

# Conference on Disarmament

31 January 2012

English

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## Final record of the one thousand two hundred and forty-fourth plenary meeting

Held at the Palais des Nations, Geneva, on Tuesday, 31 January 2012, at 10.15 a.m.

*President:* Mr. Luis Gallegos Chiriboga ..... (Ecuador)

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**The President** (*spoke in Spanish*): I called to order the 1244th plenary meeting of the Conference on Disarmament. I invite the Conference to adopt a decision on three additional requests from non-member States to be allowed to participate in the work of the Conference. The requests, as contained in document CD/WP.570/Add.1, have been sent by the following States: Kuwait, Montenegro and the Sudan. May I take it that the Conference decides to invite Kuwait, Montenegro and the Sudan to participate in our work in accordance with the rules of procedure?

*It is so decided.*

During the plenary meeting last week I had the honour of presenting you with a concept paper, which has been distributed to you as document CD/1929. It is a working paper of the presidency entitled "Ideas for consideration". The basic thrust is that we should have a frank discussion between delegations on a way forward for the Conference on Disarmament and that we should seek the cooperation and participation of all in pursuit of what I believe to be the shared goal of making progress so that the Conference can do productive work and meet the challenge posed to us by the General Assembly in a resolution. I would like to stop here and to hear reactions from the floor.

**Mr. Borodavkin** (Russian Federation) (*spoke in Russian*): It gives me great pleasure to be able to address the plenary meeting of the Conference on Disarmament. The sole authoritative international forum in the area of security, it has rendered great service to the international community and is rich in history, but is now going through a difficult period.

This is my first statement as a permanent representative at the Conference. It is a great honour for me to join the ranks of experienced and able diplomats engaged in the search for ways of resolving current disarmament issues. I hope that our combined efforts will produce positive results and lead to a strengthening of international security through disarmament.

Overcoming the deadlock within the Conference and activating other multilateral disarmament bodies remains one of the most pressing tasks. We concur with the well-founded assessments, oft repeated within these walls, of the situation that has come about, which attribute the deadlock in the Conference to political considerations and the fact that the work of the Conference touches on the most delicate of issues, the security of States. We are convinced that what should be aimed for is not a radical restructuring of institutions, but rather the mobilization of political will to set in motion multilateral negotiating mechanisms with a view to drawing up universal agreements on disarmament and non-proliferation.

It is gratifying to see that the States present here share the aspiration of preserving the role of the Conference as a multilateral negotiating forum on disarmament. We are also grateful to the Secretary-General of the United Nations and to the Secretary-General of the Conference, Mr. Tokayev, for their efforts to promote the multilateral disarmament agenda. However, the discussions carried out in the past year in a variety of formats concerning the future of the multilateral disarmament system demonstrate that we must now face our responsibilities and make a choice: to compromise and begin practical work on the most urgent problems regarding multilateral disarmament or face the threat of the paralysis and breakdown of the disarmament machinery at the United Nations. It is utterly unacceptable to maintain the status quo, whereby in fact procedural decisions of the United Nations General Assembly on reports of the Conference on Disarmament and the United Nations Disarmament Commission serve only to highlight the failure of these forums to get effective work done.

Unfortunately, in the area of multilateral disarmament we are obliged to observe that, overall, there have been very few instances of success. Nonetheless, there have been some and they deserve to be noted.

One of the most important and far-reaching events of the past year has been the entry into force of the Russo-American Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms. The parties have already begun fully to implement their commitments. It is of key importance that the treaty is based on the principles of equality, parity, and the equal and indivisible security of the parties. We are sure that the reductions in nuclear arms provided for by the treaty will help to strengthen international security and stability and will make it possible to consolidate the nuclear non-proliferation regime and broaden the process of nuclear disarmament.

Russia is unswervingly committed to the goal of ridding mankind of the nuclear threat and is open to dialogue on nuclear disarmament. At the same time, it should be abundantly clear that further steps toward nuclear disarmament can be contemplated and taken only in strict compliance with the principle of equal and indivisible security for all.

The complex nature of present-day security issues and the interrelationship of various factors affecting strategic stability are mirrored in the controversy regarding anti-ballistic missiles (ABMs). The reasoning behind Russian concerns was outlined by the Russian President, Dmitry Medvedev, in a statement made on 23 November 2011 on the situation regarding ABM systems in NATO countries in Europe: an accelerated and unlimited build-up by one side or, worse, by a military block, of ABM system capacity inevitably requires the other side to boost its offensive arsenal or to adopt other asymmetric responses by way of compensation. It should also be noted that plans for the deployment of ABMs are global in nature and not limited only to the European continent. Thus, accelerating ABM projects without taking into account the interests of other States significantly undermines strategic stability and international security. As President Medvedev underlined, it can adversely affect the creation of the international conditions needed to take "further steps in the field of disarmament and, accordingly, of arms control". Other factors cannot fail to be unsettling: the ever growing imbalance in conventional arms in Europe; plans to deploy weaponry in space; the creation of non-nuclear strategic offensive arms; and the risks of proliferation.

Russia has consistently argued that contemporary global and regional challenges to the nuclear non-proliferation regime can only be overcome on the basis of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). In that context, we welcome the fact that practical measures have begun to be taken to implement decisions by the 2010 NPT Review Conference, providing for a series of steps to strengthen the Treaty on the basis of a verified balance between its three elements: non-proliferation, nuclear disarmament, and the peaceful use of atomic energy. In this context, the five permanent members of the Security Council actively cooperate in order to fulfil their obligations. At the same time, it is clear that decisions of the Review Conference are complex in nature and require that all participants contribute to their implementation. In the framework of global non-proliferation efforts, we also note the importance of full and consistent compliance by all countries with Security Council resolutions 1540 (2004) and 1887 (2009).

We would like to focus attention on the importance of implementing the decisions of the 2010 NPT Review Conference regarding the establishment in the Middle East of a zone free of weapons of mass destruction and their means of delivery. We consider the holding of a conference on this issue in 2012 to be a matter of priority. The success of such an event will largely depend on participation by all Middle Eastern States and the desire for constructive dialogue. We welcome the appointment by the Secretary-General of the United Nations of the Deputy Minister for Foreign Affairs of Finland, Mr. Jaakko Laajava, as the conference facilitator. Russia, as a sponsor of the 1995 resolution on the Middle East and an NPT depository, will continue to cooperate fully in the preparations for the conference in the framework of its obligations and with the decisions of the Review Conference.

We believe faster ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) to be indispensable if the treaty is to come into effect as soon as possible. We therefore welcome ratification of the CTBT by Indonesia, an Annex II State, as well as Ghana, Guatemala and Guinea. We urge all States, especially those upon which the entry into force of the treaty depends, to sign and to ratify it as soon as possible.

It is in the interests of Russia for the substantive work at the Conference on Disarmament to resume as quickly as possible. As you know, we informally circulated a proposal during the sixty-sixth session of the United Nations General Assembly and consultations in Geneva which, in our view, could form the basis for substantive work at the Conference. In the framework of a balanced programme of work, we propose that we commence with the drafting of elements of a fissile material cut-off treaty (FMCT), while continuing meaningful discussions on the three other core issues: nuclear disarmament; negative security assurances and prevention of an arms race in space. An agreement on the Conference's programme of work, aside from a way out for the protracted deadlock, could also provide a valid alternative to radical ideas on reform of the disarmament machinery of the United Nations. We are grateful for the broad support that our approach has received. Although the chance of reaching agreement in the course of the work of the First Committee during the sixty-sixth session of the General Assembly was missed, owing to various circumstances, our proposal remains on the table.

Our priority at the Conference undoubtedly remains the prevention of the deployment of weapons in space. We look forward to more collective work in the Conference on Disarmament on the Russo-Chinese draft treaty on prevention of the placement of weapons in outer space, which was put forward in February 2008. We believe that that treaty, once concluded, would help not only to prevent the deployment of weapons in space, but also to ensure predictability in the development of strategic situations. It would also boost international security. We are sure that all States which benefit from the peaceful use of space have a stake in this. Discussions on the draft in a variety of forums, including international conferences and the First Committee of the General Assembly, have revealed considerable interest in it on the part of the international community. We call on all interested States to join us more actively in our efforts.

A key element of such a treaty will be the establishment of transparency and confidence-building measures in relation to activities in space. This year, a panel of Government experts will start work and have the task, *inter alia*, of studying such measures and their general applicability and development, and preparing practical recommendations. We are also willing to discuss nuclear disarmament.

Russia supports the initiation of FMCT negotiations in the framework of a balanced programme of work and on the basis of the "Shannon mandate". We consider it counterproductive to launch FMCT discussions parallel to the Conference on Disarmament without the participation of all States that possess nuclear arsenals. The formulation of such a treaty would, in our view, constitute a multilateral measure to strengthen the NPT regime.

Nor are we opposed to setting up a working group with a discussion mandate for substantive consideration of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. We are in favour of developing a global agreement on security assurances, taking into account Russia's military doctrine. We believe that the establishment of nuclear-weapon-free zones, on the basis of the principles approved by the General Assembly in 1999, is one way in which non-nuclear-weapon States could obtain legally binding security assurances. We support the geographical extension of such zones in the broader context of a solution to the issue of such assurances. We welcome the establishment of new zones, especially in Central Asia. We would like to recall that, in March 2011, Russia signed and ratified the Protocol to the African Nuclear Weapons Free Zone Treaty. We are satisfied with the conclusion of the

negotiations between the five permanent members of the Security Council and the Association of Southeast Asian Nations (ASEAN) on the protocol to the Treaty of the Southeast Asia Nuclear Weapon Free Zone. We are ready to discuss nuclear-free status for Mongolia.

We would like to declare our support for broadening the membership of the Conference and the appointment of a facilitator on the subject. We believe that membership of the Conference must reflect modern realities and include all stakeholders in the area of disarmament and international security. We would welcome further consideration of the issue of greater involvement of civil society in the work of the Conference on Disarmament, following the lead of the NPT Review Conference and the First Committee of the General Assembly.

Mr. President, the delicate duty has fallen to you, as first president of the 2012 session of the Conference, to prepare a conceptual foundation for the session and organize its practical work. Our main common task is to achieve consensus as soon as possible on the programme of work and to resume substantive activity. Let me assure you, and all six presidents of the 2012 session of the Conference on Disarmament, of the readiness of the Russian delegation to assist in the search for a compromise. We are ready to cooperate and are open to dialogue.

**The President:** I thank the representative of the Russian Federation and would especially like to welcome you, Ambassador Borodavkin, to the discussions of this forum and wish you success in your participation, which will also be our success.

**Mr. Bhattarai (Nepal):** Mr. President, my delegation congratulates you on your assumption of the first presidency of the 2012 session of the Conference on Disarmament. We pledge our full support to your leadership.

Nepal attaches great importance to the work of the Conference. We wish this sole multilateral disarmament negotiating forum to be effective and to overcome the longstanding deadlock. We call for its revitalization without delay to advance negotiations on the pressing agenda.

My delegation associates itself with the statement made last week by the Ambassador of Croatia on behalf of the informal group of observer States calling for progress on the expansion of the Conference membership. Given the interconnected nature of global security, we believe that a more representative and inclusive membership is appropriate for building international support and advancing the disarmament agenda.

Nepal has consistently advocated the general and complete disarmament of all weapons of mass destruction, including biological, chemical, nuclear and radiological weapons, in a time-bound manner. We favour the total elimination of nuclear weapons to attain nuclear disarmament and non-proliferation once and for all. We firmly believe that arms are no solution to any problem anywhere. No durable solutions will be possible without concerted efforts to achieve disarmament. At a time when the world is confronted with multiple crises on a daunting scale and of enormous complexity, we believe it is vital to have a comprehensive approach to a verifiable, universal and irreversible disarmament process so as to move ahead in an expeditious manner.

Disarmament is urgent from moral as well as economic perspectives. At a time when world hunger and poverty in absolute terms are at an all-time high, we live with the irony of higher and heavier than ever global military expenditure. While we face the threat of not meeting the Millennium Development Goals for over half of humanity just because resource mobilization has fallen short by \$100 billion a year, our talk of one world, one planet, one humanity and one global society is indefensible. Just the other day a United Nations report warned that the world is running out of time to make sure that there is

enough food, water and energy to meet the needs of a growing population and to avoid sending up to three billion people into poverty. To improve the situation, resources need to be diverted from building arsenals of weapons to building peace and prosperity.

We are deeply concerned at the current impasse in producing a coherent strategy leading to the complete elimination of nuclear weapons. It is only the strong political will of major Powers and concerted efforts to achieve disarmament that can initiate the process of complete nuclear disarmament and pave the way for diversion of a huge amount of material and technical resources towards investment in peace, security, development and international cooperation. The international community also needs to work together to strengthen controls over small arms and light weapons in order to prevent their misuse by non-State actors.

Nepal is the host country to the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific. We are fully committed to strengthening the Centre as an effective United Nations regional entity in building regional understanding and confidence for peace and disarmament. We believe that regional mechanisms complement efforts to promote the global disarmament agenda. Given the growing importance of the Asia-Pacific region, we are of the view that the Kathmandu process needs to be revitalized to facilitate dialogue and deliberations on many contemporary challenges, including confidence-building in the region. We therefore call for an enhanced level of support for the Centre from the international community, including the member States from the Asia-Pacific region, to strengthen the work of the Centre and put the multilateral approach at the centre of promoting international peace and security.

Finally, Nepal remains committed to working with member States to advance the cause of disarmament through the regional as well as multilateral processes leading to universal disarmament, to honouring international commitments under related treaties and agreements and to creating an environment conducive to complete disarmament.

**Mr. Strohal** (Austria): Mr. President, allow me to start by congratulating you on the assumption of your post and also on the energetic manner with which you are trying to take us forward. My delegation lends its full support to you and your delegation, as well as to the other presidencies of this year. We also welcome the new ambassadors to the Conference.

Like you, Mr. President, we believe that the time has come for a more genuine discussion on the root causes of the deadlock of the Conference, including potential innovative approaches to tackle this deadlock. We therefore welcome your initiative to invite this forum to hold a frank and honest discussion on the future of the Conference, and we will be glad to contribute to this debate.

Austria considers functioning multilateral disarmament regimes as a vital component of an intact international security framework based on a human security approach. The Conference has played an important role in this regard in the past. However, for more than a decade, the few success stories in multilateral disarmament have happened outside this forum. And the longer the Conference has remained in deadlock and failed to fulfil its mandate to address today's pressing security challenges, the more it has lost credibility and legitimacy as a body for multilateral disarmament negotiations.

Austria has followed these developments with great concern and participated in a number of initiatives in recent years. When we were among the P6 we strongly endeavoured to balance the programme of work with regard to the different priority issues.

In 2010, following up on the high-level meeting convened by the Secretary-General of the United Nations, we introduced a General Assembly resolution on revitalizing the Conference and taking forward multilateral disarmament negotiations.

Last year, however, the session of the Conference came and went without moving us any closer to substantive negotiations, despite serious efforts by a number of delegations.

So, last fall, together with Mexico and Norway, we tabled another resolution at the General Assembly, a resolution which focused on stimulating a shift away from procedural discussions towards work on all substantive elements on the agenda of the Conference.

That proposal was based on our conclusion that a greater amount of flexibility among member States would be needed to break out of our substantive deadlock. This would also require all stakeholders to challenge some of the entrenched positions that are at the core of our problems.

Our proposal was a simple one. In the event that the Conference continued to fail to agree on a programme of work, open-ended working groups based in Geneva would be proposed on all issues currently blocked for as long as the Conference remained in deadlock.

The proposal challenged some strongly held positions regarding priority of issues. For more than 10 years, the member States of the Conference have been unable to agree on these priorities. My delegation is convinced that the only way forward is to move more broadly on all issues. Ultimately, the question of what issue is more or less a priority should be the subject of the multilateral negotiation process itself. The issue should not be used to prevent the start of negotiations.

Some delegations perceived the New York proposal as challenging the disarmament machinery, as it proposed to deal with disarmament issues within the General Assembly. However, we need to confront the fact that, after nearly 15 years of failure to deliver on its mandate, the Conference on Disarmament is currently a defunct forum. Does it still make sense to insist on an approach that obviously does not work, or is it better to try something different? At the end of the day, to suggest dealing with issues within the General Assembly can hardly be interpreted as a challenge to the United Nations disarmament machinery. What we may need is something like a “Uniting for Disarmament” approach.

States on the different sides of issues are very adept at finding arguments for why the current situation should continue and why this is better than trying a different approach. The lack of progress in the Conference may be lamented, but the maintenance of the status quo appears to be a rather comfortable position for a number of delegations. And the Conference has become a tool to entrench this approach.

There is widespread agreement on the urgency of nuclear disarmament and non-proliferation. There is a very large majority of States that wants to make progress on these issues through multilateral cooperation. However, we are at the start of yet another session with an unproductive outlook. There is no reason to believe that consensus on a meaningful programme of work, and thus real work, will happen in any realistic time frame.

In my delegation’s view, the time has therefore come to seriously address the question whether it is wise to continue to follow the approach of the past 15 years, which holds that progress on disarmament and non-proliferation can only be made in this forum, can be made exclusively on the issues that all member States agree on and can be made solely on the basis of a rigid interpretation of the consensus rule. We need to weigh the consequences of continuing with this approach in terms of the credibility of the disarmament and non-proliferation regime and also in terms of the effect on multilateralism as a whole and whether we can actually afford this in light of the international security challenges.

We believe that there is a need to try different avenues and also a growing readiness among States to do this. It was by no means “fatigue” — as might have been expected — that we experienced during the deliberations at the last General Assembly. There was a

widely shared perception that the continued paralysis of disarmament negotiations has become intolerable for the international community. The number of resolutions tabled at the General Assembly and the engaged discussions demonstrated this clearly. This year's session, therefore, carries a particular momentum and responsibility. Austria is committed to working with all interested delegations on this and to continuing with our efforts on taking multilateral disarmament negotiations forward.

Our mandate in this body is to advance the cause of nuclear disarmament and non-proliferation and make this world a safer place free of nuclear weapons. Should the Conference fail this year once again to fulfil its mandate in this regard, we cannot any longer shy away from drawing serious conclusions.

Finally, the enlargement of the Conference is an issue of particular importance for my delegation. As the European Union repeated last week, we strongly support the continuation of consultations on the expansion of membership and call for a special coordinator to be appointed without delay on this subject.

Austria is convinced that the multilateral disarmament and non-proliferation discourse benefits enormously from a closer exchange with academia and civil society actors engaged in this field. Therefore, we continue to appeal to the Conference, particularly at this stage, to open ears and doors and engage in more inclusive discussions with all interested stakeholders.

**Mr. Leshno-Yaar** (Israel): Mr. President, as this is the first time we are taking the floor under your presidency, allow me to convey our wishes for your success, and assure you of this delegation's cooperation and support in the fulfilment of your duties. We also welcome the new ambassadors to the Conference.

It is indeed the case, Mr. President, that you have an enormous challenge in front of you. In fact, it is an enormous challenge which faces us all. The Conference has been stalled for a very long time, and many have voiced their discontent with the current state of affairs. However, as the relevance and importance of the Conference endure, it is key that we continue to exert our utmost efforts to find the formula which will enable it to conduct once again meaningful work.

The Conference on Disarmament is referred to as the sole multilateral negotiating forum. This terminology stems from the Conference's uniqueness in the multilateral disarmament arena. Its uniqueness cannot be disputed, despite calls to the contrary or the existence of other forums which have negotiated relevant instruments in the past. The Conference is unique due to its membership, which includes the most relevant stakeholders. It is unique in its rules of procedure, which are designed to ensure that States' vital security interests are taken into account, and it is unique in the fact that it remains the only standing body able to negotiate arms control and disarmament agreements, when conditions are conducive to such negotiations in the global arena.

Mr. President, in your non-paper, which you distributed prior to the commencement of this session, as well as in document CD/1929 distributed yesterday, you challenged the membership of the Conference to try and look at new avenues in order to see whether substantial work can be done in the Conference. In your words, "New ideas are needed to overcome the paralysis and immobility, but for this, we must move away a little bit from the Conference's core issues and look at everything from a new perspective."

In this respect, I would like to refer to an Israeli paper submitted to the Conference in 2007, CD/1823, in which Israel proposed that the Conference take up the issue of the threat posed by the transfers of conventional armaments to terrorists by negotiating a comprehensive and meaningful ban on such transfers. Israel has proposed that this issue would be dealt with under agenda item 7, on transparency in armaments. In our statements



to the plenary that year and in subsequent working years, we have emphasized repeatedly that as long as no agreement was to be found on the four core issues, it would be advisable to turn our attention to additional issues which have a substantial and significant impact on States' and regions' stability and security.

Our idea was not to replace or cast aside the four core issues, but rather to find a way to address other important topics while the impasse persists. While other such issues would not, perhaps, represent for some member States the *raison d'être* of the Conference, they would allow it to engage in real and substantive work which could have a very significant impact in the context of peace and security.

Nothing in this suggestion would preclude member States from taking up the four core issues, whenever a formula is found that would enable work to be done on these issues. In the meantime, while the stalemate continues, we would be able to conduct real work on other relevant and important topics. To use an old cliché, it would be a shame to throw out the baby with the bath water. The Conference and the security challenges facing the world today are too important for us to casually cast away the Conference as unimportant or irrelevant. Substantial and effective work can be done in the Conference, even though an agreement on the four core issues is yet to be achieved.

**Ms. Higgle** (New Zealand): Mr. President, my delegation wishes you well as you assume the important task of launching substantive work in this forum. We welcome the Russian Ambassador and all other newly arrived representatives to the Conference.

We do welcome the sense of urgency that you are bringing to your duties, as evidenced by your recent non-paper, by your ongoing consultations on a possible programme of work, and indeed by your working paper CD/1929, which was distributed yesterday.

It is very clear, Mr. President, that you and your successors to the presidency for 2012 need no reminding of the degree of international concern surrounding the future of this body. The most recent session of the United Nations General Assembly can have left little doubt about how pivotal this year will be for the Conference.

At the centre of the First Committee's work last October was a high level of concern about the state of multilateral disarmament machinery – particularly the Conference on Disarmament. This was made clear in a number of draft resolutions.

We commend the Secretary-General of the United Nations for all the efforts he has made to draw attention to this worrying situation. The Secretary-General's statement last week — as conveyed to us by Mr. Tokayev, the Secretary-General of the Conference on Disarmament — sets out clearly the concerns of the Secretary-General of the United Nations about the ongoing deadlock in the Conference and the need to overcome this without any further delay. As you note in your working paper, the foundations of the Conference are being "gravely eroded by its continued failure to achieve results".

Delegations here are well aware of the General Assembly's adoption, without a vote, of the resolution tabled by the Netherlands, South Africa and Switzerland during the last session of the General Assembly. That resolution, naturally enough, urged this Conference to adopt and implement a programme of work. But the Assembly went on to decide that, at its next session, i.e. later this year in 2012, it would "review progress made in the implementation of the present resolution and, if necessary, ... further explore options for taking forward multilateral disarmament negotiations".

New Zealand understands these words to be putting the Conference on notice. It has been given the breathing space of one year in which to begin to make substantive progress – by which we mean the actual, or at the very least imminent, undertaking of negotiations of the kind that the General Assembly long ago mandated us to carry out.

Mr. President, your working paper questions whether we may be unduly fixated on the importance of this body carrying out negotiations. But to my mind, it is this which is the rationale for our existence. Talking shops exist aplenty. Some — such as the Disarmament Commission — are indeed mandated by the United Nations. The Conference's added value has always lain in the prospect (increasingly theoretical, I agree) that it would settle the terms of legally binding undertakings to move international security forward.

My delegation has been concerned for some time now, not only with the Conference's inability to perform in the manner expected of it by the General Assembly, but also by the manner in which we have complicated our efforts to find a way forward by allowing each issue to be held hostage to another.

We either need to delink the mandates or accept that the current means of proceeding is to consign the fissile material treaty, nuclear disarmament and the other core issues to deadlock in perpetuity.

My delegation nostalgically recalls the situation in 1998 when this forum's approach to the programme of work was more pragmatic and we were able to agree to two separate negotiating mandates, one on fissile material and the other on negative security assurances. New Zealand — at that time a new member — had great hopes that we would soon participate in meaningful negotiations which would carry forward the international security agenda. Regrettably, those hopes remain unfulfilled.

We have heard it said in this chamber that the Conference does not operate in a vacuum untouched by the international security environment. If this is so, it can equally be asserted that the Conference does not operate in a vacuum untouched by the views of Member States represented in the United Nations General Assembly. The General Assembly has made its views abundantly clear: the issues before the Conference are of the utmost importance to our collective security. If we cannot meet the General Assembly membership's overwhelming desire for progress on the items on the Conference's agenda then the General Assembly will consider future options.

We have heard it suggested that, because the Conference is not unanimous regarding the launch of negotiations on a fissile material treaty, it should instead take up negotiations on other issues on its agenda. Your working paper of 30 January, Mr. President, also touches on this point. While we recognize an element of pragmatism to this suggestion, the unacceptable result of it would be that the wishes, security interests, and priorities identified by the vast majority of Conference members would be ignored and supplanted instead by the viewpoint and security interests of the very few.

Such an outcome would be as unfair here as in any other multilateral context. It works against the very basis of multilateralism and the search for global solutions of any sort.

It is unrealistic to urge the overwhelming majority of us to abandon the priority we attach to negotiating a treaty on fissile material. But equally we do have to concede that it has, to date, proved unrealistic, given the consensus requirement in our rules of procedure, simply to repeat the call to begin such negotiations.

My delegation has maintained its support for the Shannon mandate now for over 15 years. We appreciate its subtlety, including the framing it gives for any delegation to raise for consideration issues including the appropriate scope of the eventual fissile material treaty. We have yet to hear anything, however, that suggests to us that this mandate will provide the basis for a launch this year of negotiations. That, clearly, is the view put forward in your working paper as well, Mr. President.

Perhaps now is the time, in this last year of breathing space, for all of us to consider again CD/1299 and identify what flexibility we might have to build on its language in a

way that enables us to bridge differences and move forward to begin substantive work on this important issue. If that flexibility eludes us, we — or the General Assembly — will be able to draw the inevitable conclusion about the future of this forum.

We appreciate, Mr. President, your intention to hold a series of frank and honest discussions about the future of this body. We do hope that you will find that there is the requisite flexibility and a general readiness on the part of all delegations, in the words of General Assembly resolution 66/66, to adopt and implement a programme of work to enable us to resume substantive work on our agenda early in the 2012 session.

If we can do this then there is ground for hope that the Conference will recognize, as it has in the past, that it should have an integral part to play in changing the international security environment. If it cannot, then, as we have said before, it will be preferable to put it into mothballs until such time as there is a greater convergence of views regarding the negotiations to be carried out in this body. Alternatively, Mr. President, as you suggest, the Conference could meet each year for a shorter period of time until agreement on a programme of work is possible.

While it remains the strong desire of my delegation to negotiate within the Conference, there are limits to the amount of time (and resources) that a small delegation such as New Zealand's can commit at a time when the political climate is not conducive to progress.

Mr. President, my delegation looks forward to this continuing frank and honest discussion. We welcome your ongoing efforts — and the creativity you have already displayed — in trying to get the Conference down to substantive work.

To this end you certainly have New Zealand's support but I note that if the Conference is indeed going to be able to justify its existence to the General Assembly, the time in which to do so is clearly short.

**Mr. Jazaïry** (Algeria) (*spoke in French*): Mr. President, I would like firstly to congratulate you on becoming President of the Conference.

You take this on at the beginning of the session, a difficult time when you will have to provide guidance on how to resolve the issue of the programme of work following the mercifully swift adoption of the agenda.

Please be assured that your efforts will have our full support, as will the other session presidents, whose efficiency I myself was able to gauge when I occupied that position. We also welcome the Ambassadors of Brazil, China, Japan, Norway and the Russian Federation to the Conference on Disarmament. We listened with interest to today's statement by Ambassador Borodavkin of the Russian Federation.

The working paper that you have circulated prompts me to raise several points about the difficulties faced by the Conference, which I will also discuss later in greater detail in my farewell statement.

Firstly, I would like to express the deep gratitude of the Algerian delegation for your efforts and for working paper CD/1929, which reflect your good faith and commitment to the Conference on Disarmament. This thought-provoking paper comes at a critical time, marked by grave concern about the continued deadlock in the Conference. Colleagues from Austria, New Zealand and Nepal have this morning already expressed their concern in a far more eloquent manner than I could.

You suggest a way forward for resolving the problem of a programme of work. That is indeed ambitious. It is a bold step to take an approach other than that of holding consultations on subjects where consensus has been reached thus far in an attempt to address issues that are unresolved owing to differences of opinion. In that respect, it will

come as no surprise that I continue to believe that decision CD/1864, adopted by consensus in May 2009 and which, by the way, is not mentioned in your paper, offers a sound basis for reaching compromise and beginning negotiations and consultations that would address, over time, the security concerns of all.

I have difficulty imagining radically different solutions, given that decision CD/1864 is the result of a decade of negotiations. The decision represents a logical and common-sense framework for any programme of work, if indeed we are to have a programme of work. Solutions would require a political agreement, as was made clear at the opening plenary meeting of the 2012 session by the Ambassador of Chile, Mr. Oyarce. If such an agreement is to hold up, however, it needs to be based on common sense. In the absence of an agreement established on that basis, Algeria, like other member States of the Non-Aligned Movement, has called for the convening of a fourth special session of the General Assembly. I am, however, realistic enough to recognize that it will be impossible to hold such a session in 2012 for obvious political reasons.

As you have underlined, Mr. President, it would appear that the conditions are not in place for the adoption of a programme of work. We should nonetheless reflect on how we might continue to work on substantive issues at the Conference while waiting to reach agreement on a programme or, perhaps, simply dropping it. Why not? As a Swahili proverb says: "You can't command the wind, so you may as well use it."

The options set forth in your working paper, which suggests that the Conference be put on hold or that its allotted meeting time be reduced, do not resolve the problem. By the way, the deadlock in the Conference is not an isolated case. This situation is similar, to varying degrees, to that which obtains in the majority of multilateral disarmament bodies today. Taking the idea to its logical conclusion, we should put the entire United Nations disarmament machinery on hold.

I share the view that, even without agreement on a programme of work, we could have substantive discussions on all the agenda items, including the question of fissile material included in agenda item 1 on nuclear disarmament. We also note in paragraph 4 of document CD/1929 the suggestion that any agreement on this subject should address the issue of whether or not negotiations should begin immediately rather than the issue of the advisability of the Conference considering a treaty on the matter. It should be recalled that, according to the rules of procedure set forth in document CD/8/Rev.9 of 19 December 2003, the programme of work is equivalent to a schedule of the activities for the Conference session. We could return to the simplified programme of work format used during the 1980s, which enabled us to negotiate reports of our deliberations and to have them reflected in the annual report. This exercise should not preclude the establishment of subsidiary bodies or the commencement of negotiations.

Every year since 2004, we have organized official and informal thematic discussions run by coordinators. The meetings have allowed States to restate their positions but not to have them reflected in the annual report. We hope that the programme of work format that I am proposing, which as simplified as possible, will enable us to make the leap from speech-making to drafting, whereby reports of the discussions could be negotiated and adopted by consensus. This might allow us to foster a climate of trust and return to the original function of the Conference on Disarmament, which, as the Ambassador for New Zealand rightly pointed out a short while ago, is to negotiate on substantive issues. We could therefore make the technical preparations for potential negotiations.

The process of multilateral negotiation on disarmament is, by its very nature, highly complex and requires patience and time. Let us not forget that the first instrument negotiated by the Conference on Disarmament, the Chemical Weapons Convention, was

concluded in 1993, 15 years after the Conference was set up. I believe therefore that we must be patient and not despair.

**Mr. Lindell** (Sweden): Mr. President, allow me to congratulate you on the assumption of the important position of President of the Conference. My delegation stands ready to support you and to contribute to our joint efforts over the coming weeks. We also join others in welcoming new colleagues to the Conference.

Sweden fully subscribes to the statement made by the European Union in this chamber on 24 January. In taking the floor, I would like to offer some short additional comments and observations.

Sweden has long been an advocate of efforts to prevent the further spread of nuclear weapons and to convince current possessors of nuclear weapons to reduce and eventually eliminate their nuclear arsenals.

Our overarching goal is a world free of nuclear weapons as well as any other weapons of mass destruction. This will not be achieved in the short term, but important disarmament and non-proliferation steps could — and should — be taken now. Such steps can be seen as the building blocks for the creation of an increasingly comprehensive legal framework for nuclear disarmament.

At the core lies the fulfilment of the NPT obligations and subsequent commitments. The 2010 NPT Action Plan is now the road map for us all, and its commitments should be implemented faithfully.

The question of a test-ban treaty is one of the oldest issues in the realm of nuclear arms control. Still, the Comprehensive Nuclear-Test-Ban Treaty (CTBT) has yet to take legal effect, despite being negotiated in 1996. The Treaty has a strong and reliable verification regime. Its entry into force would greatly benefit international and regional security and help strengthen the non-proliferation and disarmament regime.

As one of the coordinating States in the article XIV process on facilitating the entry into force of the CTBT, Sweden, together with Mexico, has taken on a special role in promoting the CTBT. We therefore take this opportunity to urge all States that have not yet done so to sign and ratify the CTBT without delay.

In this context, we would like to warmly commend Ghana, Guinea, Guatemala and, last but not least, Indonesia, on their decisions to ratify the CTBT.

There is, as we all know, widespread frustration with the lack of substantive negotiations in our Conference. Sweden is among those who feel this frustration. The deadlock has been going on for much too long.

Sweden continues to believe that the Conference ought to be, in principle, the best place for multilateral disarmament negotiations, even if it may be not the only one at all times or under all circumstances.

It was disappointing to learn that the common ground needed in order to make progress on the programme of work has, as yet, not been found. We would, nevertheless, like to commend you, Mr. President, on your efforts in this regard.

Of the issues on the agenda on which we want to see substantive negotiations, the FMCT is to us the foremost. Looking back on 2011, we believe that the meetings organized by Australia and Japan on various aspects of an FMCT were valuable and promising.

We need to put a legal cap on production of fissile material for weapons purposes, as well as to deal appropriately with previously produced stocks. The main objective must be to begin substantial negotiations, since a treaty on fissile material, in our view, is an essential stepping stone towards the goal of global zero.

Having said this, Sweden remains prepared to move forward also on the other core issues of the Conference on Disarmament.

**Mr. Woolcott** (Australia): Mr. President, as this is my first intervention under your presidency of the Conference, I would like to take this opportunity to congratulate you, to assure you of Australia's support and, above all, to thank you for the intellectual energy you have brought to your role.

Now, you are right to be asking existential questions at this critical time for the Conference and to be encouraging a frank discussion about its future. And I believe that you have done us a service through your non-paper and through CD/1929 by encouraging us to look actively for a new approach to the Conference's work. I have taken careful note of the questions you have raised in paragraph 7 of CD/1929 and would like to offer some perspectives on them.

Australia agrees that the Conference's chronic lack of productivity endangers its credibility and existence and has said so for some time. Australia's Foreign Minister, Kevin Rudd, said in this chamber last year that the Conference risked being washed away by history.

Australia sees options such as putting the Conference on stand-by, or convening it only for a short period, as worthy of careful consideration, particularly in the final months of this year's session. Multilateral institutions need to be nurtured, but they must also serve their purpose and reflect the maturity of their membership. Meeting for 24 weeks a year without achieving results serves neither the institution nor its membership, nor indeed its broader constituency.

As for a fourth special session of the General Assembly devoted to disarmament, my understanding is that the ball is already in the General Assembly's court.

Mr. President, I have also taken very careful note of your observations on FMCT in paragraphs 3 to 5 of CD/1929. You have suggested that FMCT has become bound up with the Conference; that the Conference and FMCT need to be viewed separately; and that the Conference must be able to function without, and not be hostage to, FMCT. It may be that I have misinterpreted your words, but Australia does not see FMCT as a problem whose complexity requires it to be set aside; Australia agrees with 189 parties to the NPT, who in May 2010 reaffirmed FMCT as an "urgent necessity".

I do not wish to labour the point, but I do want to be clear from Australia's perspective. Why FMCT? Because FMCT has the potential to deliver substantial security benefits, furthering the twin goals of nuclear disarmament and non-proliferation. By capping the amount of fissile material available for weapons use, FMCT would be an utterly essential step towards irreversible nuclear disarmament. It would also further tighten controls on fissile material. And, by imposing a quantitative limit on the amount of fissile material available for weapons use, FMCT would complement CTBT, which impedes development of nuclear weapons by prohibiting testing.

And why the Shannon mandate? Because it carefully sets out the parameters for the discussion on scope, which will need to occur in FMCT negotiations, and because it will allow the widest possible range of actors to come and sit and talk at the negotiating table. Those genuinely interested in a treaty on fissile material, whatever its scope, should reflect carefully, if they believe the Shannon mandate should be altered or overturned.

We could conclude that the Conference needed to free itself of FMCT in order to save itself. But, of course, the same argument would be just as valid, and probably more so, for the other core issues where prospects for consensus on a negotiated instrument appear no closer and generally further away than an FMCT.

The parties to the NPT in this place would also need to consider the implications for implementation of the NPT action plan, given that action 15 of the 2010 NPT Review Conference action plan calls for immediate commencement of FMCT negotiations. Three months out from the first session of the Preparatory Committee, Australia has no intention of walking away from any elements of the action plan, including actions 6 and 7, which respectively call on the Conference to deal with nuclear disarmament and to discuss negative security assurances substantively and without limitation.

So, if we concluded (and I think it would be wrong to do so) that the Conference needed to free itself of FMCT in order to save itself, it would then be legitimate to ask the parties to the NPT in this place, where should FMCT be done? And it would be legitimate to expect a reasoned answer.

The bottom line is that no one in this place who espouses the twin goals of nuclear disarmament and non-proliferation has questioned the necessity of controlling fissile material for weapons purposes.

Mr. President, it is to your great credit that you have not been passive, but opened the 2012 session with blunt messages and probing questions. On important nuclear issues in 2012, Australia does not intend to be passive either. We are open to creative solutions and intend to contribute to them.

**Mr. Rosocha** (Slovakia): Mr. President, since this is the first time that my delegation has taken the floor in the 2012 session of the Conference on Disarmament and under your presidency, let me begin by congratulating you on the assumption of this role at this crucial time. I also welcome the new ambassadors to the Conference.

The frustration and dissatisfaction about the current state of play in the Conference are too deep and the stalemate is too long. They have serious consequences for the Conference in terms of its credibility and relevance for addressing the current security needs of us all.

However, my delegation starts this year in the Conference, as it does every year, with a hope that we can find compromises that would allow us to resume substantive work. That is why my delegation respects all endeavours that might open up again the potential of the Conference as the sole multilateral negotiating forum in the field of disarmament. In this regard, we appreciate your interest and latest endeavour. You have my delegation's full support in your effort to continue to consult and to work with all interested parties to identify a programme of work acceptable to all members. In this regard, we also welcome your working paper CD/1929, submitted yesterday with the aim of facilitating our deliberations.

This year will be crucial for the Conference. Our commitment to taking multilateral disarmament negotiations forward is measured by actions; the whole international community is watching us and will check and review our actions. We cannot afford to leave this body to sink, only because of our inaction. We believe that this body is rather a key element of the whole disarmament machinery, which could make substantial changes on the ground. But we must transform our words into actions.

We understand that there are different priorities for the negotiations in the Conference. In order to overcome existing differences, we need to show increased flexibility, which would be reflected in trust and confidence and help us to bridge our views. We believe that with sufficient political will we can still find consensus and reach an outcome acceptable to all. We are convinced that the Conference is the best place to produce global, well-founded and viable instruments.

Negotiating a new instrument requires new ideas and new approaches. However, we do not think that adding even more new ingredients and flavours to a meal, and prescribing

how to cook it, will make the meal edible. In this light, we do not believe that adding new preconditions to negotiations with the aim of defining their scope and prejudging their outcome can make it more interesting or bring us closer to commencing such deliberations. On the contrary, only real negotiations can show which issues can be addressed in the negotiations and in what way, thus generating a negotiated outcome. Let us cook properly and not burn our meal: it has to be eaten by others too.

It is only natural that national security interests should be best defended during the negotiations. This is an appropriate place and time for seeking consensus. We disagree with those who want to use the consensus rule to create procedural hurdles to the work of the Conference.

The Conference needs to offer a perspective. If not, the perspective might be created elsewhere. We cannot overlook aspirations to open disarmament negotiations in other forums and to move them forward. The history of the negotiations in the Conference has shown that this body has the potential to deliver. We need to resuscitate this body and to revive its potential.

All issues on our agenda deserve careful consideration about their future perspectives. There might be a question whether any issue, or what issue, is ripe for negotiations. But we would find an answer to it only if we deal with the issue. Only if we start, can we find out how far we can reach. So, we need to begin to deal with the issues on our agenda as soon as possible. We are of the view that starting negotiations on one issue will not mean the neglect of the others.

In building our future global security environment, and in considering future perspectives, we need to look beyond individual steps and focus on the final goal. We believe that we can achieve this goal through a comprehensive framework of guaranteed measures and instruments. Such an approach should ensure that negotiations would continue beyond the achievement of an individual step. We need to provide assurances and create confidence that individual steps, which might create temporary imbalances, would be followed by other steps, which would eliminate concerns on a structured path towards an ultimate goal.

Binding ourselves with a single approach, whatever high standard it might provide, but which would not allow any flexibility, might not bring us forward. We need an open mind and an approach that will underline and stress the ultimate goal. This should also ensure progress in developing an appropriate framework of relevant instruments for its achievement.

In this regard, let me reaffirm that my delegation continues to support immediate commencement of the negotiation on a treaty banning production of fissile materials for nuclear weapons. Indeed, we consider such a treaty as indispensable and the next logical step towards achieving our final goal of a world free of nuclear weapons.

My delegation stands ready to work with all partners with a view to bringing the Conference deadlock to an end and taking multilateral disarmament negotiations forward.

**Ms. Kennedy** (United States of America): Mr. President, like others I wanted to express appreciation for your attempt to stimulate thinking on how to move the Conference towards accomplishing its founding purpose, to negotiate formal treaties.

Let me offer, however, a comment on some of the assertions in your working paper CD/1929 that has just been circulated. Let me again note the frustration that we share with colleagues, and the fact that my Secretary of State came here to express those same frustrations last year.



Your paper asserts that endless debate over a programme of work had prevented the Conference from discussing substantively the issues on its agenda, which would lay the basis for negotiation. I would note that, on the contrary, there have been focused discussions on all agenda items, even in the absence of a programme of work.

These discussions have taken place in a variety of venues: informal and formal meetings in plenary; in coordination meetings; and even on the margins of the Conference. Delegations on occasion have brought in experts to speak to these issues in more depth. Among the purposes of these discussions was that of determining which issues on the agenda could most productively be advanced for negotiation. Time and time again, the discussions demonstrated that FMCT was such an issue.

The paper also questions whether priority should be given to negotiating an FMCT in the Conference. The fact is that this body exists to negotiate treaties related to, among other things, nuclear disarmament. I would like to underline the tremendous progress that has been achieved between the United States and Russia in reducing their arsenals through a step-by-step process, and the fact that, as a practical matter, several more such steps will be necessary before such negotiated reductions can become multilateral. We also know that one of the conditions for moving to truly low numbers of nuclear weapons, and eventually to zero, is halting the production of material for these weapons. This is why FMCT is the next logical step for multilateral efforts. An FMCT would be an extraordinarily significant step and an essential one for the international community's only standing multilateral disarmament body.

In fact, 189 States endorsed that goal in the NPT final document action plan. Are we, as others have noted, simply to reject that goal and discard the action plan, which has been widely hailed as a road map for the future? Our answer is a resounding no.

The paper also suggests that the Conference's lack of productivity calls for shortening its sessions or putting it on standby. I would simply note that the effects of such a step could, in practical terms, prove hard to reverse. We all know that resources once redeployed can become impossible to regain.

But these are real questions and I would say that the real point is, since the international community has established its priorities, how can it go about implementing them?

The international community has previously agreed on the importance of FMCT and on pursuing FMCT in the Conference on Disarmament. That decision was made with serious purpose. The Conference provides the conditions under which stakeholders are present and should be able to negotiate seriously. Putting the Conference on standby or shortening its meetings would remove the most logical venue. In the absence of the Conference, other options to pursue this priority will surely be sought, probably including some less conducive to providing a consensus outcome and meeting our respective security interests.

To set aside FMCT would be tantamount to this Conference declaring its failure as a negotiating body. For our part, the United States is not prepared to accept defeat. Nor are we willing to accede to an action that would signal to our public that we do not have the energy or the interest to do the hard work that disarmament agreements entail. I am proud to represent a President who has rallied the international community to the goal of a world without nuclear weapons. We cannot walk away from that endeavour.

The paper also questions whether the Conference agenda is the cause of the impasse and suggests the convening of a special session on disarmament to review the disarmament machinery generally. While there may indeed be merit in reviewing our agenda, which frankly is rooted deeply in the cold war, which is long past, the fact is that we, the

members, are the masters of our agenda. If we believe such a review is warranted, we can discuss it. However, it is certainly not the time for us to be signalling any less interest or less energy or less commitment to pursuing the international community's disarmament agenda. Again, addressing fissile material is central to the goal of nuclear disarmament, it is not some alien element that has wormed its way into our midst.

It is time for us to renew our efforts to find a way to address the concerns that have made it impossible for negotiations to begin. We believe that the greatest assurance derives from the Conference's consensus rule that ensures that all States' national security interests can be protected in negotiations.

Finally, I would like to welcome our new colleague from Russia, Ambassador Borodavkin, and I particularly note his reference in his statement to a new compromise proposal within the logical framework that Ambassador Jazaïry has referred to in his excellent statement; a compromise proposal that is designed to get this body back to work, a compromise which we can certainly support in the spirit of flexibility and political will, which is so often called for in this body.

**Mr. Getahun** (Ethiopia): Mr. President, allow me to congratulate you on your assumption of the presidency of the first 2012 session of the Conference on Disarmament. I would also like to thank you for the working paper before us, CD/1929, which is a clear demonstration of your encouraging efforts to refocus the work of the Conference towards its substantive agenda. I also extend my appreciation to your predecessor, the Ambassador of Cuba, for the excellent work he did in the last session of the Conference.

We are encouraged by the continued active involvement of the Secretary-General of the United Nations and his personal representative, the Secretary-General of the Conference, in efforts to revitalize the Conference.

As we begin the 2012 session of the Conference on Disarmament, and as a member of the G21, Ethiopia reiterates that the Conference remains relevant as the sole multilateral negotiating body for disarmament. Negotiation on a complete and general elimination of nuclear weapons with a specific time frame, including the adoption of a nuclear weapons convention, should remain our priority in the programme of work of the Conference.

In the coming sessions of the plenary, we suggest that our main focus should be on discussions of ideas that could add value to breaking the impasse in the negotiations in the Conference. Addressing your questions, Mr. President, step by step, in the coming plenary sessions and group consultations, could help us undertake more honest and frank discussions, as you suggested, on the real issues preventing progress. Such transparent engagement on real issues could inform us on a possible next step. It would also better enlighten the general public and the General Assembly on possible political guidance in support of the Conference.

Ethiopia is ready to work closely with your delegation and others in the Conference to come up with an agreed programme of work so that the Conference could maintain its relevance and mandate. It is our sincere wish that flexibility is demonstrated to pave the way for a consensus.

I would like to end by joining other delegations in welcoming new ambassadors to the Conference.

**Mr. Miranda Duarte** (Portugal): I would like to congratulate you, Mr. President, on the assumption of your important post and, of course, to express to you the support of my delegation in the discharge of your functions. My delegation has taken the floor to thank the distinguished delegation that expressed support for the continuation of the consideration of the question of enlargement and also for the nomination of the special rapporteur on this subject in today's session.

In the same vein, we also would like to acknowledge and to express thanks for the support voiced by Brazil at last week's session. I would like to take this opportunity to warmly welcome Ambassador Antonio Guerreiro, as well as the new representatives here in the Conference.

**Ms. Anderson** (Canada): Mr. President, my delegation would also like to touch briefly on the very useful working paper that you provided us yesterday. We would like to thank you for encouraging the Conference to have a frank and open discussion on its future. Your paper poses some important issues for consideration, and Canada certainly agrees that the chronic lack of productivity in this Conference endangers its credibility and existence.

However, we, like Australia, the United States and others, would note our concern that the working paper appears to suggest that the Conference should set the FMCT aside, and risks giving the impression that this will solve the challenges we face today.

Last October, the United Nations General Assembly mandated the Conference to negotiate an FMCT. Most States in this room also share a collective agreement, under action 15 of the 2010 NPT action plan, to immediately negotiate an FMCT. These are not commitments that can easily be set to the side, and they exist due to the important value a ban on the production of fissile material would represent for nuclear disarmament and non-proliferation.

Nevertheless, we look forward to discussing your working paper further over the coming weeks and elaborating on its many useful ideas.

**The President:** The next plenary meeting of the Conference on Disarmament will take place on Tuesday, 7 February 2012 at 10 a.m.

*The meeting rose at 11.45 a.m.*