
Conference on Disarmament

30 March 2011

English

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

Held at the Palais des Nations, Geneva, on Wednesday, 30 March 2011, at 3.15 p.m.

President: Mr. Wang Qun(China)

The President: I call to order the 1220th plenary meeting of the Conference on Disarmament.

I envisage, as announced, that the current plenary meeting will be devoted to an exchange of views among members on the question of the programme of work of the Conference. As you may recall, during the Chilean presidency, we had very good discussions on the question of the programme of work. Thus, when taking up its presidency, China would like to continue this practice with the objective of facilitating, as much as possible, evolving consensus on this issue. As you may recall, on 22 March we had another round of exchanges in plenary session on the question of the programme of work, where, on my proposal, the general focus was on the question of non-starters for the programme of work, without prejudice to any other input from member States. Subsequently, I did receive substantive input from member States.

Today I hope to continue this process and to have a general exchange of views among member States on the question of the programme of work focusing on the most indispensable elements of a programme of work. Let me repeat: this is without prejudice to any other input from member States on the programme of work. This is purely a proposition from the presidency, the purpose of which is to stimulate discussion among member States. I am therefore looking forward to interactive exchanges today on the question of the programme of work.

Mr. Valencia Muñoz (Colombia) (*spoke in Spanish*): Mr. President, since it is the first time that my delegation has taken the floor during your presidency, allow me to congratulate you for taking on this difficult and complex task. My delegation offers you its full support and wishes you the best of luck. We appreciate the opportunity you have given us at this plenary to discuss the programme of work, and in particular the essential elements that a programme of work should include. Colombia did not want to pass up this opportunity to share a few thoughts on the subject. We share them with the hope that you will reflect on them with an open mind and a constructive spirit, especially during the recess starting next week.

Distinguished delegates, in our recent meetings we have heard various calls in this room for a long-term schedule of activities that would hopefully cover the whole year, not just the current presidency. We welcome this suggestion, because this is precisely the essence of what my delegation understands a programme of work to be. According to our rules of procedure, and as we have mentioned before in our previous statements on the subject, the programme of work is a guide for organizing our work, a schedule of meetings and topics that would allow us to implement the established agenda in a comprehensive and balanced manner, and that might include a discussion on the mandates we want to set for each of these tasks.

What advantages do we see in adopting the programme of work as a schedule of activities? Firstly, we would overcome the obstacle posed by procedural issues and would put an end to the discussions on the programme of work once and for all. Here we face a paradox: when debating about the work of the Conference, delegations emphasize the need to fully comply with the rules of procedure and therefore insist that the first thing we must do is to come up with a programme of work. But it is curious that when it comes to applying this same rule, some of those delegations consider it inconvenient to apply it as it is written, with the programme of work being a simple schedule. Article 28 of the rules of procedure, which establishes the need for a programme of work, does not state that it must contain mandates or establish bodies. Only in article 23 is it stated that, when the Conference deems it advisable for the effective performance of its functions, it may establish bodies and define their respective mandates.

A second advantage is that the adoption of a minimalist programme of work would allow us to concentrate on substantive discussions. The first substantive discussion we hold should focus on the mandate we want to define for each of the items on our agenda – what we want to negotiate during this session of the Conference. In our view, this matter is of no little importance, nor can it be seen as a step backwards. On the contrary, holding an open and transparent discussion on this matter might open up a window of opportunity allowing us to find out where we stand and where we can go from here.

In 2009 we reached consensus on the bodies and mandates in document CD/1864, but in 2011 we face a different scenario. That is why it is important for everyone to participate in this discussion, with the aim of working together to build consensus this year. We cannot abandon the negotiations on the bodies and mandates with each new presidency, as is the case when we follow a programme of work that includes mandates. It is physically impossible, given the human resources and time available to each president, for them to negotiate individually with 64 delegations on such a crucial element. The president serves as a facilitator for our work but cannot take on a responsibility that is incumbent on all members of the Conference. We are not belittling the obligations of the presidency — we recognize the duties it entails — but we must give them their proper weight.

Thirdly, a minimalist programme of work would allow us to implement more quickly and efficiently the mandates we agree on. Allow me here to refer to the experience of 2009. That year, despite the important achievement of reaching agreement on a programme of work that included mandates, when it was time to draw up the schedule of activities the Conference simply ground to a halt. A simplified programme of work could help us to prevent that from happening again.

Fourthly, a minimalist programme of work would facilitate the preparation of our annual report. In the past few weeks some delegations have very rightly asked: without an adopted programme of work, what are we going to report on? In 2011 it would be unacceptable, after the discussions held last year on the disarmament machinery and the calls to strengthen the Conference, for the report of the Conference on Disarmament to be merely a compilation of procedural issues.

Lastly, adopting a simplified programme of work would ease the time constraints we are facing. Ten weeks — a third of our current session — have already passed. If we keep going in circles in discussions on a more complex programme of work, or leave it up to our presidents to negotiate the mandates, it could take us all year. Reaching consensus on a schedule of activities might be easier and would allow us to devote the time we have left to real substantive work.

We suggest these ideas in a constructive spirit, with the aim of being flexible and creative and finding different angles to an approach that has proven ineffective for the past 13 years. We repeat: our delegation is inspired only by the desire to negotiate and to see the Conference on Disarmament conducting substantive work once again and fulfilling its mandate. We are ready to work using any approach that we can all agree on, whether it be a minimalist programme of work or one with broad mandates or simple mandates along the lines of the constructive ambiguity employed by the previous president.

Before concluding our statement we would like to touch on the concept of security, which is at the heart of the work of the Conference and about which other delegations have spoken in previous sessions. With regard to security, we ask ourselves: in an interconnected and interdependent world such as we live in today, of what use are nuclear weapons in meeting the threats of the twenty-first century? What do weapons of mass destruction contribute to the security of our countries? Can we really defeat international terrorism with a nuclear weapon? Can an atomic bomb destroy transnational organized crime networks? Does the power of deterrence help to prevent climate change? Does spending on weapons

of mass destruction help to eliminate poverty and achieve the Millennium Development Goals? We believe that world peace and security are built by generating wealth and prosperity for all, encouraging dialogue and a culture of peace, building trust, and enhancing cooperation among all our countries to cope with the threats to our security. This is where true power lies: in the ability to build something positive.

Lastly I would like to reiterate the request that we listen to each other. Let us move on from statements to a more active dialogue inspired by a spirit of transparency and by our negotiating mandate. We are calling on you to be flexible and open to different options, without clinging to predetermined positions. But above all, I repeat, we call on you to demonstrate the political will to move forward with the work of the Conference on Disarmament and the items on our agenda.

The President: I would like to thank the representative of Colombia not only for his important and substantive input but also for his important call to open up all possibilities and options.

Mr. Macedo Soares (Brazil): Mr. President, thank you for having convened this meeting to deal specifically with the question of the programme of work. You know that you can count on the support of my delegation. Every delegation always starts by pledging support to the presidents, until the moment the president proposes something; then support shrinks. However, I can assure you that my delegation is ready to consider, with openness, the proposals that we hope you will be able to present to the Conference.

Of course, one of the tasks of any president when conducting the proceedings of the Conference is to consult delegations widely, but I think it is also to make proposals. China has all the authority to make a proposal that could unite delegations around it and lead the Conference into another phase by starting more focused discussions resulting, not directly in negotiations, but in preparations for negotiations. In previous years, many proposals for programmes of work were made by many presidents. All of them are variations on a theme, and the difference concerning the degree of support for each of these proposals reflects the sensibilities of each member State. We have to take these sensibilities into account.

In principle, in the programme of work we should provide for subsidiary bodies to deal with the four core issues on our agenda in sufficient depth. In previous proposals different wordings were used to establish working groups on nuclear disarmament, negative security assurances and the prevention of an arms race in outer space. Those different wordings were used with a view to conducting discussions, but also to opening the way for future negotiations. This is important, although I would be open to suggestions along the lines of those just made by our colleague from Colombia on what he calls “a minimalist programme of work”. Of course, it depends on what the substance of this minimalist proposal would be; however, in any case, we have to at least point in the direction of negotiations since, as we know, the Conference on Disarmament was established by the first special session of the General Assembly devoted to disarmament as the sole multilateral negotiating body on disarmament.

Then we have the specific issue of fissile material for nuclear weapons or nuclear explosive devices. There we have run into an obstacle, as some delegations prefer to limit, or insist on limiting, the reference to the prohibition of production, while many other delegations are open to the question of the consideration of other aspects concerning fissile material. We have not yet reached the balancing point, but we should continue trying to find this point where our positions could converge. We cannot prejudge the result of the negotiations, but we should, by using the right words, even if we do not stipulate the aims or even every aspect to be dealt with in a negotiation, give delegations the assurance that every aspect will be considered, especially when deciding on the launching of a negotiation. I am making these considerations to show that, in the opinion of my delegation, first, it is

possible to conclude a programme of work (we should relax and imagine that it is not an insurmountable task); and, second, my delegation counts very much on your leadership, as a representative of China, one of the nuclear-weapon States recognized by the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). I hope that the five nuclear-weapon States recognized by the NPT will meet in Paris in a few months with a Conference on Disarmament that has already adopted a programme of work. Moreover, I hope that in our report to the General Assembly later this year we can report on the commencement of activities under the programme of work. This is the disposition of my delegation that I would like to convey to you formally.

The President: Thank you very much, Ambassador, for your pertinent views on the Conference, especially on the question of the programme of work. As Ambassador of China, from a national perspective, I am most touched by your remarks. China will do its utmost to live up to the expectations not only of Brazil but also of the international community in its efforts to advance the arms control and disarmament process and also the earliest commencement of our work, including negotiations on a fissile material cut-off treaty. As President, I too will do whatever I can, and to the very best of my ability, to forge consensus in this chamber on the programme of work so as to get our work started at the earliest possible date. So I thank you very much. Let's all join in a concerted effort to attain this very objective.

Mr. Manfredi (Italy): Mr. President, first of all let me express the appreciation of my delegation for your words regarding your intentions to go forward with efforts to have the Conference adopt a decent programme of work for this year. Please be assured that we will do our utmost to help you. From a national perspective, I would like to be very brief. I would simply like to say that, in our opinion, document CD/1864 was the one that best addressed our national security interests, but we will not be the one country to prevent the Conference from arriving at a consensus on any other reasonable document relating to our work.

Mr. Wilson (Australia): Mr. President, as this is the first time Australia has taken the floor during your presidency, I wish to congratulate you on assuming the presidency of the Conference on Disarmament and offer you the support of my delegation in your efforts, including for concluding a programme of work. Australia is grateful for this opportunity to put forward its views on the indispensable elements of a programme of work. Our views on this matter are, I believe, well known. At the 2010 NPT Review Conference, Australia and all other NPT States adopted by consensus an action plan which crosses the Treaty's three pillars and addresses matters related to the Middle East. Three actions relate directly to the work of the Conference on Disarmament: actions 6, 7 and 15. Now I know that these three actions have been cited on a number of occasions this year and in recent meetings, but I think that it is important to recall what each of these actions says.

Under action 6, the NPT States agree that the Conference should immediately establish a subsidiary body to deal with nuclear disarmament within the context of an agreed comprehensive and balanced programme of work. Under action 7, the NPT States agree, without prejudice to efforts within the NPT, that the Conference on Disarmament should, within the context of an agreed comprehensive and balanced programme of work, immediately begin discussion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons – to discuss substantively, without limitation, with a view to elaborating recommendations dealing with all aspects of this issue, not excluding an internationally legally binding instrument. Under action 15, the NPT States agree that the Conference on Disarmament should, within the context of an agreed comprehensive and balanced programme of work, immediately begin negotiation of a treaty banning the production of fissile material for use in nuclear weapons

or other explosive devices, in accordance with document CD/1299 and the mandate contained therein.

Australia understands that the Conference on Disarmament includes a number of countries which are not NPT States. Nevertheless, Australia considers that all NPT States in the Conference have an obligation to each other to contribute to the implementation of the action plan agreed on at the 2010 NPT Review Conference, including actions 6, 7 and 15. Accordingly, Australia considers that it is indispensable for the Conference on Disarmament programme of work to provide for or lead directly to the effective implementation of actions 6, 7 and 15.

It is important to recall that if either of the decisions contained in documents CD/1864 and CD/1889 is adopted and implemented, it would effectively mean implementing actions 6, 7 and 15. Furthermore, Australia is not aware of any objections to the adoption and implementation of document CD/1864 or document CD/1889, specifically on the basis of the mandates they contain in relation to the prevention of an arms race in outer space.

Australia considers that there is one last indispensable element for a programme of work, and I have already alluded to it – implementation. The Conference needs to do more than adopt a programme of work. It needs to implement the programme of work and to sustain the work arising from its implementation, including beyond the First Committee during the sixty-sixth session of the General Assembly.

Mr. Khan (Pakistan): Mr. President, first of all, I would like to commend you and your team for the open and transparent manner in which you have been conducting the work of the Conference. You can count on the support of Pakistan in your efforts to move forward, and my delegation feels that the agreement to move according to an agreed indicative timetable, as contained in document CD/WP.565/Rev.1, is a good start. We recognize and welcome the constructive attitude of all delegations in this regard.

As we proceed further in our search for a programme of work, in our opinion, we should be guided by the famous dictum that it is not the quality of drafting but the depth of consensus which makes agreements successful. I think this is the key which can open many doors for us. Another key point for us is that we should move along with a sense of mutual respect and understanding, trying to understand each other's positions in a constructive manner and then trying to see how we can move forward. A positive, constructive attitude and respect for each other's positions can take us forward.

As far as Pakistan is concerned, in more specific terms, we briefly highlighted our position during the last plenary meeting you convened. I wish to reiterate our readiness to stay engaged with the President and the other delegations and also to say that we are willing to consider approaches which are balanced and comprehensive and which also basically deal with all important issues in an equal and balanced manner. However, we will revert to the matter in more detail as the discussions proceed further, and perhaps in the third session that you have wisely scheduled during the coming weeks.

Mr. Oyarce (Chile) (*spoke in Spanish*): Mr. President, firstly and briefly I would like to express my appreciation for your efforts and those of all the members of the Conference to reach agreement on a schedule of activities for the coming weeks. The working paper CD/WP.565/Rev.1 will guide us, which is a good start, and I hope it will be a good start with political significance. We find merit in the idea that the representative of Colombia has suggested here and that we have discussed with some of the delegations, which is to have a more long-term timetable. There are both substantive and practical reasons for this, but the idea steering us today is to think collectively about how we can move towards developing a programme of work. This is the responsibility of the President but is also a collective responsibility, and we appreciate the President's efforts and his call

for us to reflect on this issue. I will make some general comments, and on another occasion we can go into further detail.

It seems clear to us that we must consider some type of agreement that opens the way for negotiations without prejudging the relative priority given to issues. How can we achieve a balance similar to that reached in the decision contained in document CD/1864? This is a subject that we need to analyse.

I would like to make two general observations. Firstly, the mandate of this Conference is to negotiate. Therefore, we must clearly understand that negotiation is the responsibility of each one of the States in this Conference. But this cannot in any way be interpreted as either directly or implicitly limiting the prerogative of a State to decide how and when it negotiates and whether or not it enters into any agreement that might emerge from negotiations. This is fundamental. A second aspect I would like to mention is that we are aware that perhaps not all the items on the agenda are ready for negotiation. We are also aware that the members of the Conference on Disarmament do not all share the same priorities. Nevertheless, substantive discussions that are increasingly focused on the various essential elements, including technical input from experts, could at the very least prepare us for negotiations. We might wonder, however, if this exercise we are engaged in now might be prolonged indefinitely. If this happens, what will we say in our report to the General Assembly? In order for this to be a useful exercise and not just a reflection on the programme of work, we should define some parameters that, as the Ambassador of Brazil said, provide assurances for all the delegations.

Firstly, we might ask ourselves whether or not we are willing to alter or adjust the agreement reached in document CD/1864. This is a complex matter, but it is worth trying if there is political space to do so. Secondly, we might consider a simple programme of activities. It has been referred to here as minimalist; call it what you wish. What is clear is that in this scenario negotiation is an essential objective of this Conference, and consequently any effort, made in compliance with the mandate of this forum, to move towards substantive work under this minimalist approach should lead us to negotiations. Therefore, minimalism does not preclude negotiation; they can coexist. Thirdly, would it not be possible to consider establishing a practical order for the negotiations — not priority-based, but practical — on the basis of a political agreement, and with the understanding that it would be difficult for the Conference to sustain two negotiations at the same time? Fourthly, we believe that we need to consider establishing a practical order for the negotiations based on such an agreement, and also that it would be useful to consider to what period the programme of work should apply. We would probably have to weigh the possibility of a biennial or multi-year programme of work, one that could always be re-examined by the Conference, but this is an idea that has not been taken up in other forums.

My delegation believes that we have plenty of ideas and proposals before us, and in upcoming meetings we will probably see fresher initiatives. A systematic analysis of these options will give us a clear picture of the tools at our disposal. In our view, the key issue will be to realistically determine whether there is indeed political space to develop a viable approach. If not, then we have to keep looking for alternative ways to overcome the lack of negotiation. It is clear that we must report to the General Assembly, and we are confident that we can have a positive message to share. Otherwise, appropriate decisions will probably be taken in that forum.

We are confident that you, Mr. President, will continue to guide us in this delicate matter that, I would say, is the essence of the work we do here.

The President: Thank you very much not only for your statement but also for the proposals and ideas you presented to members.

Ms. Kennedy (United States of America): Mr. President, of course we support your efforts to steer us in our work. As I think I have said before, we are happy to engage in plenary and informal meetings; we are happy to follow a programme that lasts for a week, a month, throughout a presidency, or for a year. As I have heard from my predecessors, we have done all of these various variations, year after year, and we are happy to continue any of them. However, like various other speakers, I would say that the business of this body is to negotiate, and therefore, while we are happy to follow any timetable that is proposed, let's not kid ourselves that it is a meaningful programme of work, if it is simply more discussions that lead nowhere.

For example, when we were talking about informal meetings the other day, I noted the fact that the meetings will be reported orally and they will not have any effect on people's positions. Thus one might ask: "What is the point?" Once again, we are happy to participate, we take this seriously, we prepare and will indeed contribute, but the business of this body should be to negotiate. My colleague made reference to the NPT action plan. I do not hang my argument on that, although I would say that, obviously, we signed it and we subscribed to its contents. Nevertheless, in forum after forum, in different contexts, the urgency of a negotiation on a fissile material cut-off treaty (FMCT) has repeatedly been endorsed, even in this body, although it was then rejected. Thus that task is as urgent as ever.

We therefore hope, Mr. President, that you will be able to come up with a consensus programme of work containing a mandate for negotiations on an FMCT. Our distinguished colleague from Brazil made reference to the need for balance. I would suggest that such balance was achieved in 1995 with the Shannon mandate. It is no surprise that our national position is that it should be just as it is usually phrased in an FMCT – that it should deal with stocks. I would also point out that we are dealing with stocks each and every day in terms of blending down and vitrification. We are not putting that off, but with regard to formal negotiation, our position is that we should start with stocks. However, to go back to the Shannon mandate from 1995, it does not foreclose having stocks in the scope: it says specifically that this will be decided in the course of the negotiation.

I therefore believe that we need to start that negotiation. Countries need to start that process in order to come to grips with the key issues that we have been talking about for many years: definitions, verification, scope and so on. It is important to keep talking about these issues, we are happy to do so, but we should not pretend that this is an actual substitute for negotiations.

The President: Thank you, Ambassador Kennedy, for your important statement. As President, I am not supposed to make observations of substance. However, in relation to what you said about informal meetings, especially with regard to the oral report of the President, I want to draw your attention to the last paragraph of the paper from the Belgian presidency, according to which the chair or coordinator could also prepare reports, in their personal capacity, and submit them to the Conference. I therefore understand that it would be virtually impossible for the president to submit a report if it is oral. Having said this, I understand that what is set out and envisaged in document CD/WP.565/Rev.1 is without prejudice to the written reports of the coordinators, as long as they have drafted them in their personal capacity. This is my personal understanding and is by way of information to all delegations, including our distinguished colleague from the United States.

Mr. Duncan (United Kingdom): Mr. President, I was not intending to speak, since I said much of what I wanted to say in previous meetings, but I was prompted by what our Australian colleague said in his earlier statement. I can agree with much of what he said, and it is important that we remind ourselves of what is going on outside this particular club.

This is an important debate and a frustrating one. Personally, I have been doing it for five years, and it is remarkable to me that within that five-year period we have done something that has been a real challenge to all of us, as we are trying to move into the twenty-first century and recognize that the ideas of East/West and North/South are really quite obsolete. However, we have done it. In 2007, we forged a cross-regional coalition, and it has held together against all attempts to disrupt and to sidetrack it. The position of most of the nations in this room — in fact, virtually all of them — is that there is a package which we may not think is wonderful; there are bits which make us uncomfortable, but we can all live with it — bar one nation. We have reiterated that position over the past five years, both here and in various other organizations. It is, of course, deeply disappointing.

However, with regard to what some of our colleagues in the non-nuclear-weapon States have been requesting — more progress on disarmament — we have responded as nuclear-weapon States recognized by the Treaty on the Non-Proliferation of Nuclear Weapons to that request. Indeed, action 7, referred to by our Australian colleague, is a concrete offer to actually deal with the issues of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and we have made that offer in good faith.

Another important issue which was discussed at that meeting was the Middle East, but it is not something that, for reasons which are fairly self-evident, we would wish to bring to the Conference.

In conclusion, it is with regret and with all due respect to colleagues that I say the situation is perfectly clear: the overwhelming majority can agree on a package, they have remained solidly behind that package, they have reiterated that view several times, many times, but one nation cannot allow the rest of the international community to move forward on these important dossiers. We have tried all sorts of permutations of that package, and each time those permutations have been put forward it has been a failure. That is the situation. I do wish you the best of luck in trying a further permutation, but that is the situation, and we have been in that situation for the best part of five years.

Mr. Quintanilla Román (Cuba) (*spoke in Spanish*): Mr. President, allow me to congratulate you and to express our satisfaction at seeing a representative of the Chinese people taking up the challenge that is the presidency of the Conference on Disarmament. We also wish to recognize the efforts made by the Ambassador of Chile during his presidency. Only by seeking negotiated solutions in a multilateral framework, and acknowledging the need to arrive at collective agreements, can international peace and security be safeguarded. To that we should add: by taking steps to break the deadlock that has characterized the Conference in recent years. This is the sole multilateral disarmament negotiating forum — and I would add, “that does not negotiate” — and as such it should take on the importance that entails. To this end, Cuba is in favour of restarting the substantive work of the Conference by adopting and implementing a programme of work that includes all the topics on the agenda of the Conference. Cuba calls on the Conference to show the required flexibility, based on respect for the rules of procedure and constructive dialogue, to achieve the adoption of a comprehensive and balanced programme of work that takes into account all the real priorities in disarmament and arms control.

Taking into account the points raised previously, Cuba, along with many other countries, is of the view that the highest priority in our work must be nuclear disarmament. We support the creation of an ad hoc committee and urge the Conference to begin negotiations on an instrument establishing a phased programme for the total elimination of nuclear weapons within a specific time frame and under strict international control. Cuba opposes the intentions of some stakeholders who seek to ignore or minimize the relevance of nuclear disarmament and to impose a selective non-proliferation approach. With regard to a possible treaty to end the production of fissile materials for nuclear weapons, we are

concerned about the selective and politicized reasoning behind such a treaty, knowing that it is primarily in the interests of western countries. There is now a worldwide call for the prevention of an arms race in outer space. It is therefore necessary to take even bigger steps on this issue. To this end, we support the urgent establishment of an ad hoc committee in the Conference on Disarmament to begin negotiations on an instrument dealing with this matter.

Mr. President, I have conveyed to you some of my country's positions and concerns regarding the work of the Conference. Allow me to conclude by reiterating our delegation's full support for the mandate and work of the Conference and also for your efforts as President.

The President: It is my impression that many delegations have talked about the need for an agreed programme of work, especially in order to handle properly the different wording relating to the mandates of the four core issues. Also, many delegations have talked about balance in their statements. "Balance" is the word they used.

This leads me to recall, from documents I have read, as well as from relevant nuclear disarmament negotiations, that strategic balance is also something that is much talked about. Thus balance is one word and equity is another one. I am saying this because it prompts me to pose another question, if I may, without prejudice to your views, inter alia, on the programme of work, simply for the sake of focused and interactive exchanges in this chamber on a possible emerging consensus. How should we look at the question of balance in a programme of work? Is it something that should be looked at in the context of balance in the programme of work as a whole, or is it the balance among the mandates of one core issue vis-à-vis other core issues? What do we mean by this, and could we have a bit more discussion on it in order to enhance our dialogue? I say this without prejudice to input from other delegations.

Mr. Van den IJssel (Netherlands): Mr. President, I do not know whether I will be able to answer your question, but let me first say that I am very pleased to see you in the chair and I do appreciate very much your efforts to bring progress to the Conference on Disarmament. You may be assured of our support. We also very much appreciate the possibility to speak in this plenary meeting on the programme of work. You have asked us to share with member States, and with you, our views on what is indispensable to a programme of work. I am more than willing to share some of the views of the Netherlands on that.

Let me start by saying that it is important to realize that the adoption of a programme of work is not an end in itself. A programme of work is nothing but an instrument to help us fulfil our mandate. Adopting a programme of work and/or sending a report to the General Assembly that we have adopted the programme of work does not mean that we have fulfilled our mandate.

My second observation is that four or five days from now, if I am not mistaken, the United Nations Disarmament Commission will convene in New York. In October, many of us will gather at the First Committee session in New York, and in both forums we state positions, exchange views, sometimes we repeat positions and sometimes we repeat them year after year, and that may have its use and function. However, in my view, it is not the road for the Conference on Disarmament. Our task is to negotiate. Discussions in this body should be a function of negotiations.

It is therefore indispensable that the programme of work enable us to start negotiations, or at least clearly prepare the way for negotiations. Then there is the question of what to negotiate. Our firm view is that a fissile material cut-off treaty (FMCT) constitutes the issue for which there is most support in this body. If this is not the case, of course we are open to suggestions. However, we think that on all other issues there are

more objections: moving from consensus minus one to consensus minus four, five or six takes us nowhere and is not productive. Again, if this is not the case, we will keep an open mind.

Having said this, Mr. President, I can assure you that the Netherlands is flexible about the programme of work. We support both document CD/1864 and document CD/1889. We can support a reference to stocks in an FMCT mandate. We have to negotiate it, and we will see where it ends, but we should not have conditions at the start. For us it is important that the programme of work at least give us hope, and perhaps more than hope, that we can start our work.

Mr. Rao (India): Mr. President, thank you for giving me the floor. As this is the first time I am speaking in a formal plenary meeting under your presidency, let me congratulate you on your assumption of the presidency and assure you of the full support of my delegation in advancing our shared objectives.

More than a month ago — on 22 February, to be precise — we discussed under the Chilean presidency possible elements for a programme of work. Previously, on 25 January, under the Canadian presidency, the Conference adopted its agenda for the year. However, despite the laudable efforts undertaken by your predecessors, the Conference still does not have an agreed programme of work. Discussions have taken place on the various agenda items, but, regrettably, we are yet to begin negotiations on any item in accordance with the programme of work. Therefore, we welcome your initiative to focus deliberations on this priority issue at three plenary meetings under your presidency. We continue to be hopeful that the Conference on Disarmament will be able to adopt its programme of work at the earliest and commence substantive work, including negotiations.

As I stated on 22 February, India will not stand in the way if consensus emerges on a programme of work, picking up from where we were in terms of the consensus decision contained in document CD/1864 of May 2009, if such a decision facilitates the early commencement of substantive work of the Conference.

My delegation is prepared to work on all the four issues that have been identified during consultations by your predecessors as items of priority for work in subsidiary bodies of the Conference, as part of its programme of work. Those are also the issues that have been consistently identified as priorities in multilateral forums outside the Conference and for the Conference. Allow me to elaborate. Nuclear disarmament continues to be our highest priority. With other members of the Movement of Non-Aligned Countries and the Group of 21, we support the objective of a nuclear weapons convention banning the production, development, stockpiling and use of nuclear weapons and for their complete elimination within a specified time frame. Without prejudice to the priority we attach to nuclear disarmament, we are ready to negotiate a universal non-discriminatory and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. In fact, we have been consistent in our support for negotiations on a fissile material cut-off treaty since the adoption of General Assembly resolution 48/57 of 1993, which envisaged such a treaty as a significant contribution to non-proliferation in all its aspects.

In this regard, I wish to underscore that we do not favour the opening of the long-standing negotiating mandate reaffirmed by consensus on several occasions in the past. That would, in our view, take us further away from the possibility of early commencement of negotiations. Furthermore, we believe that negotiations with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons will complement other measures to reduce the salience of nuclear weapons and to facilitate progress in nuclear disarmament and non-proliferation in all its aspects.

We support the objective of the negotiation of legally binding instruments that enhance security in space for all space users. This is an imperative today in view of the rapidly evolving nature of space technology and the growing threat to the safety and security of space-based assets and of the placement of weapons in outer space.

To conclude, we will listen to the debate today and continue to contribute to the discussions in the Conference with the aim of the early commencement of substantive work by reaching consensus on the programme of work. That, indeed, should remain our priority.

Mr. Danon (France) (*spoke in French*): Thank you, Mr. President, for organizing this discussion, which I find very interesting, on the issue of the programme of work. Currently this discussion largely revolves around the question of whether or not the mandate we wish to define for the work of the Conference should be included in the programme of work. There are two possibilities: either the programme of work is different from the mandate and is a separate document, or it includes the mandate.

Of course, as our Dutch colleague has pointed out, having just a programme of work without a mandate is insufficient. We need a programme of work, actually a schedule of activities, and we also need a mandate. But the desire to have one is no reason not to have the other. We are therefore of the view that, for reasons our Colombian colleague has highlighted, it would already be satisfactory to have one of the two elements that are essential to this conference, namely the schedule of activities.

Whether or not we call it a programme of work is really a question of procedure because, as the Ambassador of the United States of America has also said, calling a schedule of activities a programme of work does not mean that the Conference is actually fulfilling its mandate. Still, it is a step in the right direction. I have personally never believed that simply calling the schedule of activities a programme of work would be sufficient, but I do believe that we must at least have that, which will allow us to formalize our discussions, to work with greater clarity, to organize our work, in short, all the elements that our colleague from Colombia mentioned at the beginning of this meeting, and also to prepare a report on our substantive work, if we have undertaken any by the end of the year.

This obviously does not change the fact that the objective of the Conference on Disarmament is, of course, to negotiate new international instruments. From this point of view, as the British delegation once said, we must differentiate between discussions that serve no purpose and discussions that gradually lead to negotiation. I remember that that was the case for years with the Chemical Weapons Convention, for which the mandate of the working group was initially to hold discussions, until one day the Conference on Disarmament converted the discussion group into an ad hoc negotiating committee. The discussions had made the topic ripe for negotiation.

Some discussions are therefore useful because they pave the way for negotiation, because they lead to negotiation. If we wanted to start negotiations straight away, that would appear to be difficult at this stage, at least for negotiations on a fissile material treaty.

Thus in principle I do not share the view of my colleague and friend from Brazil, whose statement seemed to suggest that in his view it was our inability to agree on the issue of stocks that was blocking the start of negotiations on this treaty. It seems to me that this is not the whole story, or perhaps I am the one who is incorrectly analysing the situation. The arguments given by Pakistan for not starting negotiations on the treaty were multilayered. If I remember correctly — and I invite our colleague from Pakistan to correct me if I am wrong — there are three main arguments: first, negotiations would, in Mr. Akram's words, "freeze the gap" between India and Pakistan; secondly, it is not possible to start negotiations owing to the effects that the agreement between India and a number of other countries has had on the strategic situation of Pakistan; and thirdly, the question of stocks

has not been resolved. The issue of stocks was therefore just one element among several in the explanation of why Pakistan could not accept the start of negotiations.

However, if Pakistan says today that we can begin negotiations if the issue of the mandate on stocks within the mandate on the treaty is settled, that would be a real change, and France would be quite prepared to reconsider its position on the issue. But I do not think this is the case.

I am therefore rather pessimistic about the possibility of reaching consensus this year on a mandate for negotiation. I am thus in favour of pushing discussions on this issue as far as possible, and your approach, Mr. President, seems to me to be the right one from this point of view, because all your efforts are focused on making the discussions we hold in this room as productive as possible so that we may move towards the possibility of negotiation.

In short, Mr. President, I am of the view that calling the schedule of activities a programme of work is a necessary but not sufficient condition for moving forward, and that it does not detract in any way from the discussion on the mandates, given that we are requested, so to speak, under the statutes of the Conference on Disarmament to come up with mandates for negotiation, which does not mean that these mandates must be included in the programme of work. That being said, I am naturally open to any suggestion that would allow us to break the deadlock.

Mr. President, since I have the floor, pursuant to rule 30 of our rules of procedure I would like to touch on another issue, if I may, which concerns rule 13. We are all aware that very soon, after nine years in the service of this conference, Mr. Ordzhonikidze will be leaving us to perform other duties, and we will have the opportunity to reiterate how extremely appreciative we are of the years he has spent among us. His successor has been chosen and is already known. That being said, I would like to draw the attention of the Conference to rule 13 of the rules of procedure. I will read it in English.

(continued in English)

At the request of the Conference the Secretary-General of the United Nations, following consultations with the Conference, will appoint the Secretary-General of the Conference, who shall also act as his personal representative, to assist the Conference and its President in organizing the business and timetables of the Conference.

(continued in French)

Mr. President, without harping on procedural issues — I think many of you know that procedure is not my cup of tea — I nevertheless wish to note that a number of steps are involved in the appointment of a new Secretary-General of the Conference, including consultations with the Conference and the submission by the Conference of a formal request to the Secretary-General of the United Nations. I would therefore like to have — and today am officially requesting the current Secretary-General of the Conference to provide — some clarification about the procedure that will allow us to authorize the appointment of the new Secretary-General of the Conference on Disarmament.

The President: Thank you very much for your statement and your important input on the question of the programme of work. With regard to the procedural point you raised, I think it is legitimate and, with your understanding, I intend to come back to it after the list of speakers on the programme of work has been exhausted. The Secretary-General of the Conference would now like to take the floor. I would like to invite him to make his clarification first before coming back to the question of the programme of work.

Mr. Ordzhonikidze (Secretary-General of the Conference on Disarmament): Mr. President, when you read rule 13 of the rules of procedure, it does not give a very clear

picture of how to appoint my successor. It is a little bit confusing, probably because your predecessors were more involved in substantive business than the business of dealing with procedural problems. Anyway, we have a precedent, and once we have a precedent we can follow it.

First, there should be a letter from the High Representative for Disarmament Affairs informing you of the intention of the Secretary-General of the United Nations to appoint Mr. So-and-So, who is Director-General of the United Nations Office at Geneva, as Secretary-General of the Conference on Disarmament and his personal representative to the Conference. Then you are supposed to hold consultations on this appointment, as mentioned in rule 13. There is also a sentence that was actually written by a former president of the Conference, according to which, on the basis of consultations with regional groups, he is now in a position to report that, in general, all members of the groups and China have concurred with the Secretary-General's appointment of Mr. So-and-So as Secretary-General of the Conference on Disarmament and his personal representative to the Conference. Next he should finalize his letter saying that, accordingly, and with your concurrence, he intends to reply to the letter of the High Representative for Disarmament Affairs to inform him about the outcome of the consultations of the President of the Conference and the decision taken by the Conference.

That was the essence of the letter that was sent by the President and is reflected in document CD/PV.897, which, if you like, we can circulate for your information. Maybe my interpretation of the rule is not so good and you will have another interpretation, but I doubt it very much. Anyway, it is better to look at the document than to hear my voice: I am very tired after nine years of explaining certain fine points, especially rule 13, which, according to some people, is not a very lucky number. I think of myself as not being lucky. Maybe my successor will be much luckier. Therefore, with the concurrence of the President of the Conference, the secretariat will circulate this document.

The President: Thank you, Secretary-General, for your clarifications. Before giving the floor to the Ambassador of Japan, since this matter has been brought up, in my capacity as President, I would like to share with you my thoughts on procedural matters, subject to your agreement.

From what has been clarified by the Secretary-General of the Conference, it seems that a letter to members of the Conference on Disarmament from the High Representative for Disarmament Affairs is necessary, and he also mentioned that consultations between the President and regional coordinators would be needed, as well as a decision by the Conference on Disarmament with information on the results of the consultations among members within this chamber.

I would therefore like to share two things with you. First, since the Secretary of the Conference has already, with much forethought, set 15 May aside for a plenary meeting, if all members agree, that plenary meeting could be devoted to procedures for the endorsement of the new Secretary-General of the Conference. What I will try to do, therefore, is that, following the letters from the High Representative for Disarmament Affairs, during the intersessional period I will consult regional coordinators. If there is no dispute, then, in my capacity as President, in a letter to be sent by the secretariat to all members, I will indicate that, since it has already been decided to schedule a plenary meeting for 17 May, I intend to devote that meeting to procedural matters on the endorsement of the new Secretary-General. I will formally seek the views of members through this letter, particularly since there will be no plenary or other meetings during the intersessional period. In that letter I will say that, by 15 April, I hope that delegations will indicate whether their views are different from those I set out in the letter.

Second, since I did not expect this matter to be brought up today, and given the enormous efforts the Secretary-General of the Conference has put into Conference on Disarmament matters, there have already been proposals from a number of delegations to schedule a special session during the intersessional break to bid farewell to our colleague Mr. Ordzhonikidze.

I do not want to open the discussion on this question at this juncture, but since it was raised, I briefly shared with you my thoughts on procedural matters before inviting the Ambassador of Japan to come back on the programme of work. I hope this is agreeable. It seems to be the case.

Mr. Suda (Japan): Mr. President, you mentioned a very interesting question, the question of balance in the programme of work. I think it is a very interesting question and I very much welcome the exercise of reviewing where we are at and what is important for us to do during the rest of the 2011 session. On the question of balance, I understand that there are different priorities: some delegates attach more priority than others to the four different agenda items. However, I think we should be careful when talking about balance between the four agenda items. Maybe the prevention of an arms race in outer space is a bit different in nature, but the other three items are all important issues for the promotion of nuclear disarmament. Thus, when we talk about balance, we should not talk about checking the balance or preventing balance between these three items, but, instead, we should think about how to move forward with all three items, depending on the status of each item. If one item is ready for the start of negotiations, we should move on, and if on some other item the situation calls for further discussion, intensive discussion, then we should promote discussion. I think that the important thing is to think about balance, but at the same time about how to move forward with all of the items.

Having said that, on the subject of the programme of work or schedule of activities for the Conference in the coming weeks or months, it is very convenient that the three presidents have already drawn up a schedule of activities with the agreement of the delegates. However, the Conference is not just about the indicative schedule or programme of work, if it contains a schedule of activities only; that is not the purpose of the Conference. As the Ambassador of the Netherlands said, we are not working for a programme of work, but a programme of work is necessary for us to start substantive work. Thus a programme of work, or whatever you wish to call it, that does not contain any plan for substantive work is not of much importance and would not meet the very firm request of the international community. The Conference on Disarmament is the sole multilateral forum for negotiations in the field of disarmament, and whatever consensus we seek should be on a substantive programme of work. Any programme of work, or whatever we agree to call it, if it is not a clear plan for starting negotiations on some agenda items, would not meet the requests of the international community.

My delegation is quite flexible on all four agenda items, provided that we can start substantive work on all of them. However, in accordance with the final document of the 2010 NPT Review Conference and the relevant General Assembly resolution, among others, if we fail to agree on some clear plan for starting negotiations on a fissile material cut-off treaty (FMCT), we will fall far short of our task. If there is some argument about the mandate for negotiating an FMCT, my delegation clearly reiterates its position, and I think that there are many other delegations which agree that any negotiation must start on the basis of the Shannon mandate. Otherwise we will just spend the coming years discussing the basis for negotiations.

This is the position of my delegation, and I hope that we will recognize that an FMCT has been recognized as an indispensable step in the process of nuclear disarmament and non-proliferation. It is therefore also an indispensable element of any programme of

work, or whatever we call it, for the substantive work of the Conference on Disarmament during this session.

Mr. Daryaei (Islamic Republic of Iran): Mr. President, I appreciate the interesting statement by our colleague. It has reminded us of the main issue: what is the mandate of this body? This body was created based on the decision of the first special session of the General Assembly devoted to disarmament to negotiate a legally binding instrument in the field of disarmament. Thus every effort should be conducive to that goal.

The programme of work is important because it would seem, at least from our point of view, that it is an effort which helps this body to reach or to fulfil its mandate. The question of whether a simplified programme of work would be conducive to that goal is one to which we have not yet received any clear answer. We heard a very interesting point about the need for discussion in order to reach agreement on the sequence of topics for negotiation raised by the Ambassador of Chile. It is a very interesting point because it brings us to the very important issue of what is the top priority of this body. The top priority, at least according to what we have heard from the majority of the members, is nuclear disarmament. It brings us to the root cause of the problems with the work of the Conference, because if we touch upon that issue, the main issue, and view events from the perspective of contributing to nuclear disarmament, it would facilitate the work of the Conference.

Therefore, the first priority for the Conference is to agree on and implement a balanced and comprehensive programme of work. Bearing in mind the urgency of eliminating the threat posed by nuclear weapons to international security, we call on the members of the Conference on Disarmament to adopt and implement a balanced and comprehensive programme of work on the basis of its agenda dealing with all the core issues, in accordance with the rules of procedure.

On many occasions, I have expressed the position of my country as to the level of priority in the work of the Conference. At this juncture, I will briefly reiterate some key points to be considered in our deliberations on the programme of work for 2011. We have always requested the adoption of a balanced and comprehensive programme of work. My delegation has insisted on equilibrium and balance and the need to take decisions by consensus. The rules of procedure of the Conference are the guiding instrument that should be fully respected. We have already recalled the need to move wisely and make safe and sound decisions that are acceptable to all. In our view, a comprehensive and balanced programme of work will enable the Conference on Disarmament to start negotiations on the four core issues and can best serve the purposes of the Conference on Disarmament, and the safety and security of the international community as a whole.

Nuclear disarmament remains the highest priority for my delegation, and it remains the same for most members of the Conference. From the substantive discussions held during the last plenary meetings, and also in informal meetings, it was crystal clear that nuclear disarmament is the top priority for the great majority of countries in the world from different regions. I am pleased that the priority of the Secretary-General of the United Nations also coincides with the top priority of this majority. Nuclear disarmament remains our highest priority and, for a better and safer world, the Conference on Disarmament should agree to establish an ad hoc committee to start negotiations on nuclear disarmament as soon as possible. A nuclear weapons convention providing an international legally binding instrument for a phased programme for the total elimination of nuclear weapons is a long-sought aspiration and a topic ripe for negotiation. The programme of work should provide for a negotiating mandate on this issue. The total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. Until such time, a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued, as a matter of priority, by establishing an ad

hoc negotiation committee in the Conference on Disarmament. We support the start of negotiations on the conclusion of a legally binding treaty to ban the possibility of an attack from space or war in space and to prevent the weaponization of space; this legally binding instrument should increase the security of all nations and provide the necessary conditions for the peaceful uses of outer space.

On the subject of a fissile material cut-off treaty (FMCT), we said with no ambiguity that the issue of stocks and verification should be covered under a possible treaty. The FMCT should be a clear and meaningful step for nuclear disarmament and non-proliferation in all its aspects. It 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 this treaty. Any negotiation on an FMCT which does not include stocks would have no content and consequently is fruitless. I think we have to be clear in our programme of work on this important subject.

Mr. President, we support you in your efforts to bring the Conference to consensus on a decision on a balanced and comprehensive programme of work. Since I have the floor and you raised one issue with regard to document CD/WP.565/Rev.1, allow me to also give our interpretation of paragraph 5. I think that paragraph 5 is clear when it says that the chairs/coordinators are required to report orally in their personal capacity on the discussion of the various substantive agenda items to the president who, in conjunction with each of them, would finalize the report under his or her own responsibility. The reports will not in any way affect the position of the Conference on Disarmament members. Thus I think that the text is totally clear about the way that you might handle these reports, and the main responsibility remains with the president, not with the coordinators.

Mr. Hoffmann (Germany): Mr. President, let me say that this delegation appreciates your efforts to continue to seek a programme of work, and, as we all know, it has been overdue for quite some time – in fact, for over a decade. Moreover, it should be noted that, in rule 28 of its rules of procedure, the Conference is actually obligated to establish a programme of work at the beginning of every session. However, it is an interesting debate now, a semantic debate in a way on what a programme of work actually means, and of course one can have different views on that.

I just wish to say this again. I have said it many times before. My delegation supported the approach taken in document CD/1864 in 2009. We felt that it was a very good compromise, and the fact that at the time it actually achieved consensus is, I believe, some evidence that it was a very good compromise. Document CD/1864 dealt with all the items on the agenda, and it contained a negotiating mandate for a fissile material cut-off treaty. Without wanting to go into any detail, in terms of substance, it still appears to us that this makes eminent sense. However, as we all know, the document ran into problems, and it was one member that objected. There I very much agree with Ambassador Duncan that this is a matter of regret. We still regret the fact that this proposal ran into these difficulties and that one delegation continued to object to it. During the lengthy debates on this issue, one argument often put forward, including by me, is that, as a matter of principle, one should defend one's positions in negotiations and not object to the opening of negotiations, but instead take part in negotiations and defend one's interests. I think that this is a very good principle.

I have taken part in various informal consultations on the issue of the programme of work, like nearly all colleagues around this table, and I always said to presidents who tried to solicit my views that I am an easy customer. I basically made two points: I said that we have a preference for an approach like the one contained in document CD/1864, but that we would not stand in the way if another sensible approach emerged which helps us to start our real work, that is to say, to negotiate instruments in the field of disarmament and arms

control. I think that it is quite appropriate to quote under your presidency the famous words of an eminent Chinese personality who once said: "I do not mind whether cats are grey or black as long as they catch mice". I think that this is a very good principle, as long as we agree on something which helps us to start our real work, that is to say, to negotiate instruments in the field of disarmament and arms control, and not only to continue to have discussions. We have had discussions for many years, but if we really start to negotiate, then we are happy to look at any proposal which might lead us exactly to that objective.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): Mr. President, my delegation would also like to express its appreciation to you for the organization of this plenary meeting enabling us to discuss the situation we are in with regard to the programme of work.

My delegation's approaches in principle with regard to our forum's programme of work have already been made known on several occasions and, of course, found initial expression in our support for document CD/1864 and our assessment of other documents compiled and subsequently presented on the basis of that document. I will therefore not repeat all of this now. Nor do I wish to recount the history of the work of the Conference on Disarmament, but we all probably need to understand that what we are doing now builds on the efforts of our predecessors and, as you observed, those balances of interests established in previous years. Such balances of interests are reflected both in the framework of specific issues, as for example in the Shannon mandate for negotiations on a fissile material cut-off treaty (FMCT), and directly in the balance of interests between the four key agenda items. Of course, the issue of the FMCT negotiations is important, necessary and pressing, but that in no way means that other issues are less important, pressing or critical. It is probably no coincidence that other issues were raised in previous discussions and previous drafts of the programme of work with the very same negotiating mandate as the FMCT negotiations. I, in particular, see this in relation to the issue of the prevention of an arms race in outer space. In previous years, a certain degree of flexibility was demonstrated in order to move towards consensus and allow the Conference to begin negotiations, but in the present situation we unfortunately cannot say that things are moving in the right direction or in a positive fashion.

It has certainly been asked what kind of Conference on Disarmament we need. Certainly, this Conference has a single mandate: to carry on negotiations. However, we probably need to provide an honest answer to the question of whether we are ready with the current membership to begin negotiations tomorrow or to adopt a programme of work that would enable a start to negotiations, in particular on an FMCT. The answer is: probably not. Thus, the question is whether we are to maintain the Conference on Disarmament as a working tool or, in the framework of attempts to agree on a programme of work and single-issue negotiations, we end up to all intents and purposes burying that tool as such. It seems to me that any attempt, however well-intentioned, to take any issues outside the Conference would actually result in highly complex and barely productive negotiations, and that the Conference on Disarmament as such would cease to exist.

Unfortunately, I have no magic formula and cannot now suggest any recipe, but I would suggest that we all need to be aware that we bear the responsibility for the Conference on Disarmament as a tool, and that now it is really a question of whether this tool will still be in place next year, and whether we will need to negotiate on who will be the new personal representative of the Secretary-General of the United Nations to the Conference on Disarmament.

Mr. El-atawy (Egypt): Mr. President, let me assure you at the outset of my delegation's cooperation and our appreciation of your leadership of the Conference, and we further thank you for organizing the meetings to discuss the programme of work, which we consider the top priority of the Conference.

The position of Egypt on the programme of work is well known. Nuclear disarmament is the top priority for Egypt at this Conference. Quoting the president of the first special session of the General Assembly devoted to disarmament, we have always thought that, given the nature of nuclear weapons, it remains the top priority of the Conference on Disarmament to negotiate a treaty on nuclear disarmament – a legally binding treaty. Moreover, let me just mention very quickly what we have heard in recent days about the importance of multilateral forums for nuclear disarmament. Actually, we think multilateral forums are of the utmost importance for nuclear disarmament. Unilateral, bilateral and plurilateral efforts are always welcome; however, they remain of limited effect. Nuclear disarmament should be tackled in multilateral forums. Just as we attach crucial importance to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as a forum for nuclear disarmament and non-proliferation, we also attach crucial importance to the Conference on Disarmament for dealing with nuclear disarmament.

We stand by the proposal of the Movement of Non-Aligned Countries in that nuclear disarmament should be dealt with in the context of a nuclear weapons convention, within a specified time frame. However, I wish that Ambassador Duncan were here, just to assure him that Egypt went along with document CD/1864 in a cross-regional bloc. Let me further assure him that we do agree with Australia and the United Kingdom in the sense that the programme of work for 2011 should at least reflect what we agreed upon at the 2010 NPT Review Conference and that actions 6, 7 and 15 should also be reflected in the programme of work. However, let me just disagree slightly with our colleague from Australia that document CD/1864 reflects actions 6, 7 and 15; it does not reflect action 6. The language used in document CD/1864 was, I believe, to exchange views on nuclear disarmament, and it does not meet the expectations that we agreed upon at the 2010 NPT Review Conference.

I do take the point made by the Ambassador of the United Kingdom that nuclear-weapon States negotiated in good faith the action plan agreed at the 2010 NPT Review Conference, and that is why we expect that such good faith should be extended to the Conference on Disarmament. Thus, whenever we agree on the programme of work for the Conference, the same language should be used, especially on nuclear disarmament and on the establishment of a subsidiary body to deal with it. I think there is also a slight difference between the language used for negative security assurances in the action plan and that used in document CD/1864.

We should focus our time and efforts to agree on a programme of work that will allow us to deal with the issues that we are dealing with here in the Conference on Disarmament – negotiating legally binding agreements on disarmament issues.

Since I have the floor, if I may just deal with one other issue and invoke rule 30 of the rules of procedure. During intersessional periods regional groups do not hold meetings. Therefore, if there is anything to deal with, such as the appointment of the Secretary-General of the Conference on Disarmament, we would kindly request the President to share it with all members of the Conference directly, without holding meetings with regional coordinators, who would not be able to give feedback to their groups.

The President: In relation to the procedural point you raised, we heard clearly from the Secretary-General of the Conference that the President needs to hold consultations with regional coordinators. I for my part am willing to do this. However, if regional coordinators think that I could simply dispense with this procedure and submit my letters directly to members through the secretariat, I will certainly do this.

Is there any objection to the proposal by the representative of Egypt from the perspective of regional coordinators? Since I see none, I will proceed accordingly with regard to the procedural point he raised.

Mr. Khelif (Algeria) (*spoke in Arabic*): Mr. President, the Algerian delegation wishes to thank you for giving us this opportunity to deliberate on the programme of work. Our delegation wishes to reaffirm that Algeria has always been keen for the Conference to adopt a programme of work that would allow it to begin negotiations. It has made many proposals to that end, including the proposal by the ambassadors of the five permanent members of the Security Council and after that in the context of the proposal by the six session presidents of 2009, which is reflected in document CD/1867. Today the Algerian delegation wishes to re-emphasize some elements related to this issue.

(*continued in French*)

Mr. President, the programme of work of the Conference is not an end in itself. It is a means to enable us to move forward in our negotiations to conclude treaties on disarmament. In order to be credible and appealing, the programme of work must respond to the security concerns of all States, regardless of whether they are members of the Conference. From our point of view, the programme should be comprehensive and balanced by addressing all of the States' priorities, which in turn should all seek to create a safer world and should reflect the principles of the Charter of the United Nations. These priorities should not conflict with each other.

Within this framework, the programme should give priority to nuclear disarmament, and consequently to a fissile material treaty. It is also essential for the programme to address the issues of negative security assurances and the prevention of an arms race in outer space.

We have listened carefully to the statements made by the honourable ambassadors and representatives, and we have noted that for some delegations the issue of a fissile material treaty is a priority because it is ripe for negotiation. We would like to know what criteria might allow us to say that this issue is ripe while another issue is not. The issue of the treaty is not ripe. For Algeria, a non-nuclear-weapon State, the top-priority issue at the moment is that of negative security assurances. We agree with certain delegations that have said that the conclusion of a legally binding multilateral treaty on negative security assurances would be incompatible with deterrence doctrines. That is certainly the case. What we would like to see vanish are those doctrines, not our security. Compared with our security, the issue of preventing the future production of fissile materials is of secondary importance.

With regard to the approach to the programme of work, Mr. President, we have also listened with interest to the opinions in favour of a simplified programme of work or a schedule of activities. The Algerian delegation is open to any initiatives or ideas likely to move us forward in our quest for this programme of work. However, like many of the delegations here, we are not concerned about telling the international community that we have begun work, but about actually beginning work, that is, negotiating.

In this context, the simplified approach to the programme of work or schedule of activities raises some questions. Suppose that we adopt a schedule of activities that we call the "programme of work". We cannot be sure that this will allow us to make real progress in negotiations. If I remember correctly, since 2004 we have done nothing but discuss all the issues on the agenda in a targeted manner. In 2004, 2005 and 2006 we held discussions within the framework of official meetings of the Conference, and in 2007, 2008, 2009 and 2010 we held informal discussions under the leadership of coordinators. The latter is the method that you have recommended and that we have agreed to for this year, Mr. President. But will this exercise allow us to make progress? Even if we adopt a simplified programme of work, which would largely resemble what we are doing now, there is no major difference, and we are not sure that this will allow us to begin negotiations. It could even jeopardize the achievements that we have managed to attain through several years of effort.

Allow me to give an example. A simplified programme of work could fade away into nothing like what is known in French as a *peau de chagrin*. That is to say, we can discuss as much as we like, but in doing so we will move ever farther from our goal, which is to have a programme of work that will allow us to begin negotiations.

Mr. President, this is why the Algerian delegation encourages and beseeches you to continue your consultations on the programme of work on the basis of our most recent agreement, the one contained in document CD/1864, and to try to examine to what extent we can reconcile the varying positions in order to begin to really work, that is, to negotiate.

Mr. Danon (France) (*spoke in French*): Mr. President, I did not intend to speak again, but one of the points raised by the very distinguished representative of Algeria has led me to do so, as it concerns the priorities for our programme of work. The representative of Algeria asked the following question once again, and I hope I am not distorting his words: on the basis of what criteria can we say that the negotiation of a fissile material treaty is riper than other negotiations?

I have two points to make. Firstly, the idea of giving priority to the negotiation of a fissile material treaty has been approved in two important arenas. One is, of course, the NPT Review Conference with its action plan. At that conference, 179 countries present, which in fact represented the 182 countries parties to the Treaty on the Non-Proliferation of Nuclear Weapons, agreed to the idea that negotiations on a fissile material treaty should begin as soon as possible, but they were unable or unwilling — the distinction is irrelevant — to do the same regarding a legally binding instrument on negative security assurances.

The other arena is the General Assembly itself. If we look at the resolutions adopted on the two issues, fissile material on the one hand and negative security assurances on the other, we find that the resolution on fissile materials adopted by the First Committee and then by the General Assembly calls for the opening of negotiations on the issue as soon as possible, while the resolution on negative security assurances does not contain a similar injunction. I remind you that the adoption of the resolution on fissile material was only three votes short of being unanimous.

I would therefore say that this indicates pressure from the international community in this regard. This is one of the two arguments.

Granted, the other one is more complicated, but still politically significant. I think that the non-nuclear-weapon States would be willing to negotiate in this forum either on a fissile material treaty or on negative security assurances, or even on outer space, and the problem of knowing what is ripe or unripe depends largely on the nuclear countries, of course. That is the reality. Even if, from a political standpoint, I am arguing on the basis of the resolutions or the NPT action plan, the reality of the situation in this forum is that the debate hinges on the nuclear countries and on knowing what they are ready to do.

Now, on the one hand we have at least five countries that have voiced their determination to start negotiations on a fissile material treaty, and I remind you that these five countries represent 98 per cent of the world's nuclear arsenal. They are ready to do this. On the other hand, among all the nuclear countries represented in this room, if we look at those who are willing to negotiate a legally binding instrument on negative security assurances before negotiating a fissile material treaty, we find that these countries together represent less than 2 per cent of the world's nuclear arsenal.

I use this argument with extreme caution because this situation is reversible — I am well aware of that. However, this does not change the fact that all in all, on the basis of these two arguments, no matter which criteria we use, I think we can say today that the international community is more ready to negotiate a treaty on fissile material than a treaty on negative security assurances. This obviously does not prevent a country such as Algeria

from saying that its priority is to negotiate a treaty on negative security assurances, of course, I fully understand that, and that all nuclear countries should clearly reaffirm that they find perfectly legitimate and will take fully into account requests by the non-nuclear-weapon States to receive negative security assurances, of course. This is unrelated to the ability to negotiate a universal and legally binding treaty on the issue.

Mr. Khelif (Algeria) (*spoke in French*): The Algerian delegation has listened with great interest to what the Ambassador of France has said and does not wish to respond to his statement. Actually, my delegation raised this issue because the majority of the delegations that have referred to the decision contained in document CD/1864 have done so only to say that there was agreement to negotiate a fissile material treaty.

The Algerian delegation, given that it was one of the delegations that initiated that decision, would like to remind the Conference that document CD/1864 includes paragraphs that provide for the evolving nature of mandates and allow for the possibility that they might evolve over time into mandates for negotiation on other issues. That was the spirit of document CD/1864, and we would like to preserve this spirit within the Conference.

Mr. Hoffmann (Germany): Mr. President, in comparison to the very, shall we say, sophisticated line of reasoning of Ambassador Danon, I have a somewhat more basic problem with the argumentation of our colleague from Algeria in his first statement. On the one hand, he calls into question the ripeness of the issue of a fissile material cut-off treaty and says that maybe there are other issues which are riper. However, it was and still is my understanding of the situation that this issue was settled in document CD/1864, which was actually negotiated under the presidency of Algeria. Towards the end of his statement, the representative of Algeria said he recommended that you should continue to explore a possible programme of work on the basis of document CD/1864. I am therefore not quite sure where he stands, because it is the right of every delegation to move onto another position, but I am just a bit confused as to whether the representative of Algeria in some way distances himself from document CD/1864.

Mr. Khelif (Algeria) (*spoke in French*): This is perhaps one of the limitations of official meetings. This is why some delegations would like to hold such discussions in an informal setting.

The Algerian delegation did not call into question the issue of negotiating a fissile material treaty; it merely emphasized the importance of the issue of negative security assurances, which, in its opinion, is also an issue ripe for negotiation. Within the Conference we have heard a great many statements in favour of this issue, and I would also like to draw attention to the introductory part of the decision contained in document CD/1864, which some delegations sometimes forget to mention. The decision clearly establishes that the mandates set out are mandates open for possible negotiation in the future. We wished to highlight this aspect once again, which is why we took the floor.

Mr. Wilson (Australia): Mr. President, I do not wish to take the floor for very long, and I apologize for taking the floor so late in the afternoon. I know that there are people here who will want to be elsewhere watching a very important match at the moment. Therefore my comments will be very brief.

I just want to respond very briefly to the representative of Egypt, noting that we can continue our conversation in another context. However, I just wanted to note that my comments related to the effective implementation of those actions. That was the import of my comments, but we can talk about this further at another time.

The President: Does any other delegation wish to take the floor? That does not seem to be the case. This concludes our discussion on the question of the programme of work.

This is the last plenary meeting of the Conference on Disarmament before we resume in May after the intersessional break. I hope that after tomorrow's two informal meetings on the prevention of an arms race in outer space all of our colleagues will have a good rest during the intersessional break. However, firstly, from what has transpired during the discussions we have just had, especially in relation to the programme of work, for your information, I, as President, will continue to work and consult delegations on a bilateral basis on the question of the programme of work. Secondly, in preparation for the meetings after the intersessional break and to see how to advance our work, I consulted with the other presidents of the Conference. From my exchanges with them and also on the basis of advice, I would encourage delegations to send experts from their capitals for the informal meetings of the Conference on Disarmament in May. Two rounds of informal meetings have already been scheduled, on negative security assurances and the issue of a fissile material cut-off treaty respectively.

This concludes our business for today. The next plenary meeting will be held after the intersessional break, on Tuesday, 17 May at 11 a.m. in this chamber. Tomorrow there will be two informal meetings on agenda item 3 chaired and coordinated by the Ambassador of Brazil.

This plenary meeting stands adjourned.

The meeting rose at 5.40 p.m.