
Conference on Disarmament

18 February 2010

English

Final record of the one thousand one hundred and seventieth plenary meeting

Held at the Palais des Nations, Geneva, on Thursday, 18 February 2010, at 10.10 a.m.

President: Mr. Mikhail Khvostov..... (Belarus)

The President (*spoke in Russian*): I declare open the 1170th plenary meeting of the Conference on Disarmament.

Before we begin today's work, allow me, on behalf of the Conference and on my own behalf, to extend a cordial welcome to a new colleague who has assumed his responsibilities as representative of his Government to the Conference, namely Ambassador Peter Woolcott from Australia. On behalf of the Conference, I should like to take this opportunity to assure him of our full cooperation and support in his new assignments.

The following delegations have asked to take the floor in today's plenary meeting: Australia and Pakistan. Following the order in which the requests were received, I should now like to give the floor to the Ambassador of Australia, His Excellency Peter Woolcott. Sir, you have the floor.

Mr. Woolcott (Australia): Mr. President, as this is the first time I have spoken during your presidency, let me assure you of my delegation's full support and cooperation.

Australia looks to the Conference on Disarmament as the sole, pre-eminent multilateral disarmament negotiating forum. The changing global strategic environment, the scourge of terrorism and the threat posed by the proliferation of weapons of mass destruction, including by non-State actors, requires us to redouble efforts to move forward on the non-proliferation, arms control and disarmament agenda. This Conference holds the promise of delivering greater national security for all when we work together.

But for too long we have not been delivering that promise. We have been negotiating about whether to negotiate, how to negotiate, when to negotiate. Some call it "sleepwalking".

We achieved a real breakthrough in 2009. We adopted a programme of work which provided a strong basis for forward movement. Australia regarded CD/1864 as a mandate for moving forward and regrets it was not possible for the Conference to seize the momentum created in agreeing a programme of work.

The task now is to agree a programme of work for 2010 and to move towards early implementation.

The dialogue and consultations we conduct here in the Conference have proved a useful ground for sharing ideas and approaches on how to resolve disarmament issues. But dialogue is not enough; we need to move to treaty negotiations. If the Conference on Disarmament is to maintain its premier role in collective efforts related to international security and the non-proliferation of weapons of mass destruction, we need to work together, practically and with a clear focus.

The continuing deadlock in the Conference is difficult to accept. Australia and the great majority of States represented at the Conference want to progress in their shared disarmament priorities. We need to get the Conference back to work.

Australia appeals to all delegations to show flexibility and take the extra steps needed to achieve and implement a programme of work early this year. Many have shown leadership in finding flexibility. Australia reiterates its congratulations to Ambassador Jazaïry for his resourcefulness and diplomatic skills in discovering ways to move the 2009 session towards a programme of work. We need to do this again. We run the risk that applying imagination and flexibility to resolving the stalemate in the Conference will result in proposals that bypass the Conference.

Australia's commitment to nuclear disarmament is deep and comprehensive. The release in December 2009 of the report of the International Commission on Nuclear Non-Proliferation and Disarmament has provided a forward-looking statement of what can be done, now, to activate the disarmament agenda. The Australian Government is giving active

consideration to its responses to the report, which it expects to be broadly in support of the report's recommendations. We look forward to an engaged discussion here in the Conference on Disarmament, and in the international disarmament debate, on the ideas and practical steps proposed by the report. Foremost amongst the range of practical steps, is getting the Conference on Disarmament back to work.

Australia's immediate disarmament and non-proliferation priority in the Conference on Disarmament is the early commencement of negotiations on a fissile material cut-off treaty (FMCT). A verifiable fissile material cut-off treaty has both disarmament and non-proliferation benefits, and commands the greatest support within the Conference.

Australia regrets that the Conference is yet to commence negotiations on a fissile material cut-off treaty, despite such a treaty having been repeatedly endorsed as the logical next step on the nuclear arms control and disarmament agenda. An FMCT would tighten international controls on fissile material, further raising the bar to proliferation. Australia will continue to actively work for the adoption of a work plan that prioritizes negotiation of a verifiable FMCT on the basis of the Shannon mandate. Other issues, including stocks of fissile material, are matters that can be addressed in the negotiations.

We are ready to engage in substantive discussion on the items included in CD/1864 on practical steps for progressive and systematic approaches aimed at reducing, and eventually eliminating, nuclear weapons.

Australia looks forward to constructive discussion on all issues relating to the prevention of an arms race in outer space, including the 2008 draft treaty tabled by the Russian Federation and China, on preventing the placement of weapons in outer space.

Australia supports the ongoing substantive discussions in the Conference on Disarmament on negative security assurances. Australia supports the consideration of further measures, but recognizes that proposals for any such measures must be capable of attracting broad support, including from nuclear-weapon States, if the work is to be productive.

Australia looks forward to continuing productive consultations this year in the Conference on Disarmament on the full range of issues on its agenda. Australia appeals to all members of the Conference to demonstrate the flexibility needed to resolve the current deadlock and to proceed with work that is vital to our common security.

I wish the Conference success, and assure members of my delegations full support and cooperation in their efforts to progress the work of the Conference this year.

The President (*spoke in Russian*): I thank the distinguished representative of Australia, Ambassador Peter Woolcott, for his statement and for his readiness to work together with the presidency.

I now give the floor to the distinguished Ambassador of Pakistan, His Excellency Mr. Zamir Akram. Sir, you have the floor.

Mr. Akram (Pakistan): Mr. President, I want to begin by congratulating you on your assumption of the presidency of the Conference on Disarmament. I am confident that under your able leadership we shall make substantive progress in our work. I want to assure you that my delegation will extend its fullest cooperation to you.

I want to take this opportunity to express our appreciation and admiration for your predecessor, the Ambassador of Bangladesh, for the balanced, transparent and inclusive manner in which he conducted his presidency. I would also like to express my warm welcome to the Ambassador of Australia and look forward to working with him.

Today I would like to place before this plenary session of the Conference on Disarmament the rationale of Pakistan's position on the proposed fissile material cut-off treaty. But before doing so, I want to remind everyone that the Conference does not operate in a vacuum. The positions we take here cannot be divorced or isolated from the realities of the prevailing international political system. Nor can a delegation pursue an objective in this Conference that is inconsistent with the policies of its Government outside this Conference.

Allow me to begin at the beginning.

At the time of Pakistan's independence, the two largest countries of South Asia inherited a disputed legacy. This flawed inheritance continues to bedevil our relations even today. It has spawned tensions, suspicions and wars. Our troops remain in eyeball to eyeball confrontation along the Line of Control.

Pakistan has to contend with a neighbour that is much larger in size and in population as well as conventional and strategic forces. Accordingly, ensuring our security is in the supreme national interest of Pakistan. We have to respond to capabilities and not to intentions.

After having rejected the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as an example of "nuclear apartheid", our neighbour conducted a nuclear weapon test in 1974 which was cynically called a peaceful nuclear explosion. South Asia had thus become the victim of nuclear proliferation.

It is worth recalling that this nuclear weapon test had been made possible by the illegal diversion of spent fuel for nuclear weapons purposes from the peaceful nuclear cooperation offered under the Cirus programme.

For Pakistan this test posed a qualitatively new challenge to our security.

International reaction, however, could be described as ambivalent or misdirected at best. One European permanent member of the Security Council even sent a congratulatory message. Others privately concurred that this reality must be accepted and that only further proliferation should be actively discouraged. This led to the creation of the Nuclear Suppliers Group (NSG) with the express purpose of preventing other countries from acquiring nuclear weapons capabilities. The NSG countries also adopted national legislation with the same objective.

However, no effective measures were taken to reverse nuclear proliferation in South Asia.

Pakistan sought security through bilateral arrangements as well as international and regional measures. These included the proposals for a nuclear-free zone in South Asia, a joint declaration renouncing the acquisition or manufacture of nuclear weapons, mutual inspection of each other's nuclear facilities, simultaneous acceptance of NPT or full-scope International Atomic Energy Agency (IAEA) safeguards, a bilateral or regional nuclear-test-ban treaty, a South Asia zero-missile zone, and a non-aggression pact. In 1992, we also proposed a five-Power conference to discuss ways and means to establish a non-discriminatory and equitable nuclear-weapon-free regime in our region. Unfortunately, all these proposals and initiatives were rejected.

The only option for Pakistan, therefore, was to develop its own nuclear weapons capability. We did so in the face of discriminatory and arbitrary sanctions, which were applied against the victim and not the perpetrator of nuclear proliferation.

Even as we reached nuclear weapons capability, we consciously decided not to conduct a nuclear weapon test, hoping to avoid further confrontation. However, in March 1998, developments across the border compelled our leadership to write to the leaders of

the permanent members of the Security Council, conveying our apprehensions about the preparations under way to conduct further nuclear tests. Unfortunately, our warnings went unheeded. And on 11 and 13 May 1998, five nuclear tests were conducted on our borders. These were accompanied by belligerent statements and dire warnings to Pakistan.

Ironically, the focus was once again on Pakistan to show restraint and not to follow suit. And once again, there was no hint of substantive action to reverse nuclear proliferation in our region. We recognized this empty rhetoric for what it was. We had no choice but to cross the nuclear threshold by conducting our own tests in order to ensure the credibility of our deterrence capability. Therefore, our nuclear capability has been security-driven and not status-driven.

It is important to recall the reaction of the international community to these developments in South Asia at this time as it has a bearing on the situation that we are confronted with today.

The United Nations Security Council adopted resolution 1172 (1998), in paragraph 8 of which it “encourages all States to prevent the export of equipment, materials or technology that could in any way assist programmes in [these countries] for nuclear weapons or for ballistic missiles”.

In paragraph 11 of the same resolution, the Security Council “expresses its firm conviction that the international regime on the non-proliferation of nuclear weapons should be maintained and consolidated”.

In addition to this resolution, the permanent members of the Security Council adopted a joint communiqué on 5 June 1998, following the nuclear tests in South Asia. In this communiqué they pledged “to cooperate closely in urgent efforts to prevent a nuclear and missiles arms race in the Subcontinent [and] to bolster the non-proliferation regime”. They also confirmed “their respective policies to prevent the export of equipment, materials or technology that could in any way assist programmes [...] for nuclear weapons or for ballistic missiles capable of delivering such weapons”.

At the regional level, Pakistan offered to stabilize the nuclear deterrence that had emerged by offering the strategic restraint regime proposal in October 1998. This proposal, which still remains on the table, advocates preventing further nuclear testing, increases in production of warheads, the mating warheads to delivery systems and the introduction of destabilizing weapon systems such as anti-ballistic missiles and submarine-launched ballistic missiles and, reaching balanced reductions in conventional forces, as well as engaging in a substantive result-oriented dialogue to resolve outstanding bilateral disputes. Unfortunately, this proposal continues to be rejected by the other side.

On the contrary, our neighbour announced an ambitious nuclear doctrine which, *inter alia*, aims at the acquisition of a nuclear arsenal consisting of 400 nuclear weapons. It also seeks a triad of delivery systems including air-, land- and sea-based capabilities, which, incidentally, has been acquired. In addition, it seeks to deploy an anti-ballistic missile system, develop intercontinental ballistic missiles and to acquire nuclear-powered submarines as platforms for ballistic missiles. As I will outline in my statement, significant progress has already been made to achieve these capabilities with international collaboration from those who had committed themselves not to do so.

At the initial consideration of the issue of fissile materials in the Conference on Disarmament during the late 1990s, Pakistan made its position at the time crystal clear. We could not accept a treaty that would freeze existing asymmetries or imbalances in fissile material stockpiles between Pakistan and its neighbour, which obviously had a head start. While we do not wish to compete in terms of weapon for weapon, as our strategic doctrine is based on minimum credible deterrence, we must ensure that the asymmetry does not

erode the credibility of our deterrence. This remains our objective today, as it was over a decade ago.

Let us fast-forward to the present situation. In the pursuit of their strategic designs based on the dubious doctrine of the balance of power, or simply driven by the profit motive, some States have embarked on nuclear cooperation agreements with our neighbour in clear violation of their international commitments as well as their national laws.

Let us first consider their commitments under the Treaty on the Non-Proliferation of Nuclear Weapons, to which they all adhere. Clearly such nuclear cooperation agreements violate their commitments under articles I, III and VI of the NPT, as well as its chapeau.

It is enough to make our case by quoting here article I of the NPT, which states: "Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly."

Equally important is the fact that Security Council resolution 1172 (1998), which I have just recounted, has also been flagrantly violated by these agreements.

Moreover, these nuclear cooperation agreements violate the commitments undertaken by the 45-nation Nuclear Suppliers Group, several of whom are also present here today. It is indeed ironic that the NSG, which was set-up in response to the first act of nuclear proliferation in South Asia in 1974 and works on the basis of consensus to prevent further proliferation, decided unanimously to reward the perpetrator of such proliferation. Given the consensus rule, any one of these 45 nations could have blocked this decision. The fact that they did not do so was because their profit motive got the better of their principles, or they simply lacked the courage of their convictions.

There were, however, some voices in the wilderness that tried to highlight the dangers of such policies. The NSG decision has been called "a dark day for global efforts to halt the spread of weapons of mass destruction". This quote is not from a Pakistani but the then-member of the United States Congress, Ellen Tauscher. She also stated on 8 September 2008 that "the deal will make it harder to curb the South Asian nuclear arms race".

More interestingly, in an op-ed in the *New York Times* of 20 August 2008, Congresswoman Tauscher, along with her colleague Edward Markey, wrote that if the NSG supported the nuclear cooperation waiver, then "the Non-Proliferation Treaty would be shredded", and that the recipient country's "production capability would likely increase from seven bombs to forty or fifty, because every pound of uranium that is allowed to be imported for its power reactors frees up a pound of uranium for its bomb programme". More tellingly the same article goes on to state: "Because changes to these international rules can be made only by unanimous agreement, every country in the 45-nation NSG group has the ability and the duty to insist that this flawed nuclear deal be improved and ensure that nuclear trade cannot benefit the recipient country's nuclear weapons programme." Even more interesting is the recommendation by the authors that the deal must only be offered if the recipient country agrees to two prior conditions: sign the Comprehensive Nuclear-Test-Ban Treaty and agree to halt the production of nuclear material for weapons. As we know, the NSG did not insist on these conditions. It simply rolled over.

Allow me to quote another expert on the issue of non-proliferation, Mr. Robert Einhorn, who stated before the NSG waiver that "the deal appears to give complete freedom, not just to continue, but to expand its production of fissile material for nuclear weapons".

Another prominent expert, former United States President Jimmy Carter, wrote in an article of 29 March 2006 that “the proposed nuclear deal is just one more step in opening a Pandora’s box of nuclear proliferation”. He went on to add that the deal would allow enough fissile material for as many as 50 weapons a year, far exceeding what is believed to be its current capacity.

At the beginning of 2009, with leadership changes in one of the major Powers and proponents of these nuclear deals, there was a ray of hope that concerns and doubts about the nuclear cooperation agreements would lead to restraint that would prevent further destabilization in South Asia. For this reason and despite our misgivings, we did not block adoption of the programme of work of the Conference on Disarmament in 2009.

Unfortunately, however, our optimism was short-lived. Once in government, several opponents of the deal became ardent proponents of it. More ominously, by June 2009, it had become clear that the deal was part of a larger dangerous strategic design. It involved cooperation in developing anti-ballistic missile systems, the transfer of dual-use space technology for intercontinental ballistic missiles, the provision of nuclear-powered submarines and the development of submarine-launched ballistic-missile capability, as well as massive sales of latest-generation conventional weaponry worth several billion dollars.

At the same time, other permanent members of the Security Council, as well as some of the most vociferous champions of non-proliferation represented in this room, jumped most enthusiastically on this gravy train. One European permanent member concluded such a nuclear cooperation agreement just last week.

From open-source information, these agreements are aimed at providing the recipient country with fissile material for at least the next 60 years, along with assured or guaranteed supplies to help build its strategic reserve of fissile material.

It is instructive to consider the emerging situation from the perspective of a neutral observer, such as George Perkovich, an American expert on proliferation issues, who recently wrote a research paper commissioned by the International Commission on Nuclear Non-Proliferation and Disarmament. Perkovich argues that the nuclear deal would significantly lower the cost in any cost-benefit analysis done by the recipient State of whether to resume nuclear testing. The imported fuel would be stockpiled to protect against the impact of sanctions. Moreover, he maintains that in the deal eight reactors, uranium enrichment and plutonium reprocessing facilities, as well as the plutonium breeder reactor programme, have been exempted from any safeguards machinery. Accordingly, Perkovich argues that the NSG deal makes the completion of a Comprehensive Nuclear-Test-Ban Treaty and an FMCT less likely.

Another expert, Michael Krepon, founder of the Washington-based Stimson Center, maintains in a recent article, that the deal is likely to do far more harm than good for two essential institutions designed to prevent proliferation. The first is IAEA, because of its badly weakened international standards to safeguard civil nuclear facilities against the diversion of bomb-making materials to military programmes. The second is the NSG, because its waiver was not accompanied by compensatory steps to shore up international controls against proliferation such as adhering to the treaty banning further nuclear testing. Krepon argues that, even worse, the NSG even declined to clarify penalties in the event of a resumption of nuclear testing by the recipient country. But the most important of all messages for us in this room is the central argument by Krepon when he states: “It is an unfortunate fact of life that the biggest potential profit-takers in nuclear commerce happen to be the permanent members of the Security Council, which need to serve as the guardian of the global non-proliferation system. When the P-5 places other interests such as profit-taking over proliferation concerns, nuclear dangers will grow.”

The carte blanche that has been offered to our neighbour along with the commitments to build up its strategic and conventional capabilities has encouraged its hegemonic ambitions, which are aimed at charting a course of dangerous adventurism whose consequences can be both unintended and uncontrollable. This includes their advocacy of fighting a limited war under a nuclear overhang or environment, which has been termed the “Cold Start” doctrine. Even more dangerous is the articulation of the so-called “proactive war strategy to fight wars on two fronts simultaneously with its neighbours”. This two-front war doctrine identifies five thrust areas – the ability to fight a two-front war; optimized capacity to counter asymmetric and sub-conventional threats; enhanced capabilities for strategic reach and out-of-area operations from the Persian Gulf to the Strait of Malacca; acquire strategic intercontinental and space-based capabilities and ballistic-missile defences; and ensure a technical edge over its adversaries.

The pursuit of such aggressive doctrines amounts to being oblivious to the dangerous implications of adventurism in a nuclearized environment. This confronts Pakistan with a clear and present danger. Therefore, the National Command Authority of Pakistan, the highest decision-making body on strategic issues, which is chaired by the Prime Minister and includes the relevant Cabinet members, as well as defence services chiefs, has been closely following these developments. In its meeting on 13 January 2010, the authority concluded that Pakistan could not be oblivious to these developments in our neighbourhood and accordingly it would not compromise on its security interests and the imperative of maintaining a credible minimum deterrence.

As regards the consideration of a fissile material treaty at the Conference on Disarmament, the National Command Authority decided that Pakistan’s position would be determined by its national security interests and the objectives of strategic stability in South Asia. It concluded that Pakistan would not support any approach or measure that is prejudicial to its legitimate national security interest.

Having put before you the international and regional developments that impinge directly upon Pakistan’s national security, allow me to place on record the specific concerns that arise for Pakistan in this situation in the context of the FMCT.

First, the transfer of unlimited amounts of fissile material to our neighbouring country will enable it to build up its strategic reserves of such material, which in turn will enable it to divert its own indigenous stocks of fissile material for weapons production. According to conservative estimates, it can produce 50 to 60 nuclear weapons a year.

Second, since the safeguard arrangements regarding the deal that have been entered into are not foolproof, there is every danger that imported fissile material designated for civilian use will be secretly diverted for weapons-making purposes, as was done in the past. In such a situation, the annual production of weapons can be as much as 100 nuclear warheads a year.

Third, this situation shall increase the existing asymmetry in fissile material stockpiles between Pakistan and our neighbour, thereby accentuating our security concerns for maintaining a credible deterrence capability.

Fourth, the FMCT that has been proposed will only ban the future production of fissile material and will, therefore, be only a non-proliferation and not a disarmament measure. As envisaged, there will be no reduction in stockpiles nor inclusion of fissile material beyond highly enriched uranium and weapons-grade plutonium to include other bomb making materials such as reactor-grade plutonium, U233, neptunium or americium. Even fissile material for naval propulsion, which can also be used for weapons, will be excluded. At the same time, verification measures, being proposed to be conducted by IAEA, will not be comprehensive, excluding challenge inspection or access to sensitive national security-related nuclear facilities. Accordingly, such a treaty will be selective,

discriminatory and derogate from the objectives of nuclear disarmament. For these reasons, it is unacceptable to Pakistan.

Before concluding, I would like to make Pakistan's position clear on some of the issues that have come up in our discussions so far.

A contention has been made that it is illogical to expect issues relating to the FMCT to be clarified before the start of negotiations and that these issues should be addressed during the negotiations. To us this argument is an invitation to go down a blind alley in total darkness. The only result can be a fatal collusion. In our view, it is imperative that we have a priori knowledge of what we are seeking to negotiate – an FMCT which is a non-proliferation measure or a fissile material treaty which is a disarmament initiative. Once this is clear, then it will be possible to identify positions on the relevant issues of definition, scope, stocks, verification and entry into force.

It has been argued that the purpose of the Conference on Disarmament is not to protect or resolve the security concerns of Member States. We are not asking for such support from the Conference. But we maintain that the reverse is not true either. The Conference on Disarmament cannot expect Member States to endorse efforts that undermine their security. That is why the Conference operates on the principle of consensus.

Some of our colleagues have earnestly argued that it would be in Pakistan's interest to conclude an FMCT at the earliest in order to freeze the asymmetries in stockpiles. I ask them to recognize the fact that a larger arsenal, together with a ballistic-missile defence capability, will require Pakistan to possess a sufficiently adequate capability to ensure credible deterrence, especially in the absence of reliable safeguards on the nuclear deals given to our neighbour.

It has been claimed that Pakistan is isolated in the Conference on Disarmament. This is simply not true. A large number of delegations recognize that Pakistan's position is legitimate and justified and that its concerns need to be taken into consideration. There is also broad agreement with our consistent position that the Conference on Disarmament should negotiate a fissile material treaty as a disarmament measure rather than an FMCT as a non-proliferation arrangement. In any event, if we have to, we are ready to stand in splendid isolation in the Conference on Disarmament.

Some delegations have even spoken about the use of pressure tactics against Pakistan, including the "threat" of taking FMCT negotiations out of the Conference on Disarmament. I would like to respectfully remind my colleagues that Pakistan has demonstrated its determination and capacity on several occasions to withstand any pressure for the sake of its national interests. We will continue to do so.

We also believe that the Conference on Disarmament is the sole forum to negotiate disarmament agreements. Any attempt to take the FMCT out of the Conference will be an empty initiative.

From our interactions within and outside the Conference, it is clear to us that the nuclear-weapon States are only seeking to conclude a simple cut-off treaty as a non-proliferation measure – and not a fissile material treaty as a disarmament measure. While some of the non-nuclear-weapon States have indicated that they favour "inclusion" or "discussion" of stocks in the proposed negotiations, they are not ready to insist or agree on the reduction of stocks, which is imperative for a fissile material treaty.

Moreover, the FMCT that is being proposed will merely credit those who have already declared a moratorium on fissile-material production and allow them to gain a virtue out of necessity. For them, such a treaty would be cost-free, as it would also be for those who do not produce fissile material for weapon purposes anyway. That leaves the

three de facto nuclear-weapon States – one of which has always enjoyed a special status and will continue to do so; the second has now been given a special dispensation through the NSG waiver; and the third, Pakistan, is the only one which will face the full impact of such a treaty. Accordingly, such a treaty shall perpetuate the discrimination that has been exercised against Pakistan since 1974.

To those States among the permanent members of the Security Council, as well as members of the NSG, who have argued so eloquently about the FMCT being one of the pillars of the non-proliferation regime and view the start of negotiations on the FMCT as being critical for the success of the forthcoming NPT Review Conference, we have only this to say: it is those countries that have violated their own national and international commitments, thereby reducing the NPT and the international non-proliferation regime to a farce. The very foundations of this regime have been shaken and their exhortations in its defence ring hollow. Had they not thought of their obligations under the NPT, the NSG and Security Council resolution 1172 (1998), when they signed these nuclear cooperation agreements? Why did they not speak up in the NSG if they truly believed in non-proliferation? Since the NSG works on the basis of consensus, they could have blocked its decision. Therefore, it is not Pakistan but those countries who, by their acts of omission and commission, are responsible for the impasse on the FMCT. Had they not been so fast and furious to conclude these nuclear cooperation agreements, with scant regard for Pakistan's security imperatives, the situation inside and outside the Conference on Disarmament could well have been different.

In my final comment allow me to refer to the remarks made by the Secretary-General of the Conference on Disarmament on behalf of the Secretary-General of the United Nations on 11 February. We share his concern and frustration at the lack of progress in the Conference. In this regard, we ask him to take a broader and more long-term view, rather than focus only on the recent past. The stalemate in the Conference on Disarmament is not a recent phenomenon. This forum has been unable to make progress for the last 12 years. Let us not forget those major Powers who were responsible for this long hiatus. Let us also not forget the issues on which this impasse has existed. Let us remember that some delegations are still not ready to negotiate legally-binding treaties on nuclear disarmament, which is the *raison d'être* of this Conference. They are also not ready to negotiate agreements on negative security assurances or the prevention of an arms race in outer space – issues that have been on the agenda of the Conference for decades. And, may I say also, they were on the agenda of the Conference long before the fissile material treaty was inscribed on our agenda.

Pakistan remains ready to engage in substantive negotiations on nuclear disarmament, negative security assurances and the prevention of an arms race in outer space. In our view, there is no reason for an impasse in the Conference even if there is no consensus on an FMCT. We believe, therefore, that the Conference on Disarmament can begin its substantive work at the earliest, for instance on nuclear disarmament, an objective which we all share and on which there has been growing support. We are ready to work with you towards this end.

The President (*spoke in Russian*): I thank the representative of Pakistan for the kind words addressed to my predecessor and to myself, and for his detailed statement on his Government's position.

I also have Norway on the list of speakers, and so I now have the pleasure of giving the floor to the representative of Norway.

Ms. Skorpén (Norway): Mr. President, as this is the first time that I have taken the floor during your presidency, let me assure you of my delegation's full support and cooperation.

I am taking the floor today on the occasion of the thirtieth ratification of the Convention on Cluster Munitions, as Burkina Faso and the Republic of Moldova deposited their ratification instruments on 16 February. This means that the Convention enters into force on 1 August 2010, in keeping with the provisions of the Convention, and prepares the ground for the first meeting of States parties to take place in the Lao People's Democratic Republic by the end of this year.

We hope that the Oslo process, which resulted in the entry into force of the Convention on Cluster Munitions just two years after its adoption, may inspire the Conference on Disarmament to look for new ways to achieve the progress so urgently needed.

As you all know, the Convention on Cluster Munitions is the result of an open, diplomatic process that included States, more than 300 humanitarian and human rights organizations in the Cluster Munition Coalition, the International Committee of the Red Cross and the United Nations itself. The process was launched when a group of States agreed to the February 2007 Oslo Declaration, committing themselves to "conclude by 2008 a legally-binding international instrument that prohibits the use and stockpiling of cluster munitions that cause unacceptable harm to civilians and secure adequate provision of care and rehabilitation to survivors and clearance of contaminated areas".

The process of negotiating this new international disarmament treaty outside established bodies provides reasons for serious concern with regard to the way we have conducted our business here in the Conference on Disarmament, but also grounds for inspiration. It proves that with sufficient political will it is possible to find ways to make progress. It proves that we do not need to be held hostage by those who want the least.

Norway recognizes that there are some crucial differences between the nuclear disarmament agenda and the agenda that led to the ban on land mines and cluster munitions. But there are also similarities. Disarmament is a tool to enhance international, national and human security for States and for people, independent of the agendas or bodies in which we decide to interact.

We believe there are valuable lessons to be learned from the Oslo process and the Ottawa process that are relevant also to other areas of disarmament. We learned how powerful alliances can be created when Governments and civil society work together.

We are aware that most countries maintain that consensus is vital when it comes to nuclear disarmament. Norway is not fully convinced. We believe it could be possible to develop norms against the use of nuclear weapons, and even to outlaw them, without a consensus decision, and that such norms will eventually be applied globally.

In addition to the security and humanitarian aspects, disarmament is closely linked to development. We cannot leave it to the nuclear States alone to decide when it is time for them to do away with these weapons. The destructive power of these weapons would affect us all if put to use — and their threat continue to affect us all — therefore nuclear disarmament is everybody's business.

Many traditional negotiating bodies, such as the Conference on Disarmament, are failing to include relevant stakeholders, such as civil society representatives, thus cheating ourselves out of benefiting from their experience and knowledge. Unless all stakeholders, including States, the United Nations, and civil society, take part in disarmament processes, we run the risk that future negotiations will be irrelevant to the concerns and needs of people.

Norway has been an active player, and will continue to take initiatives in all regional and international forums, together with States that share our ambition to achieve concrete results.

In closing, I would like to reiterate the call on all States, by the United Nations Secretary-General on 16 February, to become a party to the Convention on Cluster Munitions without delay.

The President (*spoke in Russian*): I thank the representative of Norway for her statement and particularly for the information she shared on the entry into force of the Convention on Cluster Munitions.

I see that India wishes to speak, so I have the pleasure of giving the floor to His Excellency the Ambassador of India. You have the floor, Sir.

Mr. Rao (India): Mr. President, it was not my intention to speak in the plenary, but we have been compelled to seek the floor in view of the gratuitous and unfounded remarks made by the distinguished representative of Pakistan.

It would have been better if the representative of Pakistan had refrained from making comments on issues that are extraneous to the Conference on Disarmament. The Conference is not the forum to address bilateral or regional issues, as its main mandate is to focus on agreements of global applicability. As we have made clear in the United Nations General Assembly, India is opposed to the consideration of regional security issues in the Conference on Disarmament. India's impeccable non-proliferation record is widely recognized. As such, I do not intend to respond to the baseless remarks in the statement by the representative of Pakistan.

At a time when there are important tasks ahead of this Conference, the statement can only be viewed as unhelpful. We urge the Pakistani delegation to avoid bringing up extraneous issues designed to create obstacles in the path of the Conference on Disarmament as it tries to get down to serious and substantive work. In fact, we would like to urge Pakistan to live up to its commitment to act with responsibility and to demonstrate that commitment by rejoining consensus on the Conference's programme of work that would allow the commencement of substantive work at an early date, including the negotiations on an FMCT, which was the subject of a consensus resolution in the United Nations General Assembly in December 2010.

We hope that the Conference on Disarmament will get down to substantive work at the earliest.

The President (*spoke in Russian*): I thank the distinguished Ambassador of India for his statement. I see that the Ambassador of Japan is requesting to speak, so I have the pleasure of giving him the floor.

Mr. Suda (Japan): Mr. President, I have listened very carefully to the important statement made by our colleague Ambassador Akram on Pakistan's basic position on its national security concerns and position on the Conference on Disarmament.

My delegation understands the situation Pakistan is in at present in the region. We certainly have some understanding of Pakistan's difficulty from their point of view. There are so many points and arguments they have raised that I do not think we have time to go through all the points made. But one thing I think I should like to make very clear about our position, which is different from the one expressed by Ambassador Akram, concerns what he said about the FMCT. He said it is only for non-proliferation purposes, but I do not think this is true. This is a misunderstanding. An FMCT is a critical and indispensable step in global nuclear disarmament efforts. Its aim is to limit the total volume of nuclear arsenals

all over the world and enable a further reduction of the total in the world by various means and efforts.

So, by concluding an agreement on an FMCT, we can at least prevent a build-up in nuclear arsenals in the region and in the world. It is a critically important step to promote the process of further nuclear disarmament, on which the international community has been working hard. So I hope that many delegates will understand that this is not only a non-proliferation measure, but a very important step in terms of nuclear disarmament as a whole.

The President (*spoke in Russian*): I thank the distinguished Ambassador of Japan and note that the Ambassador of Pakistan is asking for the floor. You have the floor, Sir.

Mr. Akram (Pakistan): Mr. President, it is not my intention to engage in a debate or controversy with my good friend and colleague, the Ambassador of India, in this forum, or even outside this forum.

The facts that I have recounted in my statement speak for themselves. I have tried to bring in facts which do not originate from Pakistan, but are recognized internationally as facts. If these facts can be contested, I would be happy to learn that they are wrong. But time and experience indicate to me very clearly that these facts are absolutely correct.

It is been argued by my friend that the Conference on Disarmament is not the forum in which to discuss or bring up regional security issues. As I said once in a statement before today, when we do raise these issues regionally, we are told that these are not regional concerns, these are issues that go beyond regional security, and therefore they cannot be discussed bilaterally or regionally. I have recounted the regional efforts that we have made in Pakistan to address these issues bilaterally and regionally.

Be that as it may, the fact is that in this Conference we cannot be, as I said right at the beginning of my statement, oblivious to what is happening around us in the world. We are not, as I once also said, in some kind of a wonderland. We are not mad hatters, as in *Alice's Adventures in Wonderland*. We have to deal with real-life situations; at least, my delegation has to deal with real-life situations. So it is my prerogative to raise our security concerns — or at least to be directed, guided by our security concerns — in the Conference on Disarmament, as in other forums dealing with security issues. So we shall continue to do so.

As for my friend the Ambassador of Japan's comment, he sees it differently, and I respect his views. My only point here is that if the FMCT is indeed a disarmament step, then let us agree that we will endeavour to reduce the stockpiles of fissile material. Let us agree on that. And if we agree on that, it becomes a disarmament initiative. But if we are only going to negotiate an agreement that bans future production and does nothing to the existing thousands of nuclear warheads that are in the possession of some of our friends around this room, then it is not a disarmament measure. It is simply a measure that will ensure that further proliferation does not take place, but does not do anything about the huge existing stockpiles of weapons. Only if we agree to reduce those stockpiles will we be in the business of disarmament. At least that is my understanding of what disarmament means, though I am willing to be educated by my friends.

The President (*spoke in Russian*): I thank the distinguished Ambassador of Pakistan, Mr. Akram, for his comment and would like to give the floor to the Secretary-General of the Conference on Disarmament, His Excellency Mr. Sergei Ordzhonikidze. You have the floor, Sir.

Mr. Ordzhonikidze (Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations to the Conference): Mr. President, I have really been very concerned about what is going on at the Conference,

which is supposed to deal with strategic disarmament issues that are of paramount concern to the international community. Of course I was speaking as the representative of the Secretary-General of the United Nations to this Conference, and the Secretary-General fully shares my view that the Conference has to make more progress.

I am grateful, as probably many of you are, to the Ambassador of Pakistan for laying out his concerns, which are strategic concerns of a bilateral nature. At the same time I would like to remind all delegations that if you look at the world outside this room, many countries, many member States present here, have the same strategic concerns vis-à-vis each other on other issues as well. They might be bilateral concerns, multilateral concerns, regional or global concerns — we all know what we are talking about — but at the same time, these countries, showing flexibility, have made certain positions of their own flexible enough to allow the Conference to move ahead.

We have not yet even started to consider article 1 of any treaty or any document, so it is very hard to imagine that the programme of work, if it is adopted — and it should be adopted — will hamper in any way the strategic security of any member State. It is a piece of paper, a document we are going to discuss further, but we have to be flexible in the Conference on Disarmament because we all have strategic concerns. Those concerns are of different kinds, but at the same time we have to be flexible enough to let the Conference start the procedure, because if we do not try, we will never succeed. If you did not try any option, you would never have a result.

The negative position of some delegations is of course also an expression of their own national position, and everybody understands that each delegation is under instructions of its own, and these instructions arise out of concern for the strategic situation in the world.

These might be things that you would like to keep in mind: that if we are not flexible in the Conference — and that means in trying to find a way to settle, or at least to approach a settlement of, these strategic disarmament issues — then we will not be fulfilling our mandate as the Conference on Disarmament.

The President (*spoke in Russian*): Thank you, Secretary-General, for your important statement. I see that the distinguished Ambassador of Pakistan would like to speak. You have the floor, Sir.

Mr. Akram (Pakistan): Mr. President, I do not want to get into a discussion on whether or not the secretariat or the Secretary-General's representative to the Conference is in a position to make the kind of remarks that he has. That is an issue that we can discuss at another time. I have my doubts about it. In any event, taking his remarks at face value, let me remind him and through him, his colleagues, that you cannot apply unequal standards or be selective in asking for countries to be flexible.

One can accuse Pakistan of inflexibility, if you want to, perhaps since May 2009. But what about the inflexibility of countries that retarded or in fact, created an impasse in this Conference for 12 years? I do not hear the Secretary-General's representative referring to that period. We are talking about 12 months and we are hearing a lecture on the need for flexibility for 12 months or not even 12 months yet. But I hear nothing about the 12 years. That is point number one.

Point number two: Is there only the FMCT on our agenda? Are we here only to negotiate a treaty on fissile material cut-off? Long before an FMCT came on this agenda, there were other items, and they are still there on our agenda. Why do we not make progress on those items, and why do we not ask the countries that are blocking progress on those items to show flexibility? Why must we only discuss FMCT? Let us negotiate treaties on nuclear disarmament. Let us negotiate treaties on negative security assurances. Let us

negotiate treaties on the prevention of an arms race in outer space. Who is stopping that? Not my country. We are ready, as I have been saying repeatedly. Why can we not move on those? And if we do move on even one of those, the Conference on Disarmament can start substantive work. So who is blocking progress on that?

So, I ask the Secretary-General's representative to be more balanced in his perspectives when he talks about flexibility.

The President (*spoke in Russian*): Thank you, Ambassador. I should like to give the floor to the Secretary-General of the Conference.

Mr. Ordzhonikidze (Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations to the Conference): Mr. President, I would like to remind everybody that, as the representative of the Secretary-General, I did not mention any country at all in any of my statements here at the Conference on Disarmament. I did not even mention the subject of the agenda of the Conference on Disarmament. I only mentioned the need for the Conference on Disarmament to move quickly, to show flexibility, to approve its programme of work, and to go ahead with strategic nuclear disarmament issues. Any other interpretation, I would think, would be a misinterpretation of the wish of the United Nations to see the Conference on Disarmament moving forward.

The President (*spoke in Russian*): Thank you, Secretary-General, for that clarification. I now give the floor to the distinguished Ambassador of Germany. You have the floor, Sir.

Mr. Hoffmann (Germany): Mr. President, I have listened with great interest to the statements made this morning, and of course, we will have to study them in detail. Now, whether the Conference on Disarmament should deal with regional issues in that context is an interesting question. I think for the time being I am rather agnostic on that point, but I think it stands to reason that one can see, from just listening to these statements, that many issues are connected with one another, and in that sense I think it is important that we try to understand what the issues are and that we clear the air, so to speak. I therefore reiterate the position I have taken here before in meetings and informal meetings, that it is basically always good to have an open and transparent debate to understand where we are and where people are coming from and where States are coming from.

I would want to make two points: the first is to support the distinguished Ambassador of Japan in what he said. We, too, feel that an FMCT clearly has a disarmament implication, and not only a non-proliferation dimension. We would suggest, to use the old English way of putting it, that the proof of the pudding is in the eating.

And that leads me directly to the second point that I would like to make, and that is that I would beg to differ with the distinguished representative of Pakistan on one cardinal procedural point, and that is the position Pakistan is taking on the question of whether it would be right to open negotiations on this difficult issue. We still find it difficult to understand why a member State would be so reticent to engage in negotiations.

I understand their difficulties from an intellectual point of view. I try to follow their line of reasoning, but I still think one can make all these points in a negotiation, and it would not be the first time in history that negotiations start with positions which are very far apart from another.

Coming from Germany, it reminds me of a very difficult negotiation which goes back to the late 1960s and early 1970s, namely, the Four Powers Agreement on Berlin. I was at that time a student of political science and was interested in that. Everybody said it was practically impossible to reach agreement on the status of Berlin in the Four Powers Agreement, and if participating parties to these negotiations had insisted on clearing up the

objectives of these negotiations beforehand, I am afraid they would never have managed to reach anything. So, just to use this as one of many examples, I think it is important to engage in negotiations.

This leads me also to say that I very much support what the Secretary-General of the Conference has just said in his interventions. I think it is part of his job and it is his duty to call upon all member States to engage in negotiations. That is what we are here for, and to really move on and do our work here.

Finally, I have heard the points about other issues which have been on the agenda of this forum for a long time, and I said in the informal consultations we had the other week that my delegation is not in the business of saying this or that must not be negotiated, because as I have just said, we are basically of the view that one should advance and defend one's positions in negotiations.

There is a practical question involved here, and there is also a political question involved. The practical one is, how much can this body do at the same time? And the political question is, one always talks about what is ripe for negotiations, and I think there is a certain intrinsic logic in saying that, after the NPT and the Comprehensive Nuclear-Test-Ban Treaty, it makes sense to address the issue of fissile material, and one can leave open what that will entail in negotiations. It is clear that there is a very broad readiness in the international community to in fact do just that, and under such circumstances, to stand in the way of that is something I think one has to consider very carefully.

The President (*spoke in Russian*): Thank you, Ambassador, for your statement.

Are there any other requests for the floor?

I see none but, before I adjourn the meeting, I should like to tell you a story I heard from a remarkable man and a seasoned diplomat, Norway's Ambassador, Mr. Martin Huslid.

In the early 1980s he headed one of the bodies of the sixth session of the United Nations Conference on Trade and Development. The work was not going well, and before he started the meeting he told us some stories from his own life and some from his country. And I would like to tell you one of them. It goes like this.

One day a Norwegian peasant was walking along the road when he met a young man who asked him the time. The peasant was about to look at his watch when he suddenly thought, "If I tell this young man the time, he will be indebted to me. If he is indebted to me, he will want to come home with me to show his gratitude. If he comes home with me to show his gratitude, he will see that I have a young daughter. If he sees that I have a young daughter, he might want to marry her. And then what will I do? I can't let my daughter marry this young man who doesn't even have a watch. I'd better tell him that I don't have a watch."

What I think this story tells us is that suspicion of things foreign is not always good for our peoples.

To come back to the story, it was the peasant's family who could have become the happiest of all – the daughter, because she could have found a husband, and the mother, because she could finally have seen her daughter wed.

And on that note, I should like to adjourn today's plenary meeting. The next plenary meeting will be held next Thursday at 10 a.m. I should like to spend the time until then holding broader consultations and analysing what is happening here, including today's discussions.

Before adjourning the meeting, I should like to wish you a pleasant weekend and remind you of the words of our Secretary-General, on 11 February and today: we need progress in this Conference.

And with that, this meeting stands adjourned.

The meeting rose at 11.30 a.m.