States to make substantive progress on an FMCT during the 2011 session of the Conference on Disarmament in order to fulfil one of the key commitments made in the Final Document of the Review Conference.

Mr. de Macedo Soares (Brazil): Some of the statements made so far during this session of the Conference on Disarmament repeated, in a not very convincing tone, the lamentations on the paralysis and inertia of this body and the vows that it should get back to work. I understand these considerations as healthy signs of modesty, in the sense that we have not concluded any new legal instrument in this Conference since 1996. Indeed, we have no reasons for celebration, but the Conference has been working on trying to achieve consensus. At least as far as my delegation is concerned, I would not consider as leisure our assembling here this morning, however pleasant it may be.

In fact, we have been negotiating without success. We have been trying to achieve the necessary consensus on how we are going to transform into legal commitments the political principles embodied in so many resolutions of the General Assembly and other multilateral forums concerning disarmament and peace.

Why can we not agree? Basically because the nuclear-weapon States and allied States want to limit the work of the Conference on Disarmament to negotiations on the prohibition of production of fissile material for nuclear weapons or other nuclear explosive devices. Those States cannot accept the inclusion, in the negotiating mandate, of any mention of other aspects involving those fissile materials.

Moreover, not all those same States accept the negotiation of a treaty protecting non-nuclear-weapon States against the use or the threat of use of nuclear weapons upon them, and the negotiation of a treaty banning the placement of any weapons in outer space. Lastly, and far more importantly, there is no movement whatsoever towards a treaty on the prohibition of nuclear weapons, as human conscience requires concerning any weapons of mass destruction.

Public opinion worldwide opposes weapons of mass destruction, like chemical weapons, biological and toxin weapons or nuclear weapons. All of them are abhorrent and their use, as mentioned here by one of our colleagues, would be a crime against humanity.

To develop, improve, stock these weapons, and have them deployed on alert for prompt use – all this amounts to preparation for such a crime.

States possessing nuclear arsenals often refer to their need for deterrence. We all know that the term “deterrence” applied in a strategic meaning made sense in the East-West context of the cold war. Deterrence in that context meant to achieve a balance between the contenders so that opposing arsenals would be neutralized, mutually immobilized. Nuclear-weapon States usually add the adjective “credible” to the term “deterrence”, meaning that their arsenals must be sizeable.

In the present political and strategic configuration of the world, nuclear weapons do not aim at balancing potentially opposing Powers. They are rather intended to express the sheer power of intimidation in an extremely archaic fashion. As you said, Mr. President, we should try to think outside the cold war box. I might add “to think outside the colonialist box”, in which a group of States consider themselves to be above all the others and immune to humanitarian considerations and international legal principles. As one member State stated, nuclear weapons are immoral and illegal; hence the possession of nuclear weapons is immoral and illegal.

Since the cold war is deemed to be ended, the justification for keeping arsenals is presented as essential for security. In fact, every State is responsible for guaranteeing the security of its citizens’ territory and natural resources. Besides, by means of friendly relations with neighbours and the international community in general, States ensure national security by maintaining armed forces for defence purposes, not for menacing other States. In any case, one might ask the question whether a State is politically, legally and morally entitled to possess and deploy arms of mass destruction for its defence needs.

It is also to be deplored that a number of other States, for different reasons, but in any case which do not believe in the possibility or desirability of a democratic international system, accept to place themselves under the protection of nuclear arsenals, thereby renouncing their influence in the service of building a more peaceful world.

Many delegations seem to rejoice at recent positive trends and facts, such as the fact that the 2010 NPT Review Conference adopted without dissent a concrete plan of action. However, not being a standing organization, the NPT by itself cannot ensure the implementation of those decisions. The duty of carrying out the action plan rests with States parties.

What we have seen in subsequent months does not necessarily point in that direction. A most powerful alliance proclaimed its renewed strategic doctrine expressly based on nuclear weapons. It is consequently difficult to grant credibility to any nuclear disarmament intention coming from any member of that alliance.

Two States possessing the largest arsenals concluded a positive bilateral treaty, aimed at reducing the number of warheads, and other measures, including reciprocal verification. It is, however, an arms reduction instrument which is conducive to an improvement of the relations between the parties and thereby of the international political climate, but that does not mean the abolition of nuclear arsenals and their underlying logic. Two other nuclear Powers concluded a bilateral arrangement that seems much more directed to make more political, more economical and practical the management of their respective arsenals.

The President of the Federative Republic of Brazil, Ms. Dilma Rousseff, in her inaugural speech in January 2011, stated: “Our tradition in the defence of peace does not allow us any indifference towards the existence of enormous atomic arsenals, nuclear proliferation, terrorism and transnational organized crime.”

As we know, the language of such kinds of statement is carefully crafted. For Brazil, nuclear weapons and the other evils mentioned belong in the same basket. Given this state of affairs, it is saddening to hear from some delegations that the problems lie with the machinery.

Over the last two years, two formal proposals for a programme of work have been tabled. Document CD/1864 was adopted by consensus and it has the support of Brazil. Document CD/1889 was proposed in order to circumvent the obstacles that prevented the implementation of document CD/1864. It provided a somewhat clearer opening to the treatment of aspects concerning fissile material other than the ban on new production. I say clearer opening because, in my view, the so-called Shannon mandate does not limit the scope of negotiations to the future production of fissile material alone. The delegation which seemed most concerned preferred not to take advantage of that opening. However, I must say that one of the regional groups let the presidency know that the proposal could not receive its support, even though a number of individual member delegations of that group expressed their willingness to adopt the document.

In the course of the first two weeks of this session, we have heard from some delegations that they remain opposed to negotiations of legal instruments on negative security assurances and on the banning of weapons in outer space. Those delegations did not even bother to mention their opposition to the very idea of a treaty banning nuclear weapons.

Those delegations are taking advantage of their right to block the consensus granted by the rules of procedure. Does it make sense to argue that consensus is being abused? Does it make sense to try to undertake negotiations on any of the core issues of our agenda by means of parallel processes that could produce quick but not very effective results? Does it make sense to impose a deadline for the Conference on Disarmament until the end of this session to achieve results? Does it make sense to address an ultimatum to ourselves?

Of course, it would be healthy to re-examine the set of mechanisms established in 1978. A new special session of the General Assembly devoted to disarmament is long overdue, not necessarily, and at any rate not exclusively, to deal with institution engineering. Much more important, a fourth special session of the General Assembly devoted to disarmament should provide ample space open to all for a thorough debate on all aspects of disarmament. It should take advantage of the new trend and realities in international relations brought forth so well by President Barack Obama's Prague speech of 2009.

Unfortunately, there again, we cannot find the necessary support. Some of my colleagues have been saying that they, or their Governments, are running out of patience. No one can offer any specific remedy for that ailment. The metabolism of international politics, especially in the thin air of nuclear strategy, is slow, requires perseverance and cool minds.

Mr. President, we are thankful for your efforts at trying to organize debates during your tenure. Since it is our duty to listen to each other and to react to ideas and positions put forward, we naturally are brought to expose our countries' perceptions. Ours is a métier of words that may produce results in the form of multilateral undertakings. Success is however unpredictable, both in terms of time and content.

I understand that you have not sensed a propensity to consensus on a programme of work in the form of document CD/1864. It is not for my delegation to intervene in your conduct of business, but I cannot refrain from saying that nothing prevents you from proposing a programme of work.

In any case, my delegation would applaud an initiative by the presidency to convene a subsidiary body to discuss the question of nuclear disarmament, in particular a treaty banning nuclear weapons. Since this is the highest goal that we can reach, and given the wide support for it, attested by the Final Document of the 2010 NPT Review Conference, such an initiative would mark your presidency. It would constitute a framework of confidence-building that would strengthen the advance on other issues, like the negotiation of a legal instrument on fissile material for nuclear weapons or other nuclear explosive devices.

A considerable number of delegations have clearly stated that a negotiation on fissile material should not only provide a ban on future production upon entry into force of the instrument, but also consider all other aspects, including pre-existing material. This would ensure that the results fulfil expectations regarding disarmament as well as non-proliferation.

During the 2010 session, Brazil offered a contribution to this debate, contained in document CD/1888, on the possible structure of a treaty. A framework or umbrella treaty would establish the general clauses such as objectives, definitions, scope and final clauses. Appended to it there would be a protocol basically on the banning of production and a second protocol on other aspects, including pre-existing material. Both protocols would contain their own appropriate clauses on verification. That structure was intended to bring flexibility to the negotiations. As we have noticed, opposing views concerning the matter of fissile material have to do with the insistence on tying down beforehand, not only the results of the negotiations, but also its modalities.

More than 100 years ago in the Second Hague Peace Conference, Brazil defended the equal participation of all States in the decisions. The American historian Barbara Tuchman, in her book *The Proud Tower*, mentions that fact, adding that the Brazilian delegate was particularly boring – a characteristic that seems to persist in my case, but I assure you it is not necessarily national.

The subsequent wars, the somewhat failed experience of the organization that left us this building and the persistence of colonialism prevented significant progress in the democratic conduct of multilateral relations. The United Nations has radically changed the basis of international relations. Unfortunately, especially in what concerns the urgent matters of life and death that are within our purview, the long period of the cold war was retrogression, bringing the notion that achievements in disarmament are to be granted by the main Powers rather than negotiated by all concerned.

Two decades after the end of that period, the same old Powers and some new candidates have tried to re-enact that top-down approach. For example, there is an expectation that the international community, including public opinion, will radiantly receive from the heights a limited treaty, restricted to non-proliferation aspects. Meanwhile, the forges of Vulcan will go on stockpiling the instruments of oppression and destruction of humankind.

The President: I thank Ambassador de Macedo Soares for his statement. It is never boring, always thoughtful. There is a request for a right of reply which I will give at the end of the speakers' list. We have 21 speakers on the list and we have just over two hours available for all these speakers. I ask colleagues to be considerate so as to ensure that everybody has time to speak. Before giving the floor to Turkey, the following five countries are next on the list: United States of America, Japan, Argentina, Syrian Arab Republic and the Netherlands. I now give the floor to Turkey.

Mr. Demiralp (Turkey): Before starting my own speech, let me congratulate the Ambassador of Brazil for the well-crafted statement delivered. He was not boring at all. We look forward to hearing more such thoughtful speeches in the future.

My country's position on arms control and disarmament is well known to the Conference, as elaborated on various occasions in the past. In this context, we have today supported the statement made by the Ambassador of Hungary on behalf of the European Union. Nevertheless, I should like to make a few additional comments.

First, I should like to reiterate that Turkey's security policy excludes the production and use of all kinds of weapons of mass destruction. We advocate global overall disarmament and support all efforts aimed at sustaining international security through multilateral arms control, non-proliferation and disarmament. Turkey is party to all international non-proliferation instruments and export control regimes and spares no effort to contribute to their universalization and effective implementation. I should stress that the success of nuclear disarmament and non-proliferation efforts depends on the effective functioning of the NPT regime. Indeed, the positive results of the 2010 NPT Review Conference should be translated into effective implementation.

Turkey believes in the necessity of establishing nuclear-weapon-free zones and attaches importance to the upcoming conference on the Middle East next year. Turkey values all treaty-based nuclear arms control and disarmament accords, be they multilateral or bilateral. In this context, the New START Treaty has been an important positive development. The Conference on Disarmament as the sole multilateral negotiating forum also has an important role to play. Therefore Turkey hopes that the Conference is revitalized, the concerns of all member States are addressed, the current stalemate is thus overcome and, through a consensual programme of work, serious work on all core issues will start. In our view the beginning of negotiations on an FMCT will be a significant building block in the process of nuclear disarmament and non-proliferation. To ensure a good start to the negotiations, all nuclear-weapon States should declare and uphold a moratorium on production. Eventually, a successfully negotiated FMCT would introduce a quantitative limit on the fissile material that is designed for use in nuclear weapons and other nuclear explosive devices.

Nevertheless, Turkey is of the opinion that FMCT negotiations should be comprehensive and non-discriminatory. Therefore, future negotiations should also include the issue of stockpiles and effective verification. It goes without saying that all national concerns regarding a possible treaty can and should be brought to the table during the negotiations. A flexible approach could allow us to move ahead without spending too much time on the modalities of a mandate. Such an approach, which would not prejudice the outcome of the negotiations, could also facilitate reaching consensus. The FMCT is technically a very complex issue. In this regard we listened with interest to the statement made by the Ambassador of Australia. Such an intellectual approach will help us to understand this issue better, setting aside political controversies.

We also hope to see the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty. I sincerely hope that these two developments will indeed create synergy and take us forward on the path of nuclear disarmament.

Mr. Reid (United States of America): Mr. President, we appreciate this opportunity to exchange thoughts and to delve into the important topic of the fissile material cut-off treaty with colleagues here in the plenary meeting of the Conference on Disarmament.

However, first, if you will indulge me, I would like to share with colleagues some important developments of a slightly different nature. Yesterday, President Obama signed the United States instrument of ratification for the New START Treaty. This coming Saturday, the United States Secretary of State, Ms. Hillary Rodham Clinton, will meet her Russian counterpart, Mr. Sergei Lavrov, in Munich and they will exchange instruments of ratification. With this exchange, we will formally start the implementation process for the New START Treaty, particularly starting the timelines contained in the Treaty for

exchanges of data on the strategic forces and also the timelines for us to start hosting the important verification visits on the soil of both Treaty partners.

As for the United States, we are proud of this achievement. It is bilateral in nature, but we are very proud of this achievement and we are also very proud of, and reiterate our commitment to, all the undertakings that we as the United States, in a bilateral or multilateral form, freely undertook last spring in the context of the 2010 NPT Review Conference action plan. We are taking many steps as our nation with colleagues and in forums such as this to take that forward, and that is how we intend to deal with multilateral disarmament in the days, weeks, months and years to come. Now, we have the good fortune to be joined today by Mr. Jeff Eberhardt, who is the Director of our Office of Multilateral and Nuclear Affairs in the State Department, to address these vital issues of FMCT. Therefore, without further ado, I turn the microphone over to my colleague.

Mr. Eberhardt (United States of America): Let me just begin by saying what a pleasure it is to find myself once again here in this chamber and in the company of so many old and dear friends. I welcome the opportunity afforded to this delegation and other delegations to address the issue of a fissile material cut-off treaty – a vital objective which has been repeatedly endorsed by the international community.

I would think that it should be unnecessary for me to explain why an FMCT is important, but perhaps there is value in reinforcing the point. Such a treaty would place limits on the amount of fissile material available for use in nuclear weapons or other nuclear explosive devices. It would achieve this by banning the further production of fissile material from the date of its entry into force. Such a limitation serves our shared disarmament and non-proliferation goals. It has long been recognized as an essential step towards a world without nuclear weapons, and the need for an FMCT has been emphasized by multiple NPT review conferences, most recently in May 2010, and it was a central point in President Obama's April 2009 Prague speech.

We must remember that FMCT is one step on a long path, and it should focus on the principal objective of ceasing the future production of fissile material for use in nuclear weapons or other nuclear explosive devices. This is an essential and achievable step, and one to which all States in this room can contribute. The United States has taken many steps down this path, both on its own and together with Russia and others. It is unfortunate and frustrating that we have been unable to take the key multilateral step of capping weapon stockpiles. Such a cap is needed if we are to provide a firm foundation for deeper nuclear reductions and to end nuclear arms racing wherever and whenever it occurs.

In formulating our positions on the substance of the treaty, our goal is a non-discriminatory treaty that halts the production of fissile material for weapons, and that is internationally verified, negotiable and can be implemented in practice. There is broad agreement that there should be a treaty banning the production of fissile material for use in nuclear weapons and other nuclear explosive devices. We will have key differences on the details, and negotiations are for the very purpose of working out the details.

Pending the start of negotiations, there is useful work to be done to prepare the ground here in Geneva. We are eager to work with all others to have meaningful discussions on the technical issues of an FMCT to advance the Conference on Disarmament towards negotiations. Our experts are prepared to participate in these discussions, either in formal Conference on Disarmament plenary meetings or in meetings on the margins of the Conference.

Even if this body is not yet prepared to begin formal negotiations, there is great value in in-depth discussion of technical issues related to an FMCT. At this point, for example, there are significant differences over how to define the term "fissile material". There are some who favour a narrow definition of weapons-grade plutonium and uranium;

others, the United States among them, favour a definition that covers weapons-usable forms of plutonium and uranium and corresponds to the IAEA definition of “direct-use material”; and still others favour yet more expansive definitions. An FMCT must also recognize that there are legitimate civilian and military uses for fissile materials other than nuclear weapons or nuclear explosive devices.

The technical issues do not end here. The definition of “fissile material” is closely linked to the definition of “production”. The processes that produce materials usable in weapons are primarily isotopic separation of uranium, or enrichment, and chemical separation of plutonium from irradiated nuclear material, or reprocessing. That being said, we must be sure that we are neither so restrictive in the definition of “produce” that we leave open opportunities to circumvent the fundamental objective of an FMCT, while at the same time not being so expansive that we constrain activities that have no relation to an FMCT. A definition of “production” that covered spent fuel, for example, would add considerably to the cost of verifying a treaty without adding significantly to its effectiveness.

Defining “fissile material” and what it means to produce such material leads to a third fundamental issue: that of the definition of what constitutes a “production facility”. FMCT verification will focus on such facilities, and therefore the treaty will require a definition that includes facilities that are producing or clearly capable of producing fissile material. While resolution of such issues is properly left for negotiations, discussion of this broad area is timely now.

Those are but a few of the issues we will have to grapple with in constructing an FMCT. There are many more that I have not listed. We will not be able to cover every aspect of an FMCT within one Conference on Disarmament session, or even over the course of a year. However, we must start somewhere, and we should carefully consider which issue with which to begin. Even the least divisive issues will take time to consider fully, and we should not rush our work with an artificial timetable.

In-depth discussion of technical issues can help build the foundation for future negotiations. I note that there were years of experts’ discussions on issues relating to a test ban before formal negotiations on the CTBT got under way. Those discussions were crucial to the eventual success of those negotiations. I understand that answers relating to a convention on the prohibition of the development, production, stockpiling and use of chemical weapons were pursued for many years before there was a formal negotiating mandate. I do not mean to imply that the United States would be content with years of technical discussions as a substitute for formal negotiations – we see no substantive barrier to the start of negotiations now. The obstacles that exist are of a political nature. Until those obstacles can be overcome, however, we see much value in engaging in technical discussions pending the commencement of formal negotiations.

We all know that negotiating an FMCT will be a long and difficult process. As we seek to begin that process, we should take every opportunity to prepare ourselves. Indeed, it is perhaps possible that engaging in technical discussions here in the Conference on Disarmament may have the effect of convincing some who fear negotiations that they have, in fact, little to fear. In any case, we have substantial homework to do on an FMCT.

The United States stands ready to fully engage in the work of preparing the ground for FMCT negotiations by reinforcing its delegation with experts from Washington to lend greater depth to the discussions here in Geneva. We are delighted to be joined here today by colleagues from other capitals as well. We look forward to engaging with all of you in the weeks and months to come.

Mr. Suda (Japan): Last Tuesday, I listened carefully and with great interest to the significant statements made by many colleagues on the subject of nuclear disarmament. I

found that all the delegates who spoke shared the goal of the total elimination of nuclear weapons, despite differences in approach and national and regional security concerns.

Japan has also been standing firm for many decades in its call for the total elimination of nuclear weapons. We are willing to participate in discussions, with a longer perspective, on how a multilateral nuclear disarmament framework or a nuclear weapons convention should look in the future, final phase of nuclear disarmament.

However, everybody agrees that total elimination cannot be achieved overnight or by a single convention. It requires a cumulative process of practical and concrete measures. In this regard, it is obvious, as the preamble of the NPT indicates, that the most urgent step in this process is the cessation of the manufacture of nuclear weapons. I cannot imagine taking any road towards a world free of nuclear weapons after the CTBT without first banning the production of fissile material for nuclear weapons.

The issue of an FMCT has reached a level of sufficient maturity for us to embark on formal negotiations. Nonetheless, my delegation is pleased to take part actively in substantive discussions on an FMCT in the plenary meetings without prejudice to our national position in actual negotiations. Now I would like to highlight some of our thoughts concerning the major issues of an FMCT. However, in order to save time, I will try to shorten my statement and ask you to refer to the circulated text for my full statement.

Firstly, on core obligations, the most important issue is to identify the core obligations of an FMCT: what is prohibited and what is not. The first core obligation is, needless to say, the prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices from the date of the entry into force of an FMCT.

As a logical consequence of a ban on “future production”, the entry into force of an FMCT would obligate the States possessing fissile material production facilities for nuclear-weapon purposes to close down or decommission such facilities, or to convert them to non-nuclear-weapon uses. The “reversion” of closed-down or decommissioned facilities back to the production of fissile material for nuclear-weapon purposes should be subject to a ban, since such a “reversion” would mean nothing less than de facto “production”.

There are some other prohibitions that my delegation believes to be necessary in order to ensure, at the minimum, the non-increase of fissile materials possessed by a State for weapons purposes. The “reversion” of fissile material that States have voluntarily declared as excess for national security needs should similarly be subject to a ban. Furthermore, the “diversion” after the entry into force of an FMCT of existing and future stocks for non-nuclear-weapon purposes to nuclear-weapon purposes should be subject to a ban, as such “diversion” would substantially be the same as “production”.

Receiving fissile material for nuclear weapons from another State should be subject to a ban under an FMCT, since such a “transfer” would also be the equivalent effect of “production”. An FMCT should also ban assisting another State in its production of fissile material for nuclear weapons.

Moreover, considering the current importance of strengthening nuclear security, it might be worth looking at the possibility of realizing not only a production ban, but also the obligations of State accounting and control and physical protection, as well as a ban on the transfer of stocks of fissile material for nuclear weapons.

Next, I would like to touch upon the issue of definitions. Bearing in mind the intent and purpose of an FMCT, Japan’s basic approach to definitions is that they should be as broad as possible while not adversely affecting the peaceful uses of nuclear energy.

From this perspective, Japan believes that the general purpose criterion is most appropriate for an FMCT. You can find this approach in other disarmament treaties such as

the Chemical Weapons Convention and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. This would prohibit the production of any fissile material for the purpose of use in nuclear weapons or other nuclear explosive devices. The dual nature of fissile material, like in other disarmament treaties, makes this approach relevant to an FMCT. If a clearer definition is needed, we believe that the definition of special fissionable material in article XX of the IAEA Statute could provide a basis for such a definition.

Some may argue that if we adopt too broad a definition of fissile materials to be prohibited from production for weapons purposes, we will face practical difficulties in carrying out verification. We understand the logic behind those arguments, but consider that the scope of “fissile material” in terms of verification should be discussed rather in relation to verification issues.

Turning to verification, there are many different approaches to the verification of the core obligation of an FMCT, which is a “ban on production of fissile material for nuclear weapons or nuclear explosive devices”. We believe that the core obligations of an FMCT could be verified in the following four ways: confirmation that the amount of fissile material stock for nuclear weapons or nuclear explosive devices has not increased from the date an FMCT enters into force; confirmation that the reactors and facilities for the production of fissile material for nuclear weapons or nuclear explosive devices that are closed down, decommissioned or converted to non-nuclear-weapon uses remain in this state; confirmation that fissile material which has voluntarily been declared as excess as a result of nuclear disarmament is not reverted back to nuclear-weapon purposes; confirmation that fissile material for non-nuclear-weapon purposes has not been diverted to nuclear-weapon purposes. I will stop here concerning verification so that I do not get into the details of the argument on these four verification methods.

Moving on to stocks, this issue has often been hijacked by the general question of whether to include existing stocks in the scope of an FMCT. We prefer to propose that this issue should be discussed based on what the question of “existing stocks” and “inclusion in the scope” mean under an FMCT.

We would suggest three different categories of stocks: stocks for nuclear weapons purposes; stocks for non-explosive purposes, namely conventional military purposes; stocks declared excess to military requirements.

Firstly, we must wait until discussions converge on whether to include a future reduction/elimination obligation for the first category of stocks. However, at the very least, transfer to a third country should be banned. Additionally, it would be worth examining the addition of strict State accounting and control obligations, transparency-enhancing measures, such as voluntary declarations, and physical protection obligations from the perspective of strengthening nuclear security.

Next, in relation to stocks for non-explosive purposes, it will be necessary to at least include a prohibition on diversion to nuclear-weapon purposes and a prohibition on transfer to a third country.

Lastly, the “reversion” of stock declared excess to defence purposes, in other words, its diversion to nuclear-weapon purposes, should be prohibited. In addition, for stocks declared as excess, it might be possible to consider making it an obligation to place under verification and to reduce and eliminate such stocks in the future.

Over the last few years, we have discussed these FMCT issues over and over. It is high time to start negotiations. At the same time, however, close technical and scientific examinations are overdue. In this regard, Japan looks forward to discussing these issues in

plenary meetings and also in depth at a technical side event with the participation of experts.

Mr. Peláez (Argentina) (*spoke in Spanish*): Mr. President, as at the last plenary session, my delegation is interested in continuing the exercise that you have suggested, that is, concentrating on a few agenda items.

On this occasion, with regard to both items 1 and 2, I would like to address the issue of banning the production of fissile material for nuclear weapons or other nuclear explosive devices. Without dwelling on the advantages that the start of negotiations on such a treaty would bring to the work of the Conference, as reflected in our ongoing discussions on the programme of work, I would like to concentrate on the substantive aspects of a possible negotiation. In recent years we have enriched our exchanges through a long series of informal meetings of the Conference on Disarmament. The reports from the various coordinators of those meetings serve as an extremely useful guide in identifying the important aspects of a future treaty.

In this regard, allow me to make the following observations. First of all, with regard to the issue of aims and objectives, my delegation believes that an FMCT should be a tool to prevent nuclear proliferation as well as an instrument that promotes general and complete disarmament. Secondly, with regard to definitions, we agree with the position that a definition of fissile material should take into account the suggestions put forward by IAEA under the safeguards agreements in the case of direct-use materials, such as highly enriched uranium and plutonium. Some type of special provisions could be considered, however, for other materials that, while not direct-use, can be used to manufacture nuclear weapons. In direct relation with this point, we consider it essential that the scope of the instrument should clearly and unequivocally exclude nuclear fuel cycle activities and materials for peaceful use. In other words, each country's inalienable right to engage in the peaceful development of nuclear energy, including the production of highly enriched uranium, must be protected.

Thirdly, work was done in the discussions held in previous years on identifying a lowest common denominator, namely that the treaty should prohibit future production. Taking this baseline into account, the treaty's potential should not be limited a priori by banning materials, facilities or processes that might be subject to the treaty under different obligations and with different objectives and levels of verification. We note the political sensitivity of the issue of stocks, but it must be recognized that the existence of direct-use material in unknown quantities and locations that are not subject to verification introduces an element of uncertainty in any future treaty.

Fourthly, Argentina still maintains that any disarmament and non-proliferation instrument requires a credible verification mechanism in order to be effective. In the case of the FMCT, the mechanism must be established on the basis of the principles of non-discrimination and irreversibility. This is why the challenge is to design a verification system that achieves a proper balance between this limitation and what States consider to be credible, for example by making stocks subject to variation monitoring.

We should take into account the contributions of IAEA on this issue, which could facilitate our discussions. My delegation continues to maintain the logic of a focused approach in the search for a balance between an acceptable level of verification and unnecessarily costly mechanisms that place excessive burdens on States.

It is worth mentioning, for example, the technical and institutional experience built up by IAEA with regard to verification — for example within the framework of the Tripartite Initiative — which would be extremely useful when we analyse and agree on possible verification arrangements for the FMCT.

Lastly, although it has been recognized as an indispensable aspect of any future treaty, it is worth restating our position that any verification mechanism adopted should not impose new obligations on the non-nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) over and above the existing verification mechanisms agreed upon with IAEA.

Mr. Khabbaz Hamoui (Syrian Arab Republic) (*spoke in Arabic*): Mr. President, I, in turn, trust that you will allow me, before I deliver my statement, to welcome the excellent and pragmatic statement that we heard a short while ago from the distinguished Ambassador of Brazil.

The Conference on Disarmament will begin its work for this year under your presidency. We are all confident that the Conference will be able to achieve tangible progress in its work, thanks to your efforts as well as the efforts of the presidencies of the Conference in 2011. There is a growing conviction about the importance of the Conference, despite the criticism and reservations that have been expressed and the insinuations that have been made. However, as has been mentioned by many representatives, the success of the Conference depends on there being goodwill in certain major capitals and a genuine desire to achieve progress, as well as on there being clear political goodwill. I would like to recall that goodwill is a vital factor that has enabled the Conference to move forward. Our adoption, by consensus, of decision CD/1864 in May 2009, which was drafted by Ambassador Idriss Jazaïry of Algeria, is an excellent example of how mutual respect and an understanding of the issues that all parties face can bring about positive results – quite the reverse of putting pressure on people or disregarding their rights and interests.

No one at this conference can deny the importance of negotiations on one of the core issues of the Conference, namely, a fissile material cut-off treaty (FMCT). However, what is strange and worrisome is why the focus on such a treaty. Why are the three other core issues ignored when they are just as important as the FMCT? Indeed, some may be even more important. How can negotiations take place on the FMCT, while its second important core component, namely, the elimination of stockpiles, which is called for in article VI of the Non-Proliferation Treaty (NPT), is ignored?

In our region, which is described by the world as a hotspot, one State is steadily developing its nuclear arsenal and producing numerous components, notably fissile material, for deadly nuclear weapons, without being subject to any oversight, verification or inspections on the part of the International Atomic Energy Agency, because that State refuses to accede to the NPT. How can the countries of the region and of the world accept such a bizarre situation and commence negotiations on the FMCT under such circumstances, while that State threatens its neighbours and shows complete contempt for the principles of international legitimacy? Does it make sense for the countries of the region and the world to accept this anomalous situation which someone wants to foist upon us, a situation where there is no indication that that nuclear State needs to eliminate its stockpiles and allow international bodies to inspect its nuclear facilities and sites?

We recall the statement by the Group of 21, which was delivered by the Group's coordinator in February 2010. In it, the Group expressed its conviction that nuclear disarmament and non-proliferation were two interrelated processes of equal importance. It said that negotiations on nuclear disarmament must begin and must address other core issues, and that the understandings which emerge from the negotiations must be acceptable to all and must take into consideration all parties' national, regional and international security concerns.

There is no doubt that negotiations on an FMCT that are conducted in accordance with procedure and are based on two key criteria namely, effective verification and the elimination of stockpiles, will be a step forward. However, it would be preferable if such

negotiations were to be accompanied by meaningful efforts to negotiate on the other issues, including nuclear disarmament, negative security assurances and preventing the militarization of outer space. Furthermore, negotiations on an FMCT will be beneficial and effective if they are viewed as part of the nuclear disarmament process.

In conclusion, the Syrian delegation will demonstrate its openness and responsiveness and will cooperate with you, Sir, and with the future Presidents. It hopes that a climate of understanding of all parties' interests and concerns will prevail in our work, and that an atmosphere in which criticism, intransigence and accusations prevail will be eschewed.

Mr. van den IJssel (Netherlands): Mr. President, let me start by expressing our thanks to you and commending you and your team on your excellent guidance. You can count on our full support for the remaining period of your presidency. Let me at the outset say that I fully align myself with the statement made on behalf of the European Union and that we would like to add some remarks from our national perspective.

Believing in progress in multilateralism, as is often said, is witnessing the setting backward of 999 steps, but continuing to hope for that step number 1,000 forward. We have not lost hope, as far as these negotiations are concerned, for that step number 1,000 to come.

I would like to thank you for this opportunity to discuss the topic of a fissile material cut-off treaty (FMCT) during the plenary session of the Conference on Disarmament. As my delegation has made clear on numerous occasions in the past, the Netherlands attaches the utmost priority to the early start and conclusion of negotiations on a verifiable FMCT. We are convinced that an FMCT would serve the security interests of all members of the Conference on Disarmament and the wider international community, both from the perspective of nuclear disarmament and for reasons of promoting nuclear non-proliferation. As was stated by my Japanese colleague last week, and he repeated it today, I cannot imagine any road towards a world free from nuclear weapons without first banning the production of fissile materials for nuclear weapons.

The Netherlands has always been in favour of a step-by-step approach as the best way to achieve nuclear disarmament. Negotiations on an FMCT would constitute the next logical step for the Conference on Disarmament if it takes its work on nuclear disarmament seriously. We see an FMCT as an essential pillar to complement the existing nuclear treaty regime. In our view, the "all-or-nothing" approach advocated by some States, whereby all attention should be focused on a treaty banning the use and possession of nuclear weapons, and intermediate steps are disregarded, is neither credible nor realistic.

We see no reason to further delay the start of these negotiations. The subject has been on the table in the international arena for at least 20 years. A lot of groundwork for an FMCT has already been undertaken. Over the years, we have discussed the topic both formally and informally in the Conference on Disarmament. Also, outside the Conference a lot of work has been done, and this has been very well documented. One example is the detailed work done by the International Panel on Fissile Materials (IPFM).

In this context, I would like to refer to document CD/1878. With this document, the Netherlands, together with Japan and Canada, transmitted a draft FMCT treaty with article-by-article explanations for consideration to the Conference on Disarmament. Although not reflecting our national position in its entirety, this draft contains many useful elements. A lot of work has been done; a lot of information is available. However, I agree with my Australian colleague that we could still all benefit from learning about technical perspectives of some of the relevant issues regarding an FMCT.

Turning to the content of an FMCT, as was again illustrated during the high-level meeting in New York last September, there is wide international consensus on the need to put a cap on the production of fissile material. For the Netherlands, the flexible Shannon mandate is still a good starting point for our negotiations. We are flexible as far as the inclusion of pre-existing stocks of weapons-grade fissile material in future negotiations is concerned. The Shannon mandate is a sufficient basis for discussing this issue in the context of negotiations. A flexible or phased approach could also be an option, as proposed by Brazil last year. A future FMCT should aim for maximum transparency and verifiability. IAEA and the IAEA safeguards system should play a role in this respect. A treaty, in our view, should include, apart from a ban on production, a ban on transfers, acquisition and related assistance activities.

It is clear that we may have different views on what an FMCT in its final version should look like. In that respect an FMCT is not different from many other international instruments, including the ones which have been negotiated successfully in this chamber. However, like other treaty negotiations, all States will have the opportunity to defend their national interests during the negotiations, as all individual States will have to make a decision at the end of the process whether they can or cannot support the result.

I remember (and I hope my memory serves me well, otherwise I apologize to my Chinese colleague) having just arrived here in the Conference on Disarmament as a newcomer, being still impressed by the excellent company here, and that after a long discussion on negotiations on an FMCT, our distinguished Chinese colleague said, quoting Nike perhaps, "let's just do it". Almost one and a half years later nothing has happened, but I still hear these words and I still like them. Let's just do it! We stand ready, Mr. President.

Mr. Gartshore (Canada) (*spoke in French*): Everyone in this room is probably aware that Canada attaches great importance to the opening of negotiations on a treaty to ban the production of fissile material for nuclear weapons. In 1995, the former Ambassador of Canada, Gerry Shannon, led a consultation process that resulted in agreement between the members of the Conference on Disarmament on a mandate for negotiations. That mandate continues to enjoy widespread support. More recently, in the First Committee of the United Nations General Assembly, Canada led the process to adopt a resolution on a treaty to ban the production of fissile material. Consensus was reached on that resolution in 2009. Although consensus was, unfortunately, not reached in 2010, it remains clear that the overwhelming majority of Member States of the United Nations and members of the Conference support the idea of holding negotiations on such a treaty.

Canada remains firmly committed to the negotiations on this treaty, as outlined in the Shannon mandate and set forth in document CD/1299, whereby the provisions of any treaty banning the production of fissile material must be addressed in the negotiations themselves. Although Canada holds certain views on many of these points, it is only through negotiations that we will be able to pinpoint the difficult political and technical issues involved. This process will, of course, require much of this Conference's time and attention. But we must start now if we wish to end ongoing vertical and horizontal proliferation of nuclear weapons.

In recent years, Canada has clearly stated its initial positions on the many aspects of a treaty on fissile material that should be considered in the negotiations, including three interrelated elements, namely, the scope of the treaty, the definitions that it would contain, and how its implementation would be verified. I would like to briefly present some of Canada's views on each of these three elements. Of course, these broad views are subject to review and will be developed once the negotiations on a treaty finally begin.

Setting an appropriate scope for the treaty is integral to its effectiveness, because it will enable the elements covered by the treaty to be defined and will thus determine which

facilities must be subject to checks and inspections. In determining the scope of the treaty, we must also address the use of fissile material for purposes other than the manufacture of arms.

Furthermore, existing stocks of fissile material remain a difficult and contentious issue. In documents CD/1578 and CD/1770, submitted in March 1999 and May 2006 respectively, Canada put forward proposals in which it attempted to define steps to address the challenges posed by existing stocks of fissile material by means of transparency measures, reporting and removal techniques.

(spoke in English)

In the light of the hour, I will abridge my remarks, but the full text has been distributed, I believe. I turn now to the question of definitions.

Defining “fissile material” and “production” will depend on decisions regarding the scope and verification provisions of an FMCT. Any definition of material used in an FMCT must be broad enough to ensure that all fissile material relevant to weapons purposes, now or in the future, is captured under its provisions. Canada is in favour of adopting relevant IAEA terminology wherever appropriate in an FMCT. For example, IAEA defines “unirradiated direct-use material” as nuclear material that can be used for the manufacture of nuclear explosive devices without transmutation or further enrichment. These definitions appear in a number of FMCT-related documents, including the Australian working paper (CD/1775), the United States draft treaty text (CD/1777) and the draft treaty text by the International Panel on Fissile Material (CD/1878).

Concerning verification, the general parameters for a verification and compliance framework include five broad elements: an initial declaration; an assessment of the declaration; a continuous monitoring and evaluation process; a conclusion based on the results of this verification process; and, lastly, a means to address non-compliance.

As set out in document CD/1819 by Canada, the IAEA safeguards model that includes a comprehensive safeguards agreement and an additional protocol demonstrates that the verification of undeclared use of nuclear material is possible in NPT non-nuclear-weapon States. Under the strengthened safeguards regime, IAEA has enhanced its capability to provide credible assurances of the absence of undeclared nuclear materials and activities.

In conclusion, the challenge ahead of us will not be easy to address, but, with ingenuity and political will, we shall surely be able to find common ground on this critical next step. As my delegation said on Tuesday of this week, and will continue to elaborate on, Canada believes strongly that the negotiation of a treaty banning the production of fissile material for nuclear weapons is the next practical step to putting a definite halt to the nuclear arms race and to creating the conditions necessary for achieving a world free of nuclear weapons.

Mr. Jazaïry (Algeria) *(spoke in French)*: Over the years, we have frequently had problems knowing how to fill the meetings of the Conference on Disarmament. This morning, for the first time, you informed us that we should try to be brief because we were in danger of running out of time. I see this as an auspicious development. Insha' Allah.

In line with your proposal, today my delegation will touch upon the issue of fissile material for nuclear weapons or other nuclear explosive devices.

I must say that, like the delegation of Turkey, my delegation was inspired by the wisdom and depth of the comments made this morning by the Ambassador of Brazil, Mr. de Macedo Soares, and I would like to express my thanks to him in that regard.

Algeria supports the opening of negotiations on a treaty banning fissile material for the production of nuclear weapons or other nuclear explosive devices, in accordance with the Shannon report (document CD/1299) and the mandate contained therein. We look forward to the opening of these negotiations within the framework of decision CD/1864, or any consensual initiative that follows the same logic, with a view to eventually holding negotiations on nuclear disarmament, which — I wish to emphasize this, like Ambassador Soares — remain the top priority for the Conference. In this context, I wish to thank Mr. Faysal Khabbaz Hamoui, Ambassador of Syria, for his words of praise.

The Shannon report reproduces the agreement reached in pursuance of United Nations General Assembly resolution 48/75 on that issue. It provides criteria for conducting negotiations and the elements of such a treaty. The treaty would be non-discriminatory, multilateral and internationally and effectively verifiable.

In that regard, I would like to talk about the objective and scope of that instrument and the means by which it could be verified.

The treaty that we are working for should enable us to put in place a binding, non-discriminatory legal norm to be imposed on all States. This norm would ban the production of fissile material for nuclear weapons or other nuclear explosive devices. The treaty would also seek to prohibit the diversion of fissile material destined for civilian use for prohibited purposes or the diversion of material recovered as a part of measures to reduce nuclear arsenals.

Turning now to the scope of the treaty, we believe that the fissile material covered by the ban should include all material that could be used for prohibited purposes. However, the ban should not apply to fissile material intended to be used for peaceful purposes as nuclear fuel or for ship propulsion.

My country also believes that the treaty we seek should meet the objectives of both nuclear disarmament and non-proliferation. As was highlighted by the Group of 21 in document CD/1549, the treaty must constitute an element in a process leading to the complete elimination of nuclear weapons. I echo the views expressed by Ambassador Hamoui of Syria on this subject. The conclusion of this instrument was one of the measures adopted by consensus at the 1995 and 2000 NPT Review Conferences with a view to implementing article VI of the NPT on nuclear disarmament. Within the framework of the negotiations on this instrument, we should not limit our focus to a ban on future production; it is important to address the issue of existing stocks, as allowed under the terms of the Shannon report.

Dealing with this issue would also address the need for transparency, since it should then be possible to ascertain the level of existing stocks and thus ensure compliance with commitments made.

To ensure its credibility, the treaty should be complemented by an effective verification mechanism. To that end, the treaty should allow the timely detection of any violation or diversion of fissile material for prohibited purposes.

The verification regime should not be limited to military installations. This may be ambitious and complicated, but we advocate a broader approach in order to meet the objectives of the treaty as we see them. The treaty should include a system of safeguards for all materials, activities and nuclear facilities, whether these are civilian or military in nature.

The goal of this instrument is identical to that of the NPT. Therefore, we believe that the treaty's verification mechanism should draw on the provisions of the NPT, the safeguards agreements based thereon and the definitions of fissionable material contained in article XX of the Statute of the International Atomic Energy Agency. In that connection,

we would like to highlight the usefulness of the arguments employed on this subject this morning by Ambassador Suda of Japan.

Moreover, for the verification regime to be effective, adequate transparency vis-à-vis fissile material production and stocks will be required. In this context, inventories must be compiled of military and civilian fissile material, including material recovered from nuclear weapons that are covered by bilateral accords and unilateral measures to reduce nuclear arsenals. This is essential to ensure compliance with, and the irreversibility of, the commitments that are made.

It is still premature to decide which body should be responsible for verifying treaty implementation. However, we believe that, on the basis of its mandate, experience and expertise, the International Atomic Energy Agency could play an important role.

Although the Conference has been unable to adopt its programme of work, all parties agree on treaty verification. There is, moreover, a broad consensus in favour of addressing the issue of stocks. We hope that this is a harbinger of a new, positive outlook, or even a convergence of views.

(spoke in English)

From what we have heard this morning, we know that some participants in this meeting still stick to the idea of placing a cap on the head of the monster of stockpiles of fissile materials to hold it at bay. Many of us, however, feel that you don't control a monster by just capping it. We Africans would not advise putting a cap on the lion's head by way of self-protection. If one is serious about nuclear security, one has to cut the monster down to size.

(spoke in French)

If we wish to give practical meaning to the principle of irreversibility in disarmament, the treaty must be concluded for an open-ended period.

Concluding such a treaty is not an end in itself. It is a way to strengthen international peace and security. The conclusion of such a treaty, coupled with the Comprehensive Nuclear-Test-Ban Treaty, which we hope will enter into force soon, would strengthen the nuclear non-proliferation regime. The treaty would thus put an end to the further refinement of nuclear weapons and encourage nuclear disarmament. It would also constitute a way to counter the threat of nuclear terrorism. And, finally, a treaty along these lines would help reduce concerns related to the problem of the nuclear fuel cycle and uranium enrichment for peaceful purposes.

Progress in the negotiations on this treaty should, at the same time, also facilitate a start to negotiations on multilateral instruments on the other core issues, namely nuclear disarmament, negative security assurances and the prevention of an arms race in outer space.

In conclusion, the Conference remains the appropriate framework for negotiating this treaty. In this regard, we share the position expressed by our colleague Mr. Loshchinin, Ambassador of the Russian Federation, at the plenary session on 1 February, that discussing this issue in parallel frameworks would be counterproductive.

Ms. Arango Olmos (Colombia) *(spoke in Spanish)*: Ever since the invention of the atomic bomb, the world has witnessed the pernicious effects of nuclear weapons. The nuclear threat has been endangering the very existence of humankind. Even so, the international community has not banned these deadly weapons of mass destruction.

The only way to rid ourselves of this threat is to completely eliminate nuclear arsenals. This is why we insist on the urgent need for a legally binding international

instrument banning the development, production, stockpiling and use of nuclear weapons. This is one of the unfinished tasks of the Conference on Disarmament.

We are convinced that elements exist to help us move forward towards this objective. The proposals submitted by some delegations, and the positions held by countries and groups of countries such as the G21, for example, are central to our discussions and possible negotiations to establish a world free of nuclear weapons. Equally, the current international disarmament situation provides us with the perfect opportunity.

Colombia supports the participation of civil society in this process. We believe that its contributions can benefit our work, as is the case in other multilateral disarmament forums. However, we recognize that the capacity to negotiate and take decisions rests with the member States. Meanwhile, there are already international instruments that can help us to move forward towards a world free of nuclear weapons, including the Non-Proliferation Treaty, the cornerstone of the disarmament and non-proliferation system in that it lays down the obligation of the nuclear-weapon States to take measures to stop the race to acquire and develop this type of weaponry and achieve full nuclear disarmament. In this regard, Colombia reiterates that it is imperative to achieve the universal adoption and effective implementation of the NPT, particularly its three pillars: disarmament, non-proliferation and the peaceful use of nuclear energy. In this regard, we urge the nuclear-weapon States to honour their unequivocal commitment to eliminate their nuclear arsenals, with a view to general and complete nuclear disarmament.

We also emphasize the need for the universal adoption of the Comprehensive Nuclear-Test-Ban Treaty in order to prevent not only the production of new nuclear weapons, but also the upgrading of existing weapons, and to rid the planet of the after-effects of radiation. From this perspective, we make a special appeal to the annex II States to sign and ratify this instrument. Until this treaty enters into force, a moratorium on nuclear testing should be applied. Another factor that is key to reaching the goal of nuclear disarmament is strengthening the role of the International Atomic Energy Agency in verifying and ensuring that nuclear programmes are solely and exclusively of a peaceful nature. We therefore call on States that have not yet done so to sign and ratify the safeguards agreements and additional protocols.

Colombia also underscores the importance of the treaties on establishing nuclear-free zones, which constitute perhaps the greatest contribution to the disarmament regime and a positive contribution to international peace and security, as reflected in the second Conference on nuclear-weapon-free Zones, held on 30 April 2010 in New York. In this regard, we reiterate the need to strengthen existing zones and call for the establishment of new ones. Likewise, we can and should move forward as far as possible in our discussions until we achieve the objective of adopting an instrument banning the use of nuclear weapons. Colombia reiterates the importance of disarmament and non-proliferation education as a way of transforming antiquated visions and paradigms and generating a culture of peace. Building confidence among countries is also essential to this effort, especially in regional settings.

In conclusion my delegation would like to highlight two final thoughts. Firstly, we wish to reiterate that it is the inalienable right of all States to develop nuclear energy for peaceful purposes, in accordance with articles 1 and 2 of the Non-Proliferation Treaty. We emphasize the importance of international cooperation to promote the exchange of equipment and materials, as well as the training of human capital in nuclear science, which is necessary for the realization of this right. In this regard, the International Atomic Energy Agency, which is the primary promoter of the peaceful use of nuclear energy, can contribute to States' socioeconomic development.

Secondly, Colombia would like to emphasize the new dimension added to the proliferation of nuclear weapons by the threat that this type of weapon of mass destruction might be used by terrorists and illegal armed non-State actors, as has been recognized in various international instruments and decisions, including the International Convention for the Suppression of Acts of Nuclear Terrorism and Security Council resolution 1540. Colombia feels a duty to warn the international community about this risk.

We believe that nuclear disarmament is not an isolated issue; on the contrary, it is a process that is closely linked to other global challenges. Eliminating the nuclear threat would allow us to concentrate on solving the serious problems facing us all, such as poverty, pandemics and climate change. The international community longs for a peaceful and safe world, free from nuclear threat. This Conference has the moral duty to further this objective and comply fully with this expectation. We hope that political will and the spirit of compromise will prevail, and that within the framework of the Conference on Disarmament we can make decisive and substantial progress towards establishing a world free from nuclear threat.

Mr. Rojas Samanez (Peru) (*spoke in Spanish*): Mr. President, let me first congratulate you on taking the Chair of our Conference and wish you every success in your work. My delegation renews its full commitment to meeting the objectives that have been outlined in this first, and I would say fundamental, stage of this year's session of the Conference.

After three years and, even more importantly, after the States Members of the United Nations held a high-level meeting last September to review the state of the multilateral machinery for disarmament, the Secretary-General of the United Nations, Ban Ki-moon, addressed us last week urging us to overcome once and for all the paralysis that has encumbered the Conference for a long while. Throughout this period, through we have not been able to adopt a programme of work which would lead us to the start of substantive negotiations, we have not been sitting idly by. As we all know, the Conference, and in particular all the Presidents in succession, have made and continue to make multiple efforts to respond to the enormous challenges to our Conference posed by the complex political context of security for all nations. Throughout the past decade and a half we have designed various formulas and mandates, we have established a series of ingenious consultation mechanisms, we have agreed on many formal and even informal levels on which we have addressed the issues that concern us, and we have done so. We have grouped, prioritized and organized our issues in a variety of ways, all with the sole purpose of smoothing the way for the political will to move forward to prevail once and for all so that we may begin work.

My country believes that looking for the reasons for this so-called paralysis in the rules of procedure governing the Conference or the way it is conducted is unfortunately a case of getting the wrong end of the stick, as the saying goes. This vision or perception could unfortunately lead us to an even more delicate situation in which not only does our Conference become irrelevant and obsolete, but we are also unable to replace it with another, functional body that would provide us with greater assurances, precisely because of those same overarching constraints that prevent us from moving forward today.

We all bear the heavy responsibility to ensure that the conditions enabling multilateral institutions to promote and guarantee peace, security and disarmament, particularly nuclear disarmament, exist and are strengthened. However, we believe that the nuclear-weapon States have a special responsibility, which is why my country is making a special appeal to each one of those States to set aside individual considerations of security and deterrence in exchange for global and collective considerations that, without compromising the security of each State, will enable our planet to move ever further away

from the ominous threat of nuclear annihilation. This goal has been and must continue to be our first priority with regard to disarmament.

A few weeks from now my country will have the honour of hosting a regional conference entitled “Peace, security and development in Latin America”, during which we will discuss various initiatives on disarmament and arms control. Our region, Latin America, has always been at the forefront of disarmament and is currently engaging in efforts in conventional disarmament, especially for weapons with serious humanitarian consequences. More than 40 years ago, Latin America took a key step in paving the way for nuclear disarmament by making our region the first nuclear-weapon-free zone in the world. This was achieved, in the midst of an extremely inauspicious and delicate international situation, thanks to the vision and relentless commitment to peace shown by figures such as Ambassador García Robles of Mexico, who has left us all with the great lasting lesson of what can be achieved if we focus on genuinely collective security.

My delegation is ready to begin substantive work immediately, within the framework of the Conference, on the four topics we have designated as core issues, and we join those who have expressed support for the proposal made by Secretary-General Ban Ki-moon that we should begin informal preliminary negotiations without further delay on the issue of fissile material for nuclear weapons, in the broadest sense possible and encompassing all aspects, including those related to production, verification and the reduction of stocks. We believe that only through a detailed review of all facets of this urgent issue will we be able to determine what is technically and politically feasible. We view the Shannon mandate as a fundamental guide for addressing this issue, but we do not see that it places any limits on dealing with all — and I emphasize all — aspects of fissile material for nuclear weapons, which need to be taken into account in order to establish a legally binding international instrument on the issue.

Until we begin these negotiations, even in a preliminary manner, the Conference must not lose sight of or in any way stop considering the other key issues: nuclear disarmament, negative security assurances and the prevention of an arms race in outer space. The level of agreement on those issues varies, as does the technical and legal progress achieved. While for some issues we have yet to reach a basic consensus, for others we have full proposed legal texts. My delegation therefore believes that a balanced treatment of all the issues set out in the agenda we adopted in 2009 under the presidency of our colleague from Algeria, Ambassador Jazaïry, or that contained in document CD/1889 proposed by Ambassador Macedo Soares of Brazil during his presidency, would serve as the best foundations from which to adopt our programme of work during this first part of our 2011 session.

Mr. Hoffman (Germany): My delegation welcomes the opportunity to discuss key topics on our agenda. At the same time we would like to underline that the task of the Conference on Disarmament is to negotiate and, hopefully, to agree on legally binding instruments in the field of disarmament and non-proliferation. We call upon all sides concerned to continue to make every effort to achieve that objective.

Today we discuss the issue of a treaty dealing with fissile material. My delegation fully supports the statement made by the European Union.

Since the 1950s, advocates of nuclear disarmament have sought a treaty that would cap the amount of fissile material available for nuclear weapons and lay a basis for irreversible reductions of nuclear weapons. It is fair to say that today the international community is close to being unanimous in seeking to open negotiations on this issue in the Conference on Disarmament.

There are indeed compelling reasons why an FMCT continues to be what is often referred to as the “next logical step” in nuclear arms control and non-proliferation. Let me

cite some of them. An FMCT would offer a unique opportunity for creating a non-discriminatory common denominator imposing essentially equal obligations on nuclear-weapon States and non-nuclear-weapon States alike. It would also help a great deal to enhance nuclear material security, not least in view of preventing the risk of such material falling into the hands of non-State actors. It would establish transparency with regard to current nuclear complexes where there is no transparency yet. Therefore, imposing a cap on nuclear arsenals would obviously constitute another important milestone in a well-calibrated, step-by-step-approach towards a world free of nuclear weapons.

So, the benefits of an FMCT are compelling. Collaboration in bringing about an FMCT can serve global and national interests alike. Nonetheless, hopes of starting actual negotiations on this issue have been frustrated for decades. We are pleased that some of the obstacles of the past like linking the opening of FMCT negotiations with other issues or raising doubts about the verifiability of an FMCT have, at long last, been overcome, and we appreciate that the partners concerned have moved on in this regard.

However, unfortunately, the Conference on Disarmament is now faced with a situation where it is essentially only one member State, namely Pakistan, which openly resists the opening of international FMCT negotiations because of national concerns regarding certain developments concerning civilian nuclear cooperation. Ambassador Akram explained his concerns on 25 January 2011 in this chamber that this would “further accentuate the asymmetry in fissile material stockpiles in the region, to the detriment of Pakistan’s security interests”.

Allow me to take a look at this statement. First, we think that States should consider very carefully whether they want to take it upon themselves to prevent the entire international community in its effort to start a process of exploring mutually acceptable solutions in negotiations.

This means in practice, let us be clear about this, condemning the Conference on Disarmament to further stalemate. I would recall the words of the Secretary-General of the United Nations in this chamber on 26 January: “members ... must accept that this privilege [of the consensus rule] comes with responsibility ... one or two countries must not be able to block the process indefinitely”. In fact, we do not think that it can be in the long-term interest of any State to block the opening of negotiations which nearly the entire international community is seeking.

Secondly, we have taken note with interest of Ambassador Akram’s observation in his statement of 1 February 2011 that “a treaty that will ensure reduction of fissile material stockpiles as well as banning future production” would be “a much more meaningful objective”. Ambassador Akram went on to say that this was in his assessment “a goal that the majority of the international community supports”. Now, if this is Pakistan’s assessment of the situation, and he may be right, would it then not be worthwhile working on this very point in negotiations? As we are all aware, the Shannon mandate does not explicitly preclude any delegation from raising this very issue.

Germany has for a long time been among the advocates of a treaty on fissile material. We have tried to make our conceptual contributions, for instance, with a working paper entitled “Creating a new momentum for a fissile material cut-off treaty”, submitted to the 2008 Preparatory Committee for the 2010 NPT Review Conference. In late 2009, when we were still hopeful that FMCT negotiations would commence soon, we hosted a seminar on an FMCT in Berlin, in which a number of colleagues around this table actively participated.

My delegation looks forward to more detailed discussions on key provisions of a treaty dealing with fissile material. Allow me at this juncture to highlight only a few basic elements. An FMCT should encompass a ban on the production of “direct use” fissile

material for nuclear weapons following IAEA definitions; a ban on the transfer of fissile material produced for civilian use before or after entry into force of an FMCT to nuclear-weapons-related purposes; a ban on the reuse of fissile material derived from disarmament measures.

With regard to the controversial issue of stockpiles, we believe that there will be a need to strike a balance between opposing approaches. What form respective measures could take will depend on many factors which will have to be considered at the appropriate time. What can be said, at this point, is that, as a minimum, transparency will be an issue high on our agenda so as to make an FMCT a meaningful exercise.

Lastly, of course, verification will be of key importance. The system will naturally depend on the treaty's scope, but, as a matter of principle, we will argue in favour of a non-discriminatory, multilateral and effective system of verification, where the same rules apply to all States parties. My delegation will be most pleased to engage in further discussions on these issues.

Ms. Higgie (New Zealand): As my delegation emphasized in a recent statement on the issue of nuclear disarmament, New Zealand has consistently supported the commencement of negotiations on a fissile material treaty. We have long maintained that such an agreement will represent a substantive contribution to both non-proliferation and nuclear disarmament.

The longer negotiations on these issues are delayed, the greater the amount of fissile material that will come into existence and the greater will be the potential for increasing the number and size of nuclear arsenals.

There are a number of approaches that can be taken to the conduct of negotiations on a fissile material treaty. I am not referring here to the procedural question of how it is that we get negotiations under way. Rather, I want to focus on some of the elements of a fissile material regime; and I use the term regime advisedly, since there may well need to be more than a single product or treaty resulting from our work on this issue. A regime or framework approach may prove to be one means of narrowing and even accommodating the difference of opinion, for instance, which persists on the question of the inclusion of existing stocks of fissile materials.

Allow me at this point to refer to the latest report of the respected International Panel on Fissile Materials. The Panel's introduction to its report notes that its focus in 2010 has been on providing new estimates of the historic production and current holdings of highly enriched uranium (HEU) and plutonium for the six nuclear-weapon States that have not yet declared their holdings of these materials. Secondly, IPFM reviews the official declarations of fissile material production and stocks by the United States and the United Kingdom. Thirdly, the Panel provides data on highly enriched uranium and plutonium in non-nuclear-weapon States.

Clearly, the Panel is of the view that accurate information on highly enriched uranium and plutonium production and stocks is a necessary prerequisite to progress on nuclear disarmament. The Panel believes that current fissile material stockpiles are larger than is required to support today's nuclear weapon arsenals, and that it would be possible for the weapon States to declare significant amounts of fissile material as excess to military use. One can but support the Panel's conclusion that this research strengthens the case for all nuclear-weapon States to make public more information about their fissile material production and stockpiles.

A second significant conclusion in the Panel's report is that since most weapon States have ceased fissile material production for nuclear weapons, those States could foster transparency and confidence about past fissile material production activities in a number of

ways. For example, the Panel has suggested that cooperative initiatives could be developed in order to compare procedures used in shutting down production facilities and finalizing the accounting of materials hitherto produced. Their thinking is that this will help in refining the methods of verifying country declarations of fissile material holdings.

It is apparent from the Panel's report that it is not too early, even before we get to the negotiating table, to explore the prospects for practical steps at the national level to help mould the eventual outcome of the negotiations. Cooperative initiatives of the kind suggested by IPFM are one example; the official declarations of fissile material production and stocks by the United States and the United Kingdom, which I referred to earlier, are another example that will also contribute to the development of effective verification measures for the new regime.

I do not intend to dwell on verification issues in this statement, but I do want to touch on the matter of declarations of fissile material holdings in the context of broader discussion on possible approaches in our negotiations to the treatment of existing stocks. In doing so, I wish to draw attention to the excellent working paper which Australia tabled in the 2010 session of the Conference (CD/1895), which provides very clear insights into the possible contents of a fissile material treaty and possible parallel instruments such as declarations.

A treaty which banned the future production of fissile materials, and at the same time imposed obligations on disclosing, reducing and eliminating existing military stocks in a verifiable manner, would certainly be the optimal outcome of our negotiations. This would maximize the non-proliferation and nuclear disarmament value of the instrument. But a range of other solutions can also be postulated.

A fissile material treaty may indeed only be feasible in the context of a framework approach, with the treaty itself being supplemented by protocols negotiated on a multilateral basis, or by unilateral declarations given by the relevant States. These other instruments could be negotiated in parallel to the treaty negotiations or following the conclusion of the treaty – and they would ideally be of a legally binding nature.

One could envisage, for instance, that existing stocks might be made the subject of declarations requiring possessing States to implement State auditing practices under which weapons-grade material would be subject to controls. To be consistent with the NPT, of course, any such declarations should foreshadow progressive reductions of those stocks by States that are party to the NPT.

Declarations would, at the least, serve to specify the total quantities of HEU and plutonium in the possession of the declaring State. IPFM foresees that, to be effective, such declarations would encompass five categories of holdings: warheads and warhead components; material that has been determined to be excess for military purposes but is still in weapons; reserves for naval and other military reactor use; spent military reactor fuel; and civilian stocks.

Some of these categories entail especially sensitive issues and will patently not lend themselves to overnight solutions. In the event that mandatory declarations for particular categories of stocks are not possible, other approaches could be pursued. These could include: urging nuclear-weapon possessing States that have not already done so to make declarations of their total weapons-grade fissile material stockpiles; encouraging the conclusion of agreements to limit the number of national fissile material production facilities through multinational nuclear approaches; and advocating elimination, to the greatest extent possible, of the use of HEU as a civilian reactor fuel, and rapid reduction of current civilian plutonium stockpiles.

However, in any event, whatever may be the role of declarations in the overall regime that is developed to deal with fissile materials, the bottom line must be that the verification regime needs to be able to differentiate between stocks held at the date of entry into force of the production ban and stocks produced illegally after that date.

Mr. President, my delegation looks forward to continuing to engage on the central aspects of a negotiation on fissile materials. We are pleased that you have made this opportunity available to us, and urge your successors to do likewise.

Mr. Kam Woon-an (Republic of Korea): Even though it seems a little bit late, since this is the first time that I take the floor under your presidency, I would like to begin by congratulating you, Ambassador Grinius, on your assumption of this important position. I think today's discussion on a fissile material cut-off treaty under your able leadership already contributed to deepening our understanding and early launching of negotiations on the said treaty.

Over the past few years, we have engaged in discussions on an FMCT. Unfortunately, however, no substantial progress has been made on this important issue due to differing positions on key issues stemming from diverging individual security concerns. Nevertheless, in my opinion, no delegation in this room would negate the need to conduct negotiations on an FMCT per se. At this stage, I believe the task for the Conference on Disarmament is to seek ways and means to bring together the different national security interests in harmony.

As stated on numerous previous occasions, the Republic of Korea continues to place high priority on commencing negotiations on an FMCT at the earliest possible date. Indeed, my delegation believes that it is an issue that comes closer to the negotiation stage in the Conference on Disarmament and would therefore like to see its earliest possible commencement.

However, I have no intention to reiterate the *sollen*-oriented statement or catch up on detailed issues today. Instead, I would like to focus on the *sein*-oriented approach. Today's point is how we can try to find solutions. We remember that last week the Secretary-General of the United Nations advised the Conference on Disarmament to commence an informal process before we agree on formal negotiations on an FMCT within the Conference.

In this context, I appreciate your initiative to set up this meaningful discussion with a general focus on FMCT. I hope this debate can be followed by more thematic discussions focused on more detailed technical issues. This would be helpful to build trust and facilitate the formal process. In consideration of the above-mentioned understanding, the Korean delegation fully supports the Australian, Austrian, United States and Japanese proposal. It is often said that the devil is in details. However, sometimes a devil can be made less dreadful if we directly and audaciously face it. In addition, the clarified details can contribute to solve the high-level problem.

Let me conclude by expressing my sincere hope that all member States should exert their utmost efforts to awaken the Conference on Disarmament from its long dormant state.

Mr. Marschik (Austria): Mr. President, thank you for your leadership and providing us with the opportunity of today's debate.

The importance that Austria and its European Union partners attach to the negotiation of a treaty on fissile material is well known and was illustrated in today's European Union statement, to which Austria fully subscribes.

Let me add three points from our national perspective. First, the merits of a treaty on fissile material have already been the subject of lengthy debate in this body, which agreed

to a negotiating mandate in 2009. For Austria, such a treaty represents an indispensable and inevitable step towards a world free of nuclear weapons; but it is more than a stepping stone. Already today, my delegation considers the continued production of fissile material for weapons purposes as incompatible with our shared goal of the total elimination of nuclear weapons, contrary to action 1 of the 2010 NPT Review Conference action plan and also contrary to the spirit of article VI of the NPT. We welcome the moratoriums on fissile material production that have been announced and reiterate our call to all States with nuclear weapon capabilities to declare such moratoriums. However, clearly it is a treaty that we need; only a treaty will create the necessary legal structures and mechanisms to establish long-term confidence and security.

Secondly, it goes without saying that the negotiation of an FMCT here at the Conference on Disarmament would be a welcome fresh start for this organization. Meanwhile, while the Conference on Disarmament is still seeking its role, we would be well advised to complement the process with other means to advance our thinking. Austria supports the ideas that have been mentioned about an informal process. We heard recommendations by the Secretary-General of the United Nations in that respect. I think that is exactly what we need, and I would encourage partners to participate. Austria would participate fully in such a process. We would also encourage the invitation of technical experts to these meetings from organizations. A thorough discussion on definitions of fissile material and production would serve as a good first step in those discussions.

I welcome the many interesting ideas and analyses presented this morning by various delegations, especially on the issue of definitions, and it will not come as a surprise to you that Austria supports the broadest possible definition, while respecting the need for clarity, precision and implementability. Our discussions at these meetings and here in the Conference on Disarmament will benefit from the fact that the whole idea of an FMCT has been around for years. We will not have to start from scratch; we can build upon vast experience, discussions and knowledge gained in different organizations, NGO initiatives, panels of experts and others over the past decades. If we look at verification, for example, a crucial issue regardless of the ultimate scope and content of the future treaty, its whole effectiveness, credibility and utility will depend on the reliability, trustworthiness and functioning of a verification mechanism. Here we can use the vast experience of the International Atomic Energy Agency in establishing and administering safeguard agreements, verification and monitoring activities. It would be useful to refer to these and make use of these experiences when we continue our discussions.

Thirdly and lastly, earlier this week, we heard arguments that the continued existence of nuclear weapons was a source of insecurity and that there is a need to produce fissile material to counter this insecurity as well as insecurity coming from other sources. Others have asked, and I would also ask this question: if nuclear weapons and if weapons-grade fissile material are a source of insecurity, why would we want more? My delegation is of the firm belief that multilateral negotiations remain the best way to address sources of insecurity and to protect national security interests in a long-term and sustainable manner. Austria would therefore welcome the immediate commencement of negotiations of a treaty on fissile materials, a project that would contribute to both nuclear disarmament and non-proliferation and constitute an important building block for achieving a nuclear-weapon-free world.

Mr. Sajjadi (Islamic Republic of Iran): Mr. President, let me express our satisfaction about the manner in which you are guiding the Conference. I assure you of the full cooperation of my delegation.

We are of the firm conviction that the existence of nuclear weapons is the greatest threat to the security of all nations. Therefore nuclear disarmament remains the highest priority of my delegation in the work of this Conference. Discussion in the last plenary of

the Conference on Disarmament showed that all non-nuclear-weapon States firmly believe that the nuclear weapon is illegal, illegitimate, inhumane and a serious threat for the human being. A large number of members of the international community, particularly the members of the Non-Aligned Movement, have repeatedly called the attention of the international community to the threat posed by nuclear weapons to international peace and security as well as to the security of every individual State. They have therefore requested that immediate action should be taken by the international community in order to eliminate that threat.

Today the international community is more than ever concerned by the continued existence of thousands of nuclear warheads in the stockpiles of nuclear-weapon States. We need to immediately adopt some urgent measures at the Conference on Disarmament to start negotiations on a phased programme for the complete elimination of nuclear weapons within a specified time limit, including a nuclear weapons convention.

In this regard, I would like to reiterate our call for the establishment, as the highest priority and as soon as possible, of an ad hoc committee on nuclear disarmament in the Conference on Disarmament. Such negotiations must lead to legally prohibiting, once and for all, the possession, development, stockpiling and use of nuclear weapons by any country and provide for the destruction of such weapons.

In the same spirit, I once again re-emphasize that an FMCT must ban fissile material for nuclear weapon purposes and should not be turned into an instrument in the area of the non-proliferation. We will never accept such an approach. The FMCT should be a clear and meaningful step for nuclear disarmament and non-proliferation in all its aspects. The FMCT should be a comprehensive, non-discriminatory, internationally and effectively verifiable treaty. Past production and existing stocks as well as the future production of fissile material for nuclear weapons or other nuclear explosive devices must be covered under the scope of the treaty. We will vigorously pursue our positions in this regard during any negotiation on an FMCT in the Conference on Disarmament.

We are at a crucial stage in the work of this Conference. We have to build upon our achievements in the field of nuclear disarmament. We believe that every State has a special responsibility to work towards removing the threat of the existence of nuclear weapons. The FMCT will have added value only if it adds a firm new commitment to the nuclear-weapon States, and this will happen only when it covers all the stocks of the nuclear-weapon States and when it becomes universal.

The Conference should move in full conformity with its rules of procedure. Bearing in mind the urgency of eliminating the threat posed by nuclear weapons to the international community, we call upon the Conference on Disarmament members to adopt and implement a balanced and comprehensive programme of work on the basis of its agenda and dealing with all core issues in accordance with the rules of procedure.

The President: I thank Ambassador Sajjadi for his statement. Before giving the floor to South Africa, we have about 20 minutes left and we have the following speakers still on the list: Pakistan, Italy, India, China, Switzerland and Russia, as well as a request for a right of reply, and there is some housekeeping to be taken care of. In the interests of ensuring that everybody does have a chance to speak, we will continue until 1 p.m. and, at that point, I will suspend this meeting to reconvene at 3 p.m. to finish the speakers' list and some housekeeping items I mentioned. With that in mind, I give the floor now to South Africa.

Mr. Matjila (South Africa): Our delegation welcomes the profound statement and sentiments contained therein by Ambassador de Macedo Soares of Brazil. We also listened to some initiatives on how to proceed. We shall react at an appropriate time.

On Tuesday, my delegation again stated its position on the issue of nuclear disarmament – it remains our highest priority. We also made it clear that South Africa has always argued against maximalist positions that we believe have, for many years, not allowed this body to make any progress on any of the issues on its agenda. South Africa has also argued for a systematic and progressive approach towards achieving our goal of a world without nuclear weapons. It is for this reason that my delegation fully supports negotiations on a treaty that would ban the production of fissile material for nuclear weapons and other nuclear explosive devices and that fulfils both non-proliferation and disarmament objectives.

At the outset, I wish to make it clear that my delegation does not subscribe to the view promoted by some members of the Conference on Disarmament that a fissile material treaty is the only item ripe for negotiations. Given the nature of the Conference on Disarmament as a negotiating forum, we believe that it is able to negotiate on any issue covered by its agenda, although we acknowledge that the finalization of internationally binding arrangements in the near future may be more likely on some issues than on others. While we may not all agree on the issues that are either more or less ripe for the conclusion of an agreement, this should not prevent us from dealing substantively with the issues on our agenda. The continued bickering about procedural issues should be set aside and substituted with the substantive consideration of the items on the Conference's agenda. If we fail to do so, questions will continue to be raised about the continued relevance of the Conference on Disarmament as a vehicle for pursuing disarmament objectives. The question that confronts us today is whether the Conference on Disarmament will be able to live up to our expectations or whether the time has arrived for us to consider alternative options for taking forward multilateral disarmament negotiations in an effort to revitalize the work that should have been undertaken by the Conference on Disarmament.

We are all aware of the long history of the international community's efforts to achieve the finalization of such a treaty in the Conference on Disarmament. In this regard, we recall in particular Ambassador Gerald Shannon's 1995 report to the Conference on Disarmament on the most appropriate arrangement to negotiate a fissile material treaty, as well as the calls by the 1995 NPT Review and Extension Conference and the 2000 and 2010 NPT Review Conferences for the Conference on Disarmament to commence negotiations on such a treaty. It is now 15 years since the Shannon report was submitted, and the Conference on Disarmament continues to be occupied with a seemingly esoteric debate about the possibility of negotiations.

We all know that fissile materials, such as plutonium or highly enriched uranium, are essential ingredients for the production of nuclear weapons. What is clear is that the control of such material will directly impact upon the control of proliferation. Furthermore, it appears logical that a ban on the production of fissile material for nuclear weapons or other nuclear explosive devices would be an important step on the road towards a world free of nuclear weapons. A fissile material treaty would clearly reinforce the ideals of the Treaty on the Non-Proliferation of Nuclear Weapons and would complement the Comprehensive Nuclear-Test-Ban Treaty. For my delegation, the finalization of a fissile material treaty would also constitute an essential building block of any future system that will underpin a future world without nuclear weapons. If we are indeed serious about nuclear disarmament and nuclear non-proliferation, the negotiation of a fissile material treaty can no longer be postponed.

It is not only since the adoption of the decision in document CD/1864 in 2009 that the Conference on Disarmament has not been able to commence such negotiations. Members will recall that many issues have, over the years, complicated agreement on the commencement of negotiations on a fissile material treaty. These included: the mandate of a subsidiary body; the vexed "linkage" questions; the scope of the treaty and whether to

include past production and fissile material stocks; doubts about its verifiability; questions regarding the utility of a cut-off treaty as a real nuclear disarmament step that will not merely freeze the status quo. These have all contributed to the continuing stalemate. We agree that many of these issues are very important matters that will have to be resolved. However, we believe that most of these issues can only be resolved during actual negotiations.

During the many formal and informal debates and discussions on the Conference agenda and programme of work and side events, my delegation has endeavoured to contribute to the fissile material treaty (FMT) debate. In 2002, South Africa also submitted a working paper to the Conference on Disarmament on a fissile material treaty that was distributed as document CD/1671. This paper contains reflections on the possible scope and requirements of an FMT. Since this paper is available to all delegations, I will not repeat the elements contained therein, but rather very briefly reiterate our broad positions.

South Africa believes that such a treaty should be a non-discriminatory and verifiable treaty that fulfils both nuclear disarmament and nuclear non-proliferation objectives. As the first country to have developed and then completely eliminated its nuclear weapons, we are fully aware of the complexities associated with a future treaty. Contrary to the arguments that have been advanced by some about the limitations of a future treaty, South Africa's experience has shown that despite significant technical complexities that will need to be acknowledged, all of these can be overcome if the necessary political will exists. While we acknowledge, for example, the difficulties associated with the past production of fissile material, we strongly believe that stocks will have to be covered by a future treaty for it to be a credible instrument. A fissile material treaty that fulfils disarmament objectives will necessarily also have to give effect to the principles of transparency, irreversibility and verification. For such a treaty to be fully effective, we believe that it should be the product of multilateral disarmament negotiations.

In closing, my delegation welcomes the opportunity to participate in this debate in the Conference on Disarmament. We hope that we will soon be able to contribute to negotiations on a very complex issue that can no longer be postponed.

Mr. Akram (Pakistan): Mr. President, in deference to your request, I will make some brief points and not read from a prepared text.

First of all, I would like to assure the Ambassador of Brazil that he is anything but boring. His statement today has been the finest, most important and most comprehensive statement that I have heard in the two years that I have spent in this forum. I would also like to associate my delegation with those who have today emphasized the highest priority that needs to be given to the issue of negotiating a convention on nuclear disarmament.

As regards fissile materials, I can state very clearly that this issue goes to the very heart of our security concerns. In the past we have explained that, owing to our regional compulsions, Pakistan has been compelled to seek a capability for credible nuclear deterrence. In this context, it is extremely important for Pakistan that the issue of asymmetry in stockpiles of fissile materials should be addressed. We therefore find that the recent policies of exceptionalism and discrimination in terms of nuclear trade in civilian nuclear cooperation will add to this asymmetry and therefore make the threat of the problem of asymmetry in stockpiles even more dangerous for us; hence the position that we have taken with regard to the proposed FMCT negotiations.

We feel that, in these circumstances, the FMCT as proposed is flawed, because it does not take into account certain critical issues, the most important of which is the issue of stocks. But there are also several other aspects. Allow me to dilate briefly on these issues.

Let us take the issue of definition. Definition is a key factor in this regard because it will determine the scope and verification regime of a future treaty. We must take into account not only highly enriched uranium and weapons-grade plutonium in this regard, but also new kinds of materials that have evolved as a result of scientific developments; I am referring in particular to americium-241, americium-243, neptunium-237 and reactor-grade plutonium, because it can also be used to make crude nuclear weapons.

Secondly, as regards stocks, our belief has been that we need to take into account, not just the future production of stocks of fissile material, but also existing stockpiles. Past, present and future stocks of fissile material must be taken up in their entirety at both regional and global levels. The treaty should not only be about halting the production, but more importantly, about reducing stockpiles to address the issue of asymmetries. Suggestions that have been made about voluntary, unilateral or bilateral measures will not be effective, in fact they are non-starters. If bilateral measures could be used in this regard, there would have been no problem – at least for us.

We must also keep in mind the existence of huge stockpiles between the two major nuclear Powers – there are at least 900 metric tons of weapons-grade uranium and over 220 metric tons of weapons-grade plutonium. These are figures that I have taken from the Global Fissile Material Report 2010. Such huge stockpiles create a situation where, even if these major Powers cease future production of fissile material, sufficient material will remain with them to continue to make nuclear weapons if they choose to do so. This will lead to a risk of both vertical and horizontal proliferation. The asymmetry in stockpiles at the global and regional levels is therefore a factor for strategic instability; and, as I have said, this has been accentuated by the selective and discriminatory policies of some Powers.

Some of our colleagues have referred to the Shannon mandate as the basis for addressing the issue of stockpiles. Perhaps the kind of constructive ambiguity that existed in 1998 or shortly thereafter would have been sufficient, but certainly in the present circumstances, especially for us, in view of the developments that I have referred to, the issue cannot be addressed with any kind of constructive ambiguity, but needs to be addressed in a very direct manner. We need to be reassured in our belief that we are negotiating not only a treaty to ban future production, but to reduce existing stocks.

There are also issues of verification and the fact that the verification machinery on offer, in terms of the statements we have heard, is not sufficient to ensure and provide the kind of guarantees that are needed to have a truly verifiable treaty. A robust and reliable verification regime will enable us to determine the level of stocks, to check diversion from civilian to military programmes and to pursue production in stockpiles.

In view of these concerns, we would like to suggest, as we have done in the past — and I have referred to this in several of my statements — the desirability of having an agreement which we might call a “fissile material treaty” rather than a “fissile material cut-off treaty”. The difference is that a fissile material cut-off treaty is simply a non-proliferation move, perhaps even not that, because, in view of the existing huge levels of stocks already available, even non-proliferation in that context is not possible. What we really need is a treaty that will reduce existing stocks and ban future production. In this context, the following elements need to be included in a fissile material treaty.

In terms of definition, we should broaden the definition beyond highly enriched uranium and weapons-grade plutonium to include neptunium and americium, as I have already stated. In terms of scope, the FMT should have broad coverage beyond HEU and weapons-grade plutonium: it should include fissile materials used for naval propulsion and stored in nuclear reactors, as well as reactor-grade plutonium. As I have already said, with regard to stocks, the fissile material treaty must not only ban future production, but also deal with the problem of reducing existing stockpiles.

As regards verification, we believe that there is a need for an independent verification mechanism, as has been evolved in the case of the CWC and the CTBT. This must include on-site inspections and challenge inspections. Reliance on national technical means of verification by IAEA would not be sufficient. Also, with regard to entry into force, the FMT should enter into force only when all States capable of producing fissile materials have signed and ratified it.

I am aware that several countries across regional groups have stated in this forum, as well as privately, that they are actually in favour of a treaty that does not only ban future production, but also reduces existing stockpiles. I also express appreciation to the one delegation that had the courage to state that it is not in favour of such a treaty. I appreciate that candour and welcome it.

Let me say two last things. Firstly, I would like to respond to the Ambassador of Germany, when he referred to my earlier statement and questioned whether Pakistan needs to be ready to prevent international consensus. I would only say to him that it is not our desire to prevent international consensus. Unfortunately, circumstances have been created that threaten to undermine our security, owing to which we have been forced to take this position. If there is to be any responsibility for this, then that responsibility lies with those countries which have, for the sake of profit, and for great Power politics, undertaken policies in violation of their own international non-proliferation commitments. As far as the issue of delaying the work of the Conference on Disarmament is concerned, I would have liked to have heard him also make a reference to the delay that has taken place for the last 12 years and not just to the policies of my delegation as having caused a delay for the last two years.

Lastly, I am aware that there are certain proposals regarding side events to which the Ambassador of Russia referred. I agree with his views; we believe that the Conference rules of procedure provide adequate space for us to undertake activities of the nature that are being proposed in the side events. We would like to know more about these side events. We would like to know how they will be related to the work of the Conference on Disarmament, because our own view is that the work of the Conference should not be undermined, and that if there is a need for informal discussions of the kind being envisaged under these side events, then we have a pattern of having informal discussions that we used last year. I do not see the added value of these side events, but, in any event, I am open to being convinced and I would like to hear more about it.

The President: I thank Ambassador Akram for his statement. It is now 1 p.m. I will suspend the meeting until 3 p.m. However, we still have six speakers on the list, plus China.

Mr. Wang Qun (China) (*spoke in Chinese*): Regarding the plans for this afternoon, if a meeting must be held, we have not made preparations for it, and moreover, we have other engagements. Therefore, I would like to suggest a couple of approaches. Although we still have six delegations on the list, we could request that all six make short and simple statements so that everyone is able to take the floor at this meeting today. Or, if it is in fact necessary to hold another meeting, I believe that a schedule has not yet been made for the fourth week of your presidency. The statements by the six representatives could be planned for the plenary meeting that week, when it might also be possible for representatives who have not yet spoken to speak on other subjects. We leave this in your hands, and will go along with your decision.

The President: I thank Ambassador Wang Qun for this suggestion. I have already been conferring with the secretariat, and also the interpreters' event has also broadened my mind in terms of the interpreter requirements. I would really like to continue on this core issue before we go on to other issues next week and reserve the right to do so, in

consultation with everyone, since it will be the last week of my presidency. We all have lots of other things to do, but, as Ambassador Jazaïry said, there is a very substantive discussion going on here, and I would like to continue it, plus there is a right of reply that needs to be dealt with.

I do have to suspend this meeting now, but will continue this afternoon.

The meeting was suspended at 1.05 p.m. and resumed at 3.05 p.m.

The President: Dear colleagues, I am really impressed by your enthusiasm and also stamina to continue from this morning's 1202nd session. I hereby reconvene it. As I mentioned, we have six more speakers on the list, and I give the floor to the Ambassador of Italy.

Mr. Manfredi (Italy): Mr. President, first of all, as this is the first time I am taking the floor in a plenary meeting, I would like to congratulate you on the assumption of the presidency and also congratulate you on how you are conducting our work, which is admirable. Italy, of course, aligns itself with the European Union statement read previously on behalf of the member States by the Hungarian Ambassador. There are, however, a few matters that I would like to address from our national point of view.

The FMCT is a priority for Italy in the Conference on Disarmament. As many have already stated, the reason is that an FMCT has essentially two objectives: it is both an instrument for disarmament and an instrument for non-proliferation. That being said, I do not wish to engage further in the philosophy of FMCT, as this has been a matter that has engaged us since at least 1995. In our opinion, the Conference should now concentrate on five topics relating to FMCT, having in mind as background material the Shannon mandate (CD/1299).

The first topic is definitions. The Australian delegate has already addressed this question at some length. Defining fissile materials is a complex but essential task before undertaking negotiations on an FMCT. In the past, at least three other definitions have been tabled here in this Conference. If I remember correctly, the United States proposed a definition, Switzerland proposed another and then Russia proposed yet another one. Also, there is a definition on fissile materials contained in article XX of the IAEA Statute. So there is scope for negotiation and for expert input from IAEA and other institutions specializing in organic chemistry and nuclear physics. The general goal should be a definition which is wide enough to make an FMCT credible and effective, but not so extensive as to imply unacceptably expensive or complicated verification procedures or unnecessary limits to the peaceful uses of nuclear energy.

The second item we should address is verification. In our opinion, provisions on verification are essential in any serious disarmament or non-proliferation treaty. Here also there is scope for negotiation and for input from experienced quarters, especially the International Atomic Energy Agency. However, the United States and Russia may also usefully contribute in this respect. More generally, verification is an item that is common to all the various aspects of an FMCT that I will mention later.

The third aspect that we should deal with is nuclear fuels. The navies of at least four nuclear-weapon States use highly enriched fissile material as fuel for nuclear-powered naval vessels, and not just as an explosive for their nuclear arsenals. An FMCT negotiation will have to decide whether this fissile material, though comparable to nuclear explosives, should or should not be covered by a treaty, and if so, how.

The fourth aspect that we should deal with is production plants. If we have a credible cut-off treaty, we must address the problem of production plants of weapons-grade fissile material. Do we allow their decommissioning, or could we envisage their

conversion? Is their conversion feasible? What about inspection procedures? Here also, outside expertise would be essential.

Lastly, the fifth question that we should examine is stockpiles of fissile materials. Stockpiles are the real stumbling block of any future negotiation on an FMCT and, even this morning, the statements that were given in this chamber brought this out. Should the treaty be a simple cut-off treaty or should it also contain provisions on existing stockpiles? The views expressed here are radically different, but nothing is black or white in our line of work. Simply reflecting on the problem in our chamber should provide clues on possible compromises. If in this Conference we conduct serious in-depth discussions on the five topics I have mentioned and arrive at some provisional understanding on at least some of them, the outline of a future FMCT will gradually appear, in spite of not having formally begun to negotiate. So, as our Dutch colleague previously said this morning: let's do it!

Mr. Rao (India): India has had a consistent position on FMCT since 1993, when India was one of the original co-sponsors of consensus General Assembly resolution 48/75, which envisaged a fissile material cut-off treaty as a significant contribution to nuclear non-proliferation in all its aspects. India joined consensus on the establishment of an ad hoc committee on an FMCT in 1995 and then again in 1998. We also did not stand in the way of consensus on the adoption of document CD/1864, which, inter alia, established a working group in May 2009 to negotiate a treaty banning the production of fissile material for nuclear weapons or nuclear explosive devices on the basis of the Shannon report and the mandate contained therein. In this regard, I would like to recall and reiterate our plenary statement of 29 May 2009.

Furthermore, as highlighted in our previous plenary statements, India attaches importance to the Conference on Disarmament as the sole multilateral disarmament negotiating forum and to its rules of procedure, especially the rule of consensus. We believe that the Conference on Disarmament is the appropriate forum for negotiating an FMCT. We expect the Conference on Disarmament to negotiate instruments of universal application. It is therefore essential that all relevant countries participate in the negotiations and contribute to their successful outcome. For its part, as a country possessing nuclear weapons, India is willing to conclude a universal non-discriminatory and internationally verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. It is obvious that the treaty would need to meet India's national security interests.

We believe that a future FMCT must be non-discriminatory in that the obligations and responsibilities arising from the treaty must apply in a non-discriminatory manner to all States parties to the treaty, in particular States directly affected by its obligations and responsibilities. We also believe that verification will be an important element of the treaty's architecture. Any verification mechanism that is acceptable to all should meet the criteria of being effective and the treaty itself should be internationally verifiable. We also believe that an FMCT must be a treaty for banning the future production of fissile material for nuclear weapons or nuclear explosive devices. We see this as the main characteristic in defining the scope of the treaty. If implemented in good faith through universal participation and adherence, an FMCT would be a significant contribution to nuclear non-proliferation in all its aspects – the objective conceived and envisaged in the common understandings leading to the 1993 General Assembly resolution.

We have listened carefully to assertions that certain developments outside the competence of this forum would accentuate asymmetries in stocks and thus affect the prospects for an FMCT. We do not agree with this reasoning. As we all know, the real reasons are different. How many asymmetries can we fix? Asymmetries in size and development do not and should not prevent us from working together in multilateral forums. Furthermore, contrary to what has been said, India's membership of international export control regimes, such as the Nuclear Suppliers Group, would strengthen

international non-proliferation efforts. We have to be careful about who seeks to be the conscience keeper of the international non-proliferation regime.

To conclude, there is no change in India's support for commencement of negotiations in the Conference on Disarmament on a fissile material cut-off treaty. We have participated with an open mind in informal and plenary discussions on an FMCT in previous years, including last year. As we stated at the previous plenary meeting on 1 February 2011, we believe that such discussions are without prejudice to the priority that should be accorded to the adoption of a programme of work for undertaking substantive work, including negotiations in the Conference on Disarmament. They cannot be a substitute for FMCT negotiations in a subsidiary body established by a formal decision of the Conference or be cited as a precedent or a reflection of the substantive positions of delegations during negotiations.

Mr. Wang Qun (China) (*spoke in Chinese*): Mr. President, as today is the first day of the Chinese New Year, first permit me to offer New Year's greetings to all of our colleagues in the Conference on Disarmament. This year is the Year of the Rabbit, which portends wisdom, speed and luck. I hope that through our united efforts the Conference on Disarmament will be able to make positive progress, or as several of our colleagues have just said, "Let's do it". Not only do we have to "just do it", most importantly, we must "do it" wisely. With regard to an FMCT, I would like to mention a few positions of principle.

Firstly, China has consistently supported the negotiation and conclusion of an FMCT by the Conference as soon as possible. With regard to the General Assembly resolution on an FMCT adopted in 1993 at the forty-eighth session and related resolutions adopted at subsequent sessions, China has without exception either joined the consensus or voted in favour of those resolutions. The Chinese Government believes that an FMCT is equally important in terms of both nuclear disarmament and non-proliferation. Concluding an FMCT will accelerate progress in nuclear disarmament, prevent the proliferation of nuclear weapons and safeguard international peace and security.

Secondly, the Chinese delegation has taken note of the position set out in the statement made in Tuesday's plenary by the Ambassador of the Russian Federation, Mr. Loshchinin, in respect of an FMCT. He said that parallel discussions on an FMCT started outside the Conference would not be constructive, as not all nuclear-weapon States would be able to take part. His opinion is right on the mark. It makes perfect sense, and the Chinese delegation fully concurs. The Chinese delegation believes that the Conference, as the sole multilateral disarmament body, is the best and only forum in which to negotiate an FMCT.

Thirdly, the Chinese delegation believes that, on the basis of a comprehensive and balanced programme of work, the Conference on Disarmament should initiate negotiations on an FMCT as soon as possible and conclude a proper treaty through proper negotiations. "Proper" negotiations means open and transparent intergovernmental negotiations, and a "proper" treaty means one that can attract participation by all relevant parties.

In the current circumstances, it is the position of the Chinese Government that if, for the moment, it is not possible to agree on a programme of work, then we should follow past practice and begin balanced discussions in the plenary of the Conference both on an FMCT and on other topics, through either informal discussions or other suitable forms of cooperation. This will make it possible to uphold the Conference's authority and its rules of procedure, while at the same time ensuring broad participation by member States. The Chinese delegation will examine in detail the positions expressed today by other delegations on various aspects of an FMCT, and reserves the right to comment on them and express its position.

Mr. Wollenmann (Switzerland) (*spoke in French*): As you know, Switzerland attaches great importance to the negotiation of a treaty that would ban the production of fissile material for nuclear weapons or other nuclear explosive devices. For this reason, last year Switzerland supported the publication by the United Nations Institute for Disarmament Research of a reference work that provides an overview of how this subject has been addressed in the past by the Conference on Disarmament, highlighting the key issues in any negotiating process. Also to that end, Switzerland has funded three seminars on various aspects of a possible future treaty. My delegation was likewise prompted to involve Mr. Bruno Pellaud in informal discussions last year so that participants could learn from his extensive expertise in this subject area. On another occasion, Mr. Pellaud, speaking on his own behalf, presented an informal paper on this matter. In our opinion, that paper remains relevant to the current discussions and could constitute a starting point for future work.

Today my delegation would like to pass on some general information on Switzerland's position on the treaty. For Switzerland, the negotiation of a treaty to ban the production of fissile material would constitute a major step forward. After the NPT and the Comprehensive Nuclear-Test-Ban Treaty, such an instrument would constitute the third cornerstone of a multilateral nuclear disarmament and non-proliferation system. It would facilitate further progress on the road towards a world free of nuclear weapons. In addition, such an instrument would strengthen the system of nuclear disarmament and non-proliferation because it would help reduce discrimination under the NPT, which establishes a major imbalance between nuclear-weapon States and non-nuclear-weapon States. In order for such a treaty to contribute fully to the achievement of such goals, it should, in our view, be based on several principles.

Firstly, such a treaty should aim not only to prevent the horizontal proliferation of nuclear weapons, but also to prevent their vertical proliferation while contributing to disarmament. To that end, the treaty should not only prohibit future production of fissile material for explosive purposes, but should also place a cap on, and reduce, existing stocks. Switzerland therefore believes that stocks should be at least partially covered by the treaty. Only then can such an instrument fulfil what should be its dual objectives of non-proliferation and disarmament.

Secondly, the treaty should allow consolidation in the international non-proliferation regime, by bringing the States parties and non-parties to the NPT more closely together in a common endeavour.

Thirdly, and finally, the treaty should be effectively verifiable. It is clear that only then will such a regime be sustainable in the long term.

Switzerland is convinced that the Conference on Disarmament remains the appropriate forum for debate on the treaty and the three core issues. We stand ready to participate fully in future discussions.

Mr. Novokhatskiy (Russian Federation) (*spoke in Russian*): We support a start to negotiations in the Conference on Disarmament on a treaty to ban the production of fissile material as a part of a balanced programme of work for this forum and on the basis of the Shannon mandate. In our view, the drafting of such a treaty would be a multilateral measure to strengthen the regime of the Treaty on the Non-Proliferation of Nuclear Weapons and an important step in nuclear disarmament.

Russia has totally halted the production of fissile material for nuclear weapons. Weapons-grade uranium has not been produced in our country since 1989, over 20 years ago. All the reactors which produce weapons-grade plutonium have been halted. The last such reactor, which had been used as a source of heat and energy since 1994, was halted in the summer of 2010.

We would like to share a number of observations concerning the possible elements of an eventual treaty. Undoubtedly, as a first step it will be necessary to reach agreement on the key problem issue, the definition of fissile material, which, in our opinion, on the one hand, must be in keeping with the purposes of the treaty, while on the other, it must reflect today's realities and correspond to the most recent developments in IAEA.

We consider that the scope of the treaty should include a ban on the production of fissile material for making nuclear weapons or other explosive devices. Provisions relating to the use of such material to produce fuel for marine propulsion should be excluded from the agreement. We must also give thought to such provisions as a ban on assisting or encouraging other States to produce such materials and a ban on the transfer of fissile material from the civilian to the military cycle for nuclear weapons purposes.

We are convinced that the largest possible number of States must join the treaty – first and foremost the nuclear Powers, but also countries which have the potential to produce nuclear explosive devices and possess facilities for enriching uranium and processing spent nuclear fuel. Making the treaty of unlimited duration will only increase its value.

In our view, it would be quite logical for the verification machinery of the future agreement to make as much use as possible of the time-tested means of verification at the disposal of IAEA, and its expert potential. Verification powers under the FMCT should be conferred on IAEA exclusively within the framework of the Agency's mandate. At the same time, the verification machinery should be optimal and economical, so as to avoid increasing the financial burden on States parties.

In conclusion I would like to say we are convinced that discussions on the FMCT issue should be held within the Conference, involving all countries which have a military nuclear potential. Any other approach will sharply reduce the effectiveness of work on the treaty and the value added.

Mr. Oyarce (Chile) (*spoke in Spanish*): This morning and early this afternoon we have listened to a constructive and interesting discussion that once again demonstrates the priority attached to nuclear disarmament and non-proliferation and a marked interest in generating momentum for negotiations to begin on a fissile material treaty, but we have also had the opportunity to observe aspects that could be described as exogenous to this Conference and in some way influence the political action we must take in this domain.

Ambassador Macedo Soares provided us with an analytical reflection on this matter. A moratorium on the production of fissile material, as suggested by Australia and other delegations, is an element that should be regarded from a political viewpoint as a confidence-building measure. A treaty in this domain would certainly help to improve the security of nuclear materials, create transparency and impose specific restrictions on nuclear arsenals, all of which would be essential steps towards creating a world free of nuclear weapons.

It is clear that, while remaining realistic and flexible, we should make efforts to begin systematic and organized work on fissile materials. Many delegations have outlined in detail various essential aspects and elements that should be analysed. We would like to draw attention in particular to three interrelated concepts: principles and objectives, definitions and scope, and verification. With regard to objectives, we will have to reach a consensus on the obligations the instrument would impose, namely, which materials would be prohibited. With regard to definitions, the broadest possible approach should be used in order to include all fissile material that could be used in nuclear weapons. It is clear that there are differing opinions on how to define this material; the definition of special fissionable material set out in article XX of the Statute of IAEA would be an appropriate basis from which to begin our work. We believe that, as some other delegations have stated,

the verification problems that could arise from a broader definition such as this must be resolved when we discuss the chapter on verification.

We believe that a third important aspect to consider will be verification. This is not a simple matter. We will have different possible approaches available to address both the prohibition of production and stocks, which goes beyond simply providing information or making declarations through monitoring and evaluation systems, but we would also have to consider the eventuality of non-compliance and of difficulties in identifying materials if we intend to pave the way for increased trust and transparency. We have important frameworks at our disposal, both at the multilateral level with IAEA and in bilateral agreements.

We all know that this negotiation will be long and difficult, and its timing will always be determined by what we referred to a moment ago as exogenous factors, but it seems to us that we must take advantage of the opportunities to prepare for these negotiations by initiating technical discussions here in the Conference, within the Conference format, as has already been pointed out. Those of us who work in the political arena have much to learn about the technical aspects, and doing so can aid us in the search for better definitions and formulas that will help to dispel legitimate apprehensions or security concerns specific to issues which are related to considerations of actual power.

It seems to us that this type of reflection must continue, hopefully with the participation of experts, and in a more focused manner if possible. As the country that is next in line to take the Chair, we would suggest that we should consider continuing with this type of thematic schedule to address the issues. As the Ambassador of India has stated here, this would certainly in no way restrict or replace your efforts, Mr. President, to adopt a programme of work.

The President: I thank Ambassador Oyarce for his statement. I believe that this morning the United Kingdom asked for a right of reply. You have the floor now.

Ms. Adamson (United Kingdom of Great Britain and Northern Ireland): As Ambassador Oyarce just said, I think the discussion that we have had today shows just how much interest and how much passion this subject can arouse. It is quite gratifying to see the Conference on Disarmament really getting into some good discussions and to be spending the Conference on Disarmament budget on the Conference. I am very pleased to see us doing that.

I wanted to exercise a right of reply with regard to the speech from Ambassador de Macedo Soares. I do this with great regret because, as the Ambassador knows, we always enjoy, and, especially during his presidency last year, we enjoyed his very good, frank discussion. The Ambassador is always one of the most thoughtful and challenging of colleagues here. There is really just one aspect of his speech that I wanted to pick up on, which concerned the categorization of the NPT outcome.

Many of us were there last May and spent many hours crafting the outcome and, whereas we would not expect anybody who was not part of the discussions to follow what is in the action plan, we do think that the NPT Final Document has some very detailed plans on disarmament and on the other two pillars and that all States parties to the NPT should be doing their best to push them forward. Now, I do agree with Ambassador de Macedo Soares that the proof of the pudding is in the eating. You want to see what we do to implement last year's document, but I think it is a little bit too soon to be giving up hope that we did that and then we will just leave it behind. I think that we will all be striving to implement what we agreed to. The conference which will take place in Paris in a few weeks' time is a testament to how we intend to follow up on that set of action plans.

I would like to conclude by saying that I think diplomacy is the art of the possible, and that what we have seen today in discussions really epitomizes that. We should be

challenging ourselves, as the Ambassador did, to get on with what we have agreed to do. I think it is a little bit too soon to say that the NPT will not fulfil its own decisions, because we should all be challenging ourselves even more to do so.

I wanted to wish Ambassador Wang Qun, in turn, Happy New Year, and to set the record straight about the slogans “Just do it” or “Let’s do it”. Last year I think that it was I who suggested the slogan “Just do it”. Subsequently, the Ambassador picked up on it and said “Yes, I agree we should – let’s just do it!”. Clearly with wisdom, with speed and a bit of luck, like the rabbit, we can hopefully carry on this good discussion.

Mr. El-Atawy (Egypt): Mr. President, thank you very much for the way this whole session was called and how business was conducted here. I merely wanted to make a very short remark on something that the representative of the United Kingdom just mentioned. This is a friendly reminder that the action plan covered nuclear disarmament, the other two pillars and the implementation of the 1995 decision on the Middle East. Let us not forget about that.

Ms. Adamson (United Kingdom of Great Britain and Northern Ireland) (*spoke in Arabic*): I had, of course, not forgotten that at all. Hopefully, nobody took offence. Of course, in the future we will work on this matter.

The President: Ambassador Wang Qun mentioned the Year of the Rabbit. There is also an expression in English, and I will challenge our interpreters with it now. The Year of the Rabbit in China is wisdom, speed and luck, and I think that this is most definitely how we should proceed. The English expression is, of course, that we do not want rabbits running around in all directions, because that could cause a little bit of chaos. So, as you will all appreciate, that is why I had wanted to, and continue to, emphasize the focus on the four core issues to deal with.

I have a couple of housekeeping items before we adjourn. First of all, a reminder that the Stockholm International Peace Research Institute (SIPRI) side event will take place on Monday, 7 February at 1 p.m., preceded by sandwiches. I do not know if we will have Canadian beer available or not, but at least sandwiches in support. We do have two SIPRI panellists who will be speaking and, dare I say, one from the United Nations Institute for Disarmament Research (UNIDIR) — our own Theresa Hitchins — who will be part of the panel. Ms. Anna-Lisa Giannella, the European Union personal representative on non-proliferation of weapons of mass destruction, will also be joining the panel on Monday. The SIPRI event coincides, nicely I hope, with our theme for next Tuesday’s plenary session on the prevention of an arms race in outer space.

At this point I would like to give the floor to the Ambassador of Australia, who would also like to make an announcement.

Mr. Woolcott (Australia): Mr President, I thank you for your indulgence in allowing me to take the floor a second time during this plenary meeting, and I do so on behalf of Australia and Japan.

This has been a useful exchange. Australia and Japan will continue to support efforts to ensure that FMCT negotiations on the basis of the Shannon mandate can begin in the Conference on Disarmament as soon as possible through a programme of work. In the meantime, we want this conversation to continue. Accordingly, I wish to advise you that we are circulating to all member and observer States a letter of invitation to an experts’ side event on FMCT definitions. This event, hosted jointly by Australia and Japan, will be held in room XII of the Palais des Nations in the afternoons of Monday 14, Tuesday 15 and Wednesday 16 February. The letter of invitation contains further details and an indicative schedule. I will chair this side event and be assisted by Dr. Bruno Palau, as vice-chairperson and rapporteur. I thank Dr. Palau, and I particularly wish to thank Ambassador

Jürg Lauber and the Government of Switzerland for generously facilitating Dr. Palau's participation.

We have listened carefully to the concerns of some of my distinguished colleagues about parallel discussions. We want to make it very clear, very, very clear, that this initiative is intended to support the Conference on Disarmament and to support future FMCT negotiations in this forum. Last week the Secretary-General of the United Nations called for creative thinking in the Conference. He also proposed, in respect of fissile material, a basic process to educate each other and build trust: it would inform and facilitate the formal process once the Conference adopts its work programme. Our initiative responds to both of the Secretary-General's suggestions for helping the Conference. We hope that members and observers will accept this invitation, and we look forward to the broadest possible attendance of experts, if possible, and certainly Conference on Disarmament delegations in Geneva at the experts' side event on FMCT definitions.

The President: I thank Ambassador Woolcott for his statement. If there are no other speakers, I would like to conclude our business for today. It has gone on a little bit longer than expected, but I think that we had a very good substantive discussion.

The next plenary meeting of the Conference will be held on Tuesday, 8 February. The representative of Pakistan, you have the floor.

Mr. Ali Khan (Pakistan): Mr. President, I am sorry, I need to apologize and to add a few more minutes to an already lengthy session, but I must compliment you on the conduct of the proceedings so far. You have conducted the presidency with great dignity and poise, thereby facilitating our very useful discussions. I have very carefully listened to what the distinguished Ambassador for Australia had to say on the initiative for a side event with the Government of Japan. However, if it is possible, at this point in time, I would like them to explain it in clearer terms. Maybe I missed something, but I just wanted to seek clarification in terms of the relationship of the side event with the Conference on Disarmament. What we would presume is that it is a side event and initiative of one or two countries and there is no linkage with what we do in the Conference or in terms of the Conference's rules of procedure. I would be grateful if this could be explained to us in slightly more detail. Maybe I missed it. I do apologize and seek the indulgence of the Australian Ambassador.

The President: Well, before I give the floor to either Japan or Australia, this is my understanding of the linkage of any side event, like the SIPRI event on Monday or other side events, UNIDIR events for instance, that have taken place over decades here. This is an initiative that, as Ambassador Woolcott said, he hopes will contribute to the understanding of issues that are first and foremost in the context of our discussions. You will recall, of course, that after Ambassador Akram gave his speech on Tuesday, a speech that was very, very clear in terms of Pakistan's position and security concerns, I suggested that perhaps a side event on those sort of issues might also be useful for the education of all of us. For instance, the UNIDIR outer space event was an initiative of China, Russia and Canada, to give just another example. I do not know if Australia or Japan would like to respond.

Mr. Woolcott (Australia): I thank Pakistan for that question. This is a national initiative from Australia and Japan on an issue of abiding interest to the Conference on Disarmament, and I have set out some of our thoughts in the letter that has been distributed, which you will have before you. My intention is, following the experts' side event, and with the assistance of Dr. Palau, to report back, to give a factual report, on the discussions and to present that report to the Conference on Disarmament at a future plenary meeting, where further discussion may take place if delegations are so disposed. However, essentially, it is a side event, a national initiative from both Australia and Japan. The idea is

to keep it closely tethered to the Conference on Disarmament, but obviously it is not a formal part of the Conference on Disarmament programme.

Mr. Wang Qun (China) (*spoke in Chinese*): We have just listened carefully to the explanations given by the Australian delegation concerning its proposal, and the request for clarification made by another delegation. The Chinese delegation attaches great importance to this proposal and the concerns about it. I will report these plans to my capital for consideration. However, to ensure that my report is accurate and to facilitate the work of those who receive it, I should like to state that, based on Ambassador Grinius's explanation and Ambassador Woolcott's clarification, it is my understanding that the proposal made by Australia and Japan, at least conceptually speaking, does not constitute part of the work of the Conference. I do not know whether my understanding is correct. If this is the case, I will send a report to my capital to that effect.

Mr. Daryaei (Islamic Republic of Iran): Mr. President, allow me to announce how very pleased we are with the manner in which you are guiding the discussion. We also thank the distinguished Ambassador of Australia for announcing this side event. However, we are actually puzzled by the response, because it is not clear to us what relationship these kind of activities have with the format of the Conference on Disarmament.

Mr. President, I am sure that you know better than me what the status of the presidency is, and you know that the President is not a spokesman for a group of countries, and that the President should not announce side events, even the SIPRI event. If there is a direct link with the work of the Conference, it is the job of the secretariat to announce that there is a meeting which might have some relation to the Conference on Disarmament, and it is up to delegations to decide whether to participate in that meeting or not. I believe that we were ignorant of that fact during the discussion, both in the previous plenary meeting and in today's meeting. We heard from many delegations the concern that we must stick to the Conference's rules of procedure. Any kind of discussion should be comprehensive in a manner that covers and attracts all parties which are key players in the work of the Conference on Disarmament with regard to the FMCT.

As regards having some sort of side event, we appreciate that it is a national initiative, and we might do one in future too on nuclear disarmament, because we think that it is really important. However, if we hold a meeting — we already held a conference in Tehran, where we discussed the issue of nuclear disarmament with the participation of many scholars and many parties interested in nuclear disarmament — we might also do some side events in the field of disarmament. Yet I am not sure and I am really puzzled about how that would relate to the work of the Conference on Disarmament, because, based on the rules of procedure, if we want to hold a Conference on Disarmament, if we want to announce something in a plenary meeting and we want to create a linkage, it would be best to do it through the programme of work. Otherwise, if anyone so wishes, we can agree, like previous years, to hold a series of informal meetings, with equitable time allocated for all items in the agenda.

The President: Thank you very much for your statement. As you will appreciate, we still do not have a programme of work and it is my priority to have one. It is a question of how to use time properly and substantively. You will recall my report and my statement at the first plenary meeting, when I said that I felt there was a sense that informal meetings of subsidiary bodies had run their course and that it was the overwhelming desire of the membership that we stick to the four core issues. In the absence of a programme of work, I really appreciate the fact that, so far, we have had substantive discussions on the first two core issues. I do not think there is anything in the rules of procedure that stops a President from saying "by the way, there is a side event taking place". Likewise I announced beforehand that we would hold a side event with our interpreters, which I believe was a good one. We have also spoken of future side events, for instance, on prevention of an arms

race in outer space, just for the benefit of the participants here, in order to encourage their participation, no matter what side of the argument they represent. Here again, it is just my way of encouraging a continuing effort to understand each other's positions. In many cases, when you actually have real experts on various subjects, it is all for the better. If a member State or a group of member States wishes to organize a side event on nuclear disarmament, I would certainly welcome that. Moreover, on the remaining core issues, I really, really believe that we actually have an exchange, a very formal exchange on various issues, where we present our national positions and often the exchanges are not surprising because we tend to reinforce those positions. I have found over the years here that I have learned more from informal side events and panel discussions and corridor talk, which served to increase my understanding of issues, not only in the Conference on Disarmament, but also in so many of the other United Nations bodies that meet here in Geneva.

I have two more speakers on the list. First of all Peru, followed by China. Peru, you have the floor.

Mr. Schialer (Peru) (*spoke in Spanish*): Mr. President, please be assured that it was not my delegation's intention to take the floor again after having done so this morning in the formal session that began today under your presidency.

Just very briefly, we first of all wish to thank the Governments of Australia and Japan for this initiative, which we fully understand has been proposed within the context and framework of the legitimate right of all member States to bring to the attention of this Conference those issues that they believe are important for us to know about. This is not an unusual practice, this is not something we find surprising, this is not something which has not been done in the past, and I probably do not need to remind all the members of the Conference here, and not always on issues relating solely to nuclear disarmament.

That said, my delegation simply wishes to restate that we have an obligation to correctly respect the rules of procedure of this Conference. I believe that those who heard my country's position when at a certain moment there was, let us say, an involuntary need or intent to interpret the rules in a manner different from the traditional interpretation, those who heard and could see my country's firm position in favour of a correct interpretation of the rules may realize that in our view the rules of procedure are fundamental to the operation of this Conference. In this regard, Mr. President, and as you have just stated, my delegation does not find any provision that prohibits the President, the bureau, or the members of the Conference on Disarmament from raising issues under the legitimate right of the States members of the Conference on Disarmament to do so in order to establish a constructive position for our negotiations.

We in this Conference are aware of several things: firstly, the deadlock for the past 15 years; secondly, the international outcry for the Conference to start functioning; thirdly, the fact that in the framework of this Conference and in scrupulous respect of its rules of procedure, you Sir, together with the other members of the P6, are making brave efforts to achieve the adoption of a programme of work, which is, as you have said, the main objective of this 2011 session of the Conference on Disarmament, as it has been in recent years.

Secondly, and meanwhile, we have been listening to the very useful and truly productive statements in which countries have outlined their national positions. I believe that this is the work of the Conference, and I also believe that this is where its work ends, for the moment. Everything that is outside the Conference is outside the Conference and should be understood as such.

Mr. Wang Qun (China) (*spoke in Chinese*): I draw much encouragement from the discussion within this Council chamber on the two core issues, a discussion that has been very substantive, very informative and very fruitful. China, for its part, supports such

activities. China supports the Conference's informal work as well as its formal work, or even its informal work, as long as it is within the parameters of the Conference and as long as it is conducted on the basis of its rules and procedures.

With regard to the clarifications I just sought, I have to confess to a bit of bewilderment, because the more I listen, the more confused I become. As I may recall, the Ambassador from Australia, with all due respect, has indicated that what he proposes is not part of the Conference's formal work. So for the sake of reporting back to Beijing in a faithful and accurate manner, I hope you will forgive me for asking for a bit more clarification from either the President or the representatives from Australia or Japan. When you say that such activities are not part of the Conference's formal work, are you saying that they are part of the Conference's informal work, or that by definition they do not constitute the work of the Conference? I hope that I can be enlightened so that I can accurately report back home.

The President: I have on my list right now Algeria, the Syrian Arab Republic, Germany, the United States and Japan. Some of the questions might perhaps be usefully addressed bilaterally, if one State has a specific kind of question. However, once again, there is a lot of procedural stuff, but I certainly will give you the floor. We have plenty of time this afternoon to get through it all. I give the floor to Algeria.

Mr. Khelif (Algeria) (*spoke in French*): Firstly, the Algerian delegation would like to thank you, Mr. President, for announcing that the Stockholm International Peace Research Institute (SIPRI) and the United Nations Institute for Disarmament Research (UNIDIR) are holding a side event next week. The delegation would also like to thank the Australian Ambassador for announcing that another side event will be held in the next few days. These side events, which we hope will be constructive, will undoubtedly help delegations to gain a deeper understanding of issues relating to outer space and the prohibition of the production of fissile material for nuclear weapons or other explosive nuclear devices.

We also hope that all activities that will take place will help strengthen the role of the Conference on Disarmament as the sole multilateral negotiating body on disarmament issues. The Algerian delegation wishes to underline the fact that it believes that the activities that have been announced are neither official nor informal activities of the Conference on Disarmament, as such activities must be organized by common agreement in accordance with the rules of procedure. Accordingly, I hope that this view will be clearly recorded in the minutes of the meeting, and will be taken into consideration when, at the end of the year, we adopt our annual report on the activities of the Conference on Disarmament.

Mr. Al Nuqari (Syrian Arab Republic) (*spoke in Arabic*): Mr. President, through you, I would like to express our thanks to the Ambassadors of Australia and Japan for this invitation to hold consultations as side events. It is clear that they are inextricably linked to the core work of the Conference.

Actually, my delegation did not intend to take the floor. However, the debate that ensued following the statement by the Ambassador of Australia on these activities and the questions that arose and the replies that were given reminded me of a number of previous issues that arose regarding the working methods of the Conference.

My delegation does not doubt that it is possible to call for side events to be held. We do not, moreover, have any misgivings that this would contravene the rules of procedure. That is not what we are saying. However, we are genuinely concerned that if we agree to the proposal to hold three meetings on a very specific issue that comes within the framework of a thorny topic, questions will be asked as to whether it indeed is a side event,

compared to past practice with so-called side events, whereby we used to call for matters to be dealt with at a single meeting, perhaps, rather than at three meetings.

It is common knowledge that a side event is a side activity that is not linked to the Conference. In other words, the United Nations is not a party to such events. The convenor is the party responsible for the event. Logically, interpretation services should not be provided at such events. This is clear; I do not believe that that is in dispute. This is the meaning of “side events”. Now, we are talking about three meetings just to discuss the definition of a specific topic. I believe that the procedure that has been proposed, if compared with past practice, raises questions about the nature of the invitation to such an event.

The second point that I would like to make is that the Conference is the sole negotiating forum. I recall that in previous years we adopted an agenda in which a certain number of sessions was allocated for discussion of each agenda item, at least that is as far as I remember. The work would be evenly distributed among the four main agenda items. I also remember that, last year, the coordinator for each agenda item, or for each of these topics, convened discussions on a consensual basis. For instance, I remember that a meeting was scheduled to discuss the definition of a certain matter. Therefore, in principle we, in our capacity as members of the Conference on Disarmament, can consider the importance of the invitation issued by Australia and Japan — and here I once again thank them for this invitation — but, taking into consideration the importance of this matter, I believe that these issues could still be addressed in the context of a schedule of activities that could guide our work and enrich this debate.

My colleague from Algeria referred to an important issue. If this invitation is merely to a side event, I believe that the outcome must also be a side event that would be unrelated to the Conference.

In the light of the above, I believe that it is appropriate for us to seriously consider the adoption of a schedule of activities, in which tasks would be allocated to each item on the Conference agenda. I do not believe any problem arose in previous years in this regard.

We trust that, during your presidency, the necessary consultations will be conducted so that we can get down to work and so that we can also establish common ground for our endeavours vis-à-vis all the matters before us.

The President: I thank the representative of the Syrian Arab Republic and, believe me, I am working on how to go forward. It is an interesting element; those of us who have spent time at the UNIDIR events heard some of our experts speaking on this particular issue. Right now, we do have a programme of work that has mandates for each of the subsidiary bodies. If you want to continue consultations, I can easily issue a schedule of work, in consultation with P6 colleagues, that would be forward-looking and organizationally what is required, even within the rules of procedure. It is the issue of the mandates for the individual core issues and the other topics on the agenda that is caught up in the bind, as you will be aware, and especially the issue of negotiating a mandate for discussion only. I appreciate your statement nevertheless. I give the floor now to Germany.

Mr. Hoffman (Germany): Mr. President, actually I was a bit puzzled, and originally I thought maybe I should raise a point of order, and then I thought, well, I will do it as a regular request for the floor because I am not quite sure what we are discussing here. Australia and Japan have invited us to a series of events outside the Conference on Disarmament and they have made this abundantly clear, and you have also echoed this, and I would like to say that I am very grateful for the way you are conducting the discussions here. I think you are perfectly in order to interpret, based on your experience, how you understand the invitation by Australia and Japan. It is my understanding that there is no decision required by the Conference on Disarmament, or by the President of the Conference

on Disarmament. We have an invitation before us and, speaking for my delegation, we are very grateful for this invitation. Other delegations will have to make up their minds whether they accept the invitation or not. In my view, that is that; and of course we hope that very many delegations, hopefully all delegations, will accept the invitation and participate in these discussions. We have tried many avenues in the Conference on Disarmament, and I think that we should give this attempt to deepen discussions on certain issues which many delegations are interested in a chance. I remember we had informal discussions in the Conference on Disarmament last year. However, at this point in time, I would rather give a chance to the invitation just issued by Australia and Japan. In order to shorten this discussion, I ask you, as President, whether you agree with my assessment that there is no decision required by us or by you and therefore, it would appear to me, that we should end this discussion.

The President: This is a national initiative and there is obviously no requirement for a Conference on Disarmament decision. It is a bit like when I was in Berlin about a year and a half ago for an FMCT briefing. I do not even remember what it was actually called, except that there were a lot of experts who gave a very, very good talk – it was very educational. I therefore look at this as a national initiative. I give the floor next to the representative of the United States of America.

Mr. Reid (United States of America): Mr. President, I will be relatively brief, because I think our German colleague very much crystallized part of my thinking on the confusion that there seems to be here. However, I still have some doubts, in particular, doubts that I would like to share with some of the other colleagues here who were working on side events on other subjects right now. You mentioned a SIPRI event on space that is coming up. We are working now with UNIDIR, and have the privilege to be working with our Chinese and Russian colleagues too on another UNIDIR space-oriented event, which is scheduled for the spring. I would only have to ask, if we are asking Beijing for so many points of clarification here, what do they think the relationship is between that event and what we are doing here. I do not see the difference. We are having multiple events on space, from what I understand, in a variety of informal side-event settings. I would think that these are all basically the same sort of instruments at work, just as we have in New York in the First Committee and elsewhere. I do not see the novelty of this particular invitation.

The other question I am puzzled about is this: am I hearing from colleagues that they are really interested in doing more formal work on FMCT here and now? Do they want to add more plenary sessions? This has been an interesting discussion, and I would certainly be happy to join more plenary sessions on FMCT, which sounds like what they are saying. I would be happy to see those added to the schedule. I do think that we are ready to keep talking about this topic as well as the other topics in great depth. We are in the hands of the P6, if it can be further arranged.

Mr. Suda (Japan): Mr. President, my delegation has been expressing its support for the so-called Australian initiative for several months and weeks through various consultations and has decided not only to support strongly, but also to join in hosting that side event. Nevertheless, I would like to say a few words on the various remarks made, although I think my German colleague really made the one important but simple point to dispel all the confusion. There seems to be unnecessary confusion in this meeting room this afternoon. Regarding the side event, as the Australian Ambassador Woolcott clearly said, we are not making any proposal here in the Conference on Disarmament for any decision, we are simply inviting other member States or nations to attend this side event. This side event is definitely not a formal or an informal event or meeting within the Conference on Disarmament. It is not a Conference on Disarmament event; we are simply inviting all member States to this event. We believe that this side event will be useful in supporting, as

much as we can, as a nation, the Conference's substantive work on FMCT. That is its sole purpose and we would like all of you to attend this meeting, because we believe this would be useful for all of us. However, it is up to you whether you attend this side event or not. Certainly, we would like the discussion to continue as far as possible within the Conference on Disarmament as well, but that does not prevent the holding of any side event any nation or member State believes to be useful for our discussions within the Conference on Disarmament in the future.

I would like to renew our invitation to all of you and I hope that all of you can attend this event. However, I have to say clearly that it is up to you whether you are interested in this side event and will participate in this side event or not.

The President: I thank the Ambassador of Japan and, as I understand it, observer States are also invited to this event. I give the floor now to the Ambassador of China.

Mr. Wang Qun (China) (*spoke in Chinese*): I have already taken the floor twice. I am speaking for the third time because I really would like to understand whether this proposal by Australia is or is not the work of the Conference. Does it constitute part of the Conference's work? I ask only because I would like to send an accurate and precise report back to my capital; it is as simple as that. But I just heard statements by some colleagues which prompt me to take the floor again to request some basic clarification.

Why are the clarifications we just heard so important to the report I will send to my capital? If we are discussing something that is the work of the Conference, then it is the work of the Conference. If, as the Ambassador of Japan, Mr. Suda, just said, this activity, regardless of whether it is formal or informal, is not part of the work of the Conference, then reporting this will help our capital judge accordingly and decide just how it would like to deal with this issue.

It is perhaps a bit selfish of me to waste everyone's time, but for the Chinese delegation this is an important matter, because if it is not made clear whether the activity proposed by Australia and Japan is part of the work of the Conference, then I believe there is no reason to discuss whether or not this issue involves a decision by the Conference. If the activity does not fall within the scope of the Conference's work, then naturally there is no need for the Conference to take a decision. If it does fall within that scope, then the decision is not to be taken by the P6, but rather by the members of the Conference. In dealing with this question, we must not put the cart before the horse. This is why we must first clarify whether in the end this is or is not part of the work of the Conference.

Secondly, permit me to thank the Australian and Japanese delegations for undertaking this initiative. Even if, strictly speaking, this is not the work of the Conference, the delegations have made this contribution out of a sincere desire to advance the work of the Conference and the negotiations on an FMCT, and this in itself is a good thing. Without wanting to reprimand anyone, I should like to state that it could have been clearly indicated from the start that the plan was for this work to take place either on the "sidelines" of formal work or "as a part of the Conference's work", or whatever the case may be, so that someone like me who is not so bright would not be confused. I am thus grateful to the Japanese Ambassador for his clarification.

I hope that all of this work will assist the Conference in its negotiations on an FMCT. In fact this kind of activity, while it may now be taking a new form, is in no way a novelty. The Japanese delegation has previously undertaken a series of activities on an FMCT. Side events and working lunches have been positive, as have other very useful FMCT-related activities proposed by States. Other countries have also, on the basis of their own national initiatives, put forward many substantive ideas and organized many seminars on a fissile material cut-off treaty.

At the same time, many activities have been carried out on other main topics of interest to the members of the Conference and to the international community, even though they have been organized outside the Conference. These have included discussions of outer space, such as the draft treaty on prevention of the placement of weapons in outer space submitted by China and the Russian Federation, and also nuclear disarmament seminars organized by a number of countries. All such activities are beneficial, and all contribute to the Conference's discussions and future work. However, the fact that they are obviously important and useful should in no way prevent us from making it clear just what kind of activities they are. Only by doing so can we be better placed to participate in and conduct these activities. That is only logical. The representative of the United States just asked why China has brought up this subject without raising any other questions. I think there is no need to repeat the reasoning, which is very simple. At any rate it is my hope that activities through all channels will benefit the Conference and lead to an early start of substantive work, and that everyone will show the political will and wisdom required and make a common effort to push the Conference's activities forward and begin substantive work as soon as possible.

I would like to thank Ambassador Grinius, who got us off to a good start. Not only has he led us through a smooth adoption of the agenda, he has been open and transparent in handling the last few weeks' programme of work — the indicative timetable for our activities — consulting and holding open and transparent discussions with each member State. As for the participation in this meeting room everyone has been very constructive and cooperative in receiving Ambassador Grinius's indicative timetable for the past few weeks, with no objections raised. I believe that if we can continue to hold such constructive, engaged discussions on all the subjects of debate, as we have done in the past two or even three weeks, nothing bad can come of it.

The representative of the United States just said that he hopes to continue in this way, and I think that all we need is for everyone to agree. And why would they not agree? It can only produce a positive result. Ambassador Grinius may proceed in this way, as may the Ambassador of Chile, with all of us working within the rules of the Conference. This work has only just begun, has it not? Ambassador Grinius's two weeks of work have given us reason to hope. We must all further develop our mutual trust.

There are national security concerns, which is normal, and this is nothing to be afraid of. What is key is that we have to face this reality, and through political will and political wisdom address those concerns and reach a solution that everyone can accept. In fact, for some time now there have been some who have said that the Conference on Disarmament has already been deadlocked for 10 years and has made no progress. I disagree. I support the representative of the Russian Federation, Mr. Victor Vasiliev, who the other day affirmed that it cannot be said that the Conference has not made progress in the past two years. Mr. Vasiliev mentioned the draft treaty on the prevention of the placement of weapons in outer space, but actually much more has been accomplished. For example, under the leadership of Ambassador Jazaïry of Algeria, the Conference members all adopted CD/1864, which was no small accomplishment.

As for the question of why the Conference did not subsequently launch FMCT negotiations, I think a careful look at the situation will make that clear. At the time, when CD/1864 was adopted, the distinguished Ambassador of Pakistan did not put forward a killer amendment. Thus, political mutual trust is very important. Given that everyone had agreed to CD/1864 in August 2009, we should have been able not only to start work on the basis of CD/1864 but also to build momentum. Why did that not happen? We thus need mutual trust, and not mutual finger-pointing. CD/1864 was for us a great step forward, and one that we absolutely must not belittle.

Aside from that, last year, when the Ambassador of Belgium was President, the Conference held unofficial discussions on the four core issues, and everyone agreed on that arrangement. Who says the Conference cannot reach a consensus? CD/1864 was adopted by consensus, and under the Belgian presidency everyone agreed to hold informal consultations; that too was a consensus, with every member of the Conference entering into that consensus. So why is there such scepticism when it comes to discussions in the Conference? Why this lack of faith? We must have faith that we will start substantive work as quickly as possible within the rules of the Conference. Ambassador Grinius has set us off to a good start. Let us now remain steadfast and keep up a solid pace so that the four core issues may be discussed in the Conference, either through formal meetings in the plenary or through informal discussions.

I think that if we do this right, then we will have a good foundation for our programme of work. This foundation, this successful programme of work will be the result of the efforts made by Ambassador Grinius and the Ambassador of Chile. I have full confidence that if everyone works hard, then the Conference will negotiate and adopt a programme of work and begin its substantive work. What we have to watch out for is

(spoke in English)

preconceived political views. Let us now do away with such preconceived views and genuinely embark on the Conference's work, within its parameters.

(spoke in Chinese)

I did not intend to take the floor for such a long time today, and I apologize for speaking at such length. Permit me once again to emphasize that I support the work done within the Conference. The negotiations clearly have to be conducted within its framework. At the same time, I also appreciate the hard efforts made by other countries through channels

(spoke in English)

outside the Conference. Informal inputs can supplement our work, and are useful. I would thus like to thank the Ambassador of Australia and the Ambassador of Japan for their enormous efforts.

(spoke in Chinese)

Please excuse me for speaking so long, and thank you all for your attention.

Mr. Manfredi (Italy): I will be very brief. I would just like to say a few words about the side event by starting with the fact that multilateral diplomacy has been living with side events since the Congress of Vienna. Any member of the Conference on Disarmament is free to organize them. It is their sovereign right to do so, and no one can prevent them. The idea behind a side event is that if you are interested in the topic it is on, you are free to participate. If you are not interested, you can stay away. For our part, Italy is very grateful to Australia and Japan for their initiative in organizing a three-day side event on definitions in an FMCT. We consider it a useful educational experience for our future discussions and so we will take part.

Mr. Daryaei (Islamic Republic of Iran): I am sorry to take the floor again, but I appreciate the explanations given to us by our distinguished colleagues. I think, Mr. President, as you are well aware, that the work of the Conference on Disarmament is clear and the procedure is clear and we really appreciate the manner in which you refer to the rules of procedure. It is clear that you are conducting the work of the Conference on Disarmament within the framework of the rules of procedure, and we appreciate that. Based on the rules of procedure, we have two options: to hold formal plenary meetings and negotiations based on the programme of work; or, if there is no consensus on the

programme of work, we can be innovative and hold some sort of informal discussions as we did under the Belgian presidency. So, we submit a timetable, we discuss it and, in the interests of the equality of all the agenda items, we might decide to do it this way. This is clear, and I understand that the event announced by the Ambassadors of Australia and Japan would not fit into either of those two categories – it is something else. By its very nature, it really is a side event and, if it had been announced by the secretariat, that would have avoided a lot of misunderstandings; because when the President of the Conference announced the event, it caused some misunderstanding among delegations that you might be seeking some sort of approval, or decision-taking.

Now, having heard all of these explanations from colleagues, I think it is clear that it is a side event. A side event is not a novelty; we have had many side events, as I mentioned, such as the Tehran Conference on nuclear disarmament. We are also thinking of holding another side event, specifically for nuclear disarmament, in which all colleagues are invited to participate. The side events have their own merits, and the matter should not be blown out of all proportion. So, given that we are talking about side events, it is the right of member States to announce them and it is the right of member States to invite countries, and the right of member States to participate in them or not. This is clear. It might or might not help with the agenda. I think that the issue is now clear, for us at least, and we appreciate the explanation that you have given us.

The President: Thank you very much. Again, I regret any confusion caused by announcing the side event. We know each other quite well. I think I know most of you quite well, and you know that I am quite enthusiastic about moving the whole process forward and enthusiastic about other events that do take place outside of the Conference on Disarmament, just as I was very enthusiastic and announced that there would be a side event with our interpreters. I look at that as simply housekeeping. Would it be acceptable if I turn to the secretariat and say “housekeeping – over to you” so that there is no confusion on the part of the presidency and the august body and the power and the glory is still there? Then we will make sure that it is done correctly. I give the floor now to Pakistan.

Mr. Khan (Pakistan): Mr. President, my apologies for taking the floor again, but first of all, I just wanted to thank you for facilitating this discussion and to provide a word of explanation as to why I raised this question. It is because of the importance we attach to the Conference on Disarmament and the sensitivities all delegations have vis-à-vis different aspects of the work. We should respect each other's right to raise this question to seek clarification. Often the clarification, if it comes in clear black and white, helps, and then there is explanation by analogy, although explanation by analogy confuses people. However, we heard very clear explanations from the Ambassador of Japan and from your good self; and I think the best explanation by analogy was when you drew a parallel with a meeting you had attended in Berlin. In any case, I want to thank you, Mr. President, and the Ambassador of Japan for offering the clarifications. Now, if you would allow me, with your permission, to ask a question about the provision of interpreters during this side event. Will there be interpreters available?

The President: There will be no interpreters available. I believe that the working language will be English only. Algeria, you have the floor.

Mr. Khelif (Algeria) (*spoke in Arabic*): We would have appreciated simultaneous interpretation for this event. Since that it is not possible, our ability to participate in this meeting as we should like will be limited.

Secondly, in the light of the discussions concerning events, we would like it to become a custom here at the Conference, as is the case in other meetings, for requests for such events, which lie outside the scope of the work of the Conference, to be announced by the secretariat of the Conference. That would put a stop to any misinterpretations.

Furthermore, and this is a wish rather than an invitation, we would like a similar event to be held on disarmament, especially on a treaty for the complete prohibition of nuclear weapons.

The President: I thank the representative of Algeria for his statement, and would welcome the organization by Algeria or other countries of a side event on nuclear disarmament, which would then be announced by the secretariat, rather than the President, and hopefully I would not get into so much trouble. I thank all participants for today's meeting. We had a lengthy discussion on nuclear disarmament, just like on Tuesday. I believe that our exchange on fissile material and the articulation of important national security positions was important. I also really appreciate the fact that we had this kind of exchange this afternoon. I did not see anybody with typewritten notes who spoke. It was a more spontaneous exchange of views that certainly went beyond the question of what a side event was and got into more of a reflection of how this august body, the Conference on Disarmament, has to work, and has to move forward with wisdom, with speed and I think there is a factor of luck also.

With these comments, I would like to close our meeting for today. The next plenary meeting will be held on Tuesday, 8 February at 10 a.m. Thank you very much.

The meeting rose at 5.10 p.m.