

Conference on Disarmament

12 February 2013

English

Final record of the one thousand two hundred and seventy-sixth plenary meeting

Held at the Palais des Nations, Geneva, on Tuesday, 12 February 2013, at 10.15 a.m.

President: Mr. András Dékány..... (Hungary)

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The President: I declare open the 1276th plenary meeting of the Conference on Disarmament.

Before, however, we proceed, I would like to invite you to consider requests from States not members of the Conference to participate in our work during the 2013 session. In addition to those we approved during the 1274th and 1275th plenary meetings last week, the secretariat has received requests from the following: Denmark, Guinea and Thailand.

These requests are now before you in document CD/WP.575/Add.3, which includes all the requests that the secretariat received before yesterday, that is 11 February 2013, at 4 p.m.

All the requests from non-member States received after that date will be presented for your consideration and decision at subsequent plenary meetings. Are there any comments on these requests? I see none.

May I take it that the Conference decides to invite these States to participate in our work in accordance with the rules of procedure?

It is so decided.

My proposal for a programme of work for the 2013 session has been officially circulated as document CD/1948. The concept and the text contained therein has not undergone any substantive changes compared to the unofficial version. It was at the plenary session two weeks ago that I first explained the rationale behind the proposal to you, and since then during the last two weeks I have consulted with delegations and regional groups, listened to what they said and tried to answer all their questions.

The text before you now is the result of that intensive consultation process. The multilateral character of nuclear disarmament negotiations has been clearly emphasized, and there is an additional guarantee: the possibility of changing mandates if decided by the Conference by consensus has been also incorporated into the preamble using the agreed language of decision CD/1864, as requested by some delegations.

Let me say a bit more about the most crucial issue, paragraph 1 of the proposed text, containing the merger of the four working groups on nuclear disarmament and a fissile material ban into one, under the umbrella of nuclear disarmament. Many members of the Group of 21 (G21) expressed to me their concern about nuclear disarmament, their first priority being ostensibly degraded by the presence of the issue of the ban on fissile material in the same merged working group, and in particular by the phrase “as a first step”. Meanwhile, others made clear their disappointment with the elimination of the separate working group on the fissile material ban, which many of them see as contradicting previous consensus documents of the Conference on Disarmament, the Treaty on the Non-Proliferation of Nuclear Weapon (NPT) or the United Nations General Assembly, which give the issue the highest priority and urgency. Let me reiterate again that according to our reading of the proposal, those concerns may not pass the test of reality. As I have already made clear during my consultations, putting the fissile ban under the umbrella of nuclear disarmament, as envisaged at the origins of the Conference on Disarmament and the First Special Session of the General Assembly devoted to disarmament, puts nuclear disarmament negotiations in an even more prominent place. Nevertheless, the fissile ban also received an important guarantee in the mandate with the foreseen beginning — and I repeat, beginning and not conclusion — as the first step. There is no conditionality. On the contrary, no part of the proposed mandate prevents anyone from starting immediately discussions on any of the four core issues, be that total disarmament, the ban on fissile material or any other core issue, if they are willing to do so.

I know that most of you are not entirely happy with the proposal; it is abundantly clear after the consultations I had. However, the stakes are enormous for the Conference on Disarmament, and I hope and I know that all of you are aware of this.

As the former Egyptian Ambassador Hisham Badr explained last year, we need to leave our comfort zones. I know that the mandate contained in paragraph 1 of the present proposal is not in the comfort zone for many of you, but, if considered carefully and together with the implementation plan, it should be clear that you have a fair and balanced draft programme of work before you. It may be a narrow path between the different views and comfort zones. A possible solution which delegations regardless of their preferences can live with, even if they do not like every element of it. I am not asking you to vote in favour, I am asking you not to stand against it. It is my hope that this document CD/1948 will receive the largest possible support.

At this time, I would like to turn to the list of speakers for today. The following delegations have requested the floor: Nigeria, Iraq, Tunisia, United States of America, Canada, Republic of Korea, Japan, Finland, Ireland (on behalf of the European Union), Germany, Sweden and Slovakia.

And I would like to give the floor to the first delegation on my list, the representative of Nigeria.

Mr. Laro (Nigeria): Mr. President, as this is the first time the Nigerian delegation is taking the floor under your presidency, we congratulate you on becoming President of the Conference on Disarmament. Like other delegations that have spoken before us, we assure you of our cooperation and support. We would also like to express our confidence in your ability to lead us as we seek a way out of the stalemate that has paralysed the Conference on Disarmament for far too long and prevented us from producing a programme of work.

The Nigerian delegation notes with satisfaction the extensive consultations that you carried out prior to the commencement of the 2013 session of the Conference on Disarmament. We also note that you have continued to consult as broadly as possible, with a view to reaching agreement on a programme of work. We commend you for the efforts you have put into coming up with a draft programme of work, and we share your hope that we will be able to agree on, as you put it, a package acceptable to all.

Of the core issues in the Conference, the negotiation of a fissile material cut-off treaty (FMCT) is the one that seems to be at the centre of the stalemate we have been witnessing for close to two decades. Now, when we place the President's draft programme of work side by side with CD/1864 and CD/1933, we find that the common thread in all of them is a reference to CD/1299 as the basis for negotiating a treaty banning the production of fissile material. What this tells us is that in 18 years the Conference has not been able to come up with anything different to deal with FMCT other than what Ambassador Gerald Shannon presented in his report of March 1995. This highlights the fact that CD/1299 was as significant then as it is now.

The positive thing that we see in CD/1299 which makes us believe that it could form the basis for negotiating an FMCT is the fact that the mandate for the establishment of an ad hoc committee to carry out the negotiation leaves the door open for all delegations to raise within the Committee all issues of concern to them relating to fissile material. This, according to the Shannon report, includes issues pertaining to the scope of the treaty. So, whether it is future production or existing stocks, anything and everything should be on the negotiating table. In the light of this opening, therefore, the Nigerian delegation calls on all delegations to show flexibility and support this most protracted aspect of the draft programme of work.

Finally, Mr. President, we agree with your assessment that this may be a make-or-break year for the Conference on Disarmament.

Its past successes notwithstanding, the Conference on Disarmament risks becoming insular and disconnected if it continues to act in a manner that runs counter to the legitimate expectations of the global public. The Conference is at a crossroads, and collectively we have to decide in which direction we want to take it.

The President: I give the floor to the Ambassador of Iraq.

Mr. Alhakim (Iraq) (*spoke in Arabic*): Mr. President, at the outset I would like to say how very much I appreciate your sincere efforts to move the Conference forward and bring it out of the impasse in which it has long been. Your patience and understanding have enabled us to move towards taking serious steps to make this Conference succeed.

Since the adoption of the agenda for this year's session you have worked tirelessly to formulate a draft programme of work that introduces new ideas and makes clear attempts to bring the Conference out of the deadlock that has long affected it. The programme attempts to strike a balance between the concerns of member States of the Conference and, at the same time, seeks to reach compromise solutions in the hope that it will be accepted by all. We appreciate and praise your acceptance of the observations of member States and your efforts to explain the foundations on which you based the programme of work that you put forward. This was reflected by your introduction of a number of amendments to the programme as well as an annex on implementation in which you took into account our aspirations when choosing heads of working groups.

My Government believes that nuclear disarmament must remain a top priority of the Conference, because the destructive nature of these weapons makes their complete and permanent elimination a necessity for the survival of all humanity.

It is no secret to those present today that our forum is going through a critical and difficult period since it has not taken any steps towards breaking the deadlock that it faces, at a time when there is an increasing threat to international peace and security because of the proliferation of weapons of mass destruction. It is the responsibility of the Conference, as the multilateral negotiating forum, to start the process of disposing of this type of weapon and to provide assurances to countries that do not possess them that they will not be exposed to them. Time is not on our side. I believe that everyone knows this, including the Secretary-General of the United Nations who noted in his speech last month at the University of Monterrey in the United States of America that the credibility of the Conference was at risk and that it was unacceptable for the Conference not to achieve results this year. Therefore, we must redouble our efforts and be sufficiently flexible to maintain the credibility of the Conference, so that it can discharge its functions in support of global security and stability.

The President: I give the floor to the next speaker on my list, the distinguished representative of Tunisia.

Mr. Ghariani (Tunisia) (*spoke in French*): Mr. President, I seek your indulgence. The Ambassador, who is meant to read this statement, has been detained in another meeting and I expect him to arrive shortly, so I would like his statement to be deferred until a bit later.

The President: Your request will be respected, and I give the floor to the next speaker on my list, the distinguished Ambassador of the United States of America.

Ms. Kennedy (United States of America): Mr. President, first of all I would like to thank you for your energetic, ceaseless, and dedicated efforts to find a way forward. Now I do not think it will surprise anyone to know that despite our deep regard for your work, we

do not find the proposal you put forward to be ideal. Notably, with it the dedicated working group for a fissile material cut-off treaty will be lost. You have also alluded to the fact that others are likewise concerned that there is no longer a dedicated separate working group for nuclear disarmament. Now of course, we see an FMCT as bound up with nuclear disarmament, because how, after all, can one get to that world without nuclear weapons without cutting off the production of fissile material, which is of course the essential building block for a nuclear weapon? And that of course is why an FMCT remains absolutely central to my President's vision of a world without nuclear weapons. You have also alluded to that fact. Nevertheless, we very much appreciate your efforts to find a way forward, and so we are prepared to support your draft. And the fact that various parties have expressed concern that it is a step back for them, actually shows that this is a real compromise, that this is indeed a real effort to find a way forward. I think it is.

Now, having said that, we can support your draft despite what we see as a clear step back on FMCT. I am not sure if I should congratulate you on the success of this or console you on the failure of yet another effort to find a way forward, since, of course, we do not know how various States will react to this. So, I will hold either my congratulations or expressions of concern until we know how all States stand; but let me say we very much appreciate your efforts to craft what is clearly a real compromise on the part of all of us to find a way forward. I thank you for that.

Let me now turn to another gloomy event in addition to our gloomy weather outside – the fact that North Korea announced today that it had conducted a third nuclear test. I would like to read out to this chamber the statement of my President, issued today, who said:

“This is a highly provocative act that, following its 12 December ballistic missile launch, undermines regional stability, violates North Korea's obligations under numerous United Nations Security Council resolutions, contravenes its commitments under the 19 September 2005 Joint Statement of the Six-Party Talks, and increases the risk of proliferation. North Korea's nuclear weapons and ballistic missile programmes constitute a threat to United States national security and to international peace and security. The United States remains vigilant in the face of North Korean provocations and steadfast in our defence commitments to allies in the region.

These provocations do not make North Korea more secure. Far from achieving its stated goal of becoming a strong and prosperous nation, North Korea has instead increasingly isolated and impoverished its people through its ill-advised pursuit of weapons of mass destruction and their means of delivery.

The danger posed by North Korea's threatening activities warrants further swift and credible action by the international community. The United States will also continue to take steps necessary to defend ourselves and our allies. We will strengthen close coordination with allies and partners and work with our Six-Party partners, the United Nations Security Council and other United Nations Member States to pursue firm action.”

That is the end of the statement by my President. And let me just say on a personal note, I find it just an incredible contrast that while millions of people are celebrating the spring festival, a time which should be a time to celebrate peace and prosperity, North Korea celebrates it by a third nuclear weapons test.

The President: I give the floor to the distinguished Ambassador of Canada.

Ms. Golberg (Canada): Mr. President, I would like to take this opportunity to thank you for your efforts to develop the draft programme of work that you have put before us.

Canada commends your consultative approach and believes that the draft text tabled represents a creative attempt to overcome the current impasse that we face in the Conference on Disarmament, and we hope that it can find a viable consensus. This text requires compromise from all sides and will demand that many States make concessions on their priority issues. From a Canadian perspective, we would have preferred a specific working group mandated to negotiate an FMCT.

Nevertheless, Canada, for its part, is prepared to demonstrate both flexibility and compromise. We have consistently stated that we want to see the Conference return to work and address its core issues, including with respect to FMCT. In this regard, I would note that we must bear in mind that the General Assembly has asked the Conference not only to agree on a programme of work but to implement it. We believe that if this draft programme of work achieves consensus and if it is fully implemented, substantive work on all four core issues can be achieved. Implementation, however, will be essential. It will not be enough for working groups to meet, only to be held up by procedural wrangling or unnecessary debate over the pace of work in each group. It will be incumbent on us all to make sure that this programme is pursued. I would also like to take this opportunity to express my Government's deep concern by reports that North Korea may have conducted yet another nuclear test in the last 24 hours. If confirmed as a nuclear test, this act would constitute a clear threat to international peace and security, and further challenge efforts to strengthen global nuclear disarmament and non-proliferation efforts. My Government feels strongly that such actions, by a known proliferator of weapons of mass destruction that is in violation of its non-proliferation obligations, highlights the contradictions of its participation in the world's sole standing multilateral disarmament negotiating forum. North Korea must immediately end nuclear testing, return to compliance with the NPT and cooperate with international organizations such as the International Atomic Energy Agency (IAEA) and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization.

The President: I give the floor to the Republic of Korea.

Mr. Kwon Haeryong (Republic of Korea): I would like to express my sincere appreciation to you, Ambassador Dékány, for your hard work in seeking to establish common ground for us to start substantive negotiations. It is my hope that all of your efforts will bring about meaningful progress in our work in the first session of this year. In this context I welcome and support the draft programme of work submitted to the Conference. Having said that, I would like to turn to a serious threat to the non-proliferation regime.

It has been confirmed that North Korea conducted a third nuclear test today, disregarding the repeated warnings of the United Nations Security Council and the international community.

The irresponsible behaviour of North Korea goes against our common goal of halting nuclear proliferation and promoting nuclear disarmament under agenda item 1, cessation of the nuclear arms race and nuclear disarmament, which we have focused on so heavily here in the Conference on Disarmament.

It has not been a month since the United Nations Security Council adopted resolution 2087, which clearly expresses its "determination to take significant action in the event of a further DPRK launch or nuclear test". The immediate breach of the United Nations Security Council resolution by North Korea is no less than a direct challenge to the international community and its non-proliferation and disarmament regime.

For the last two decades, North Korea has posed a serious threat to the international non-proliferation and disarmament regime. In September 2005, North Korea committed to abandoning all nuclear weapons and existing nuclear programmes and returning, at an early date, to the NPT and to IAEA safeguards. However, to our regret, on 9 October 2006, North

Korea conducted its first nuclear test, abandoning its commitment within the Six-Party Talks as well as its responsibilities as a Member of the United Nations. Furthermore, on 26 May 2009, North Korea conducted the second nuclear test in defiance of repeated warnings from the international community.

The United Nations Security Council has adopted numerous resolutions condemning the missile launches and nuclear tests by North Korea and preventing further tests, including resolution 1695 of 2006, which demanded the suspension of the ballistic missile programme; resolution 1718 of 2006, which banned any further nuclear test or launch of a ballistic missile; resolution 1874 of 2009; and resolution 2087 this year.

Since the Comprehensive Nuclear-Test-Ban Treaty (CTBT) was drafted in this Conference, North Korea is the only country which has demonstrated blatant disregard by conducting nuclear tests. In the Joint Ministerial Statement on the CTBT on 27 September 2012, last year in New York, foreign ministers and high-level representatives from across the globe reaffirmed that the voluntary nuclear test moratorium has become a de facto international norm in the twenty-first century. My delegation deeply regrets the fact that North Korea has continued to detract from our concerted efforts with repeated nuclear tests.

Repeated nuclear tests by North Korea pose a serious threat not only to the Korean peninsula but also to global peace and stability. This action also constitutes a grave challenge to the international non-proliferation regime. North Korea will be held responsible for any consequences of this provocative act.

The Republic of Korea stands firm on its consistent principle that it will not tolerate a nuclear North Korea. As President of the United Nations Security Council for this month, the Republic of Korea will cooperate closely with the international community and seek all necessary measures, including actions by the United Nations Security Council, in order to have North Korea abandon its nuclear ambition.

The Republic of Korea once again strongly urges North Korea to take heed of the united warning of the international community reflected in United Nations Security Council resolutions and abandon its nuclear weapons and all related programmes.

The President: I give the floor to the distinguished Ambassador of Japan.

Mr. Amano (Japan): First of all I thank you, Mr. President, and your team for the vigorous endeavour to overcome the stalemate in the Conference on Disarmament. Although Japan is not entirely happy with CD/1948, we are ready to support it because it seems to be an acceptable proposal of compromise to bridge different opinions. We therefore strongly hope that we can start our substantive work based on that programme of work as soon as possible.

Today the Democratic People's Republic of Korea announced that it had conducted a third nuclear test. The Democratic People's Republic of Korea conducted the nuclear test despite repeated calls by the international community to comply fully with the relevant United Nations Security Council resolutions and not to cause any further provocation, including nuclear tests. This nuclear test by the Democratic People's Republic of Korea is totally unacceptable, as it constitutes a grave threat to the security of Japan. It represents a grave challenge to the international disarmament and non-proliferation regime centred on the Nuclear Non-proliferation Treaty, and seriously undermines the peace and security of North-East Asia as well as the international community when taken together with its enhancement of its ballistic missile capability, which could serve as the means to deliver weapons of mass destruction. This nuclear test is a clear violation of relevant United Nations Security Council resolutions. It also violates the Japan-Democratic People's Republic of Korea Pyongyang Declaration as well as the Joint Statement of the Six-Party Talks of September 2005, and goes against the resolution of various issues through

dialogue with the Democratic People's Republic of Korea. Thus, Japan lodges a serious protest against the Democratic People's Republic of Korea, and strongly condemns its nuclear test.

In particular, the nuclear test was conducted while the United Nations Security Council resolution 2087, adopted in response to the missile launch on 12 December, clearly expresses its determination to take significant action in the event of a nuclear test. This series of provocations are a grave challenge to the authority of the United Nations Security Council.

Japan has requested that the Security Council meet promptly. Japan renews its strong demand for North Korea to immediately and fully implement relevant United Nations Security Council resolutions. In addition, Japan takes this occasion to once again strongly urge the Democratic People's Republic of Korea to take concrete action towards comprehensively resolving outstanding issues of concern, including abductions and nuclear and missile programmes.

The President: I give the floor to the distinguished Ambassador of Finland.

Ms. Kairamo (Finland): Mr. President, as this is the first time I speak here this year, let me first congratulate you on your assumption of the presidency. You have already done excellent work, and my delegation stands ready to support your further efforts. We all know that the Conference on Disarmament is in trouble and has been for too long now. I am convinced that all of us may share the view that the Conference on Disarmament is and should remain a central negotiating body for further multilateral disarmament treaties in accordance with its mandate.

The patience of the international community is not eternal: at a point, and maybe not too far away, disarmament negotiations will gradually move to other forums. This might also mean that the Conference on Disarmament would be fading away. For Finland the Conference still remains a priority. Today we have yet another chance to kick-start the work here in the Conference on Disarmament.

Mr. President, you have, after careful consultation with the parties in the Conference, skilfully drafted a proposal for a programme of work, which is in front of us today. Finland is ready to proceed with all four core issues of the Conference agenda. We have viewed the FMCT as our priority, i.e., the next step towards nuclear disarmament; but we also understand that others have other priorities. Therefore I think that you, Mr. President, have found a very well-balanced compromise in your proposal for the programme of work. In a spirit of compromise, we stand ready to support your proposal.

I wish, for the sake of the Conference, for the sake of the United Nations disarmament machinery and multilateral disarmament efforts, and ultimately for the sake of security for us all, that we can allow this compromise proposal to be adopted, and work to be started in the Conference.

And finally, I would like to say a few words on North Korea. Finland strongly condemns the nuclear tests by the Democratic People's Republic of Korea earlier today. We feel that the nuclear test unambiguously and in a serious manner violates the State's international commitments, especially United Nations Security Council resolutions 1718, 1874 and 2087 and IAEA Comprehensive Safeguards Agreement.

Finland calls upon the Democratic People's Republic of Korea to comply with all its international commitments and urges it to refrain from further measures which jeopardize stability in the Korean peninsula and increase tensions in the area.

The President: I give the floor to the distinguished Ambassador of Tunisia.

Mr. Baati (Tunisia) (*spoke in French*): Mr. President, as this is the first time I am taking the floor at this session, I would like to express to you, on behalf of my country, my sincere congratulations on your assumption of the presidency of the Conference and on the way you are conducting our work. My delegation has spared no effort, both on a personal level and in its coordination of the Group of 21, to support and promote your courageous and innovative attempt to break the deadlock in the Conference. I would also like to welcome all the colleagues who have just joined us as new ambassadors and representatives of their countries to the Conference on Disarmament.

There have been times over the course of the past 15 years when the Conference has appeared to be fairly close to a vital consensus on a programme of work that would have allowed it to relaunch its work and would have given it the means to fulfil its worthy mandate. Such was the case just recently, when we were able to adopt decision CD/1864 and to submit for adoption a document that had gained huge support, namely document CD/1933/Rev.1. Yet, the miracle we were so hoping for did not happen.

Having used those documents as your basis and built on your predecessor's efforts, you yourself deserve credit for rekindling a glimmer of hope by proposing an original and no less defensible programme of work. I hope from the bottom of my heart that the draft decision you submit will receive the necessary support from the members of this august body.

In the light of your proposal, I have personally agreed, at your request, to act as special coordinator of the efforts to implement your programme of work. I have agreed to do this with the aim of achieving consensus and getting the Conference out of this rut.

We should really question why it is that we have come so close to our goal more than once without ever reaching it. This has, however, made it clear that, technically speaking, the deadlock is easily surmountable. All we need to do is take the time to make the necessary adjustments to one statement or another — an art of diplomacy in which diplomats are not generally lacking.

So then what is the problem? Is the community of nations tired of negotiating for a better world? A world without destructive weapons, for humanity and for development? On the contrary, the past few days have shown — and the General Assembly has reminded us — that if we just have a common will we can move forward.

Any attempt to negotiate outside the Conference on Disarmament on the issues that fall within its mandate will not help us to achieve our objective, because the instruments that would most likely be adopted would have neither the necessary and sufficient political legitimacy nor legal authority. Moreover, such an approach would likely erode the multilateral framework without providing the solution we so desperately seek.

We must therefore acknowledge that the deadlock in the Conference is not the unfortunate privilege of a large majority of member States. It is the result of a lack of will stemming primarily from differences in the perceptions of national security and defence concerns and the primacy of national interests. The paralysis is not caused by purely procedural difficulties.

My country, like others, believes that the absolute priority in disarmament efforts should be nuclear disarmament. Tunisia agrees with the vast majority of countries that do not possess destructive weapons and that, without wishing to truly neglect the other equally important topics, might seem to be falling back on somewhat selfish positions. The fact remains, however, that what is at stake at this point is the survival and future of the entire human race, and not the threats, however undesirable, faced by a particular country or region.

There is no doubt that this kind of negative attitude has unfortunately led to the postponement sine die of the long-awaited conference on the establishment of a nuclear-weapon-free zone in the Middle East. Like other peace-loving countries, I take this opportunity to formally request that the designated facilitator and the organizing bodies apply the necessary pressure on those who refuse to yield, so that the Helsinki Conference may be held as soon as possible. I thank you for your attention and apologize for my late arrival, which was due to a commitment at the World Trade Organization.

The President: I give the floor to Ireland, on behalf of the European Union.

Mr. Kos (Ireland): I am speaking on behalf of the European Union. I would like to refer to the declaration by the High Representative of the European Union for Foreign Affairs and Security Policy, Ms. Catherine Ashton, on the nuclear tests by the Democratic People's Republic of Korea, and this declaration was issued earlier today. With your permission Mr. President, I would like to read it out:

“The European Union condemns in the strongest possible terms the latest Democratic People's Republic of Korea nuclear test earlier today — one more step in a long-running programme to develop a nuclear-weapon capability — and urges the Democratic People's Republic of Korea to refrain from further provocative actions.

This nuclear test is a further blatant challenge to the global non-proliferation regime and an outright violation of the Democratic People's Republic of Korea international obligations not to produce or test nuclear weapons, in particular under United Nations Security Council resolutions 1718, 1874 and 2087.

As such, it constitutes a serious threat to lasting peace in the Korean peninsula and to both regional and international security and stability in North-East Asia. United Nations Security Council resolution 2087, adopted unanimously last month, further clarifies the international community's determination to take significant action in the event of a nuclear test, which would lead the Democratic People's Republic of Korea towards further isolation. The European Union remains seized of the matter and will work with key partners and the wider international community to build a firm and unified response aiming at demonstrating to the Democratic People's Republic of Korea that there are consequences for its continued violations of United Nations Security Council resolutions. We once again urge the Democratic People's Republic of Korea to abandon its nuclear weapons programme, including its uranium enrichment programme, in a complete, verifiable and irreversible manner.

The European Union strongly urges the Democratic People's Republic of Korea to engage in a dialogue with the international community, including in the framework of the Six-Party Talks, which would be conducive to regional stability.”

The President: I will read out the rest of the list of speakers: Germany, Sweden, Slovakia, Pakistan, Cuba, the Democratic People's Republic of Korea, Brazil, United Kingdom of Great Britain and Northern Ireland, Bulgaria, Kazakhstan, the Russian Federation and China. I would like to give the floor to the next speaker on my list, the distinguished Ambassador of Germany.

Mr. Hoffmann (Germany): My delegation associates itself fully with the statement of the European Union, and I will come back to this topic in a minute.

Mr. President, let me start by congratulating you on the assumption of the presidency of the Conference on Disarmament. You know that you can count on my personal and my delegation's full support. As your immediate predecessor, I continue to feel a particular duty to assist you in your endeavours. Let me also briefly acknowledge you

and your colleagues' expression of appreciation for what we tried to achieve in the course of the German presidency last year.

And last but not least, let me extend a warm welcome to all newly arrived colleagues. When I delivered my first statement in this chamber three and a half years ago, just a few weeks after the programme of work in CD/1864 had been adopted by consensus, I would not have imagined that by the time I will be leaving, which will be in a couple of months, the Conference on Disarmament might still not be back to substantive work. I very much hope that the experience at least of those colleagues who have joined us this year will be a different one!

It has been confirmed that the Democratic People's Republic of Korea conducted a third nuclear test in the early hours of this morning. Germany condemns this test in the strongest possible terms as another blatant breach of United Nations Security Council resolutions. We welcome the fact that the Security Council will meet today in an emergency session. The international community must give a clear answer to this renewed provocation.

Mr. President, in your opening statement of 22 January, you evoked one of the great figures in the German literary tradition of fairy tales, the Grimm brothers' Sleeping Beauty, and you reminded us of the fact that it took 100 years for the prince to reawaken her with his kiss.

I wish to commend you and your team for the courageous effort you are undertaking to end the long sleep of the Conference on Disarmament earlier than that. But more than 15 years of sleep is a pretty long sleep too, particularly for a body which is meant to contribute to international security and which uses up a lot of resources.

Looking back over the last two to three years, one cannot but note a substantial rise in frustration — one might even say a sense of anger — at the ongoing impasse in the Conference on Disarmament. This finds expression in various ways. I could refer to the countless statements in which the deadlock of the Conference has been lamented for years. I could refer to the reports the Conference dispatches to the United Nations General Assembly — the sense of frustration is somewhat toned down in these consensus documents. This appears to be the result of the fact that there are some member States who do not seem to have too much of a problem with the status quo in the Conference. And finally, I could refer to the resolutions adopted in the United Nations General Assembly after debate in the First Committee, which speak a clear language, namely that the international community wants us to do better.

The last First Committee even adopted three resolutions by large majorities which fall more or less directly into the Conference's realm and which clearly signify the growing impatience with the impasse in the Conference.

Firstly, the Canadian-led resolution 67/53 on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices will establish a group of governmental experts to deal with aspects of this matter, which is a direct consequence of the situation in which one single member State has been objecting to taking this matter up in negotiations within the Conference.

Secondly, the Austrian, Mexican and Norwegian-led resolution 67/56 will establish an open-ended working group open to all United Nations Member States "to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons". Once again, this is a matter which clearly belongs to the remit of the Conference.

And finally, as a result of the Indonesian-led resolution 67/39, the United Nations General Assembly will hold a high-level meeting on nuclear disarmament on 26 September

this year, an initiative which is clearly meant to bring the nuclear disarmament agenda forward.

And last but not least, one should not forget our “own” Conference on Disarmament resolution 67/72, which calls upon the Conference to “explore possibilities for overcoming its ongoing deadlock of well over a decade by adopting and implementing a balanced and comprehensive programme of work at the earliest possible date during its 2013 session”.

The message of all these resolutions taken together is abundantly clear: the international community expects us in the Conference on Disarmament to get our act together.

Mr. President, the German delegation commends you not only for making another attempt to build consensus around another draft programme of work, but in particular for the fact that it is your intention to submit CD/1948 for adoption.

As we have seen in recent years, this does not happen often, but it is important that this does indeed happen. For those who try to follow what we are doing here — Governments, the general public, civil society and NGOs alike — it is important to get a transparent picture of what is actually going on here.

The draft programme before us builds on previous attempts, in particular CD/1864 of May 2009. It contains new elements which one would hope should make it easier for member States which so far had difficulties with the approach taken since CD/1864. Let me focus on two elements only. The fact that the issue of nuclear disarmament and the issue of banning the production of fissile material for nuclear weapons purposes is to be treated in one single working group is in my understanding meant to alleviate concerns about too much prominence being given to the latter subject in earlier draft programmes of work. And secondly, the fact that the present draft speaks only about “begin[ning] substantive work towards a treaty banning the production of fissile material”, whereas CD/1864 had clearly stipulated that we were to “negotiate” such a treaty, is a significant move, which one hopes will not go unnoticed.

If this programme of work is adopted today, we can begin substantive work in the Conference next week, thus overcoming an embarrassing situation for the entire international community, which has been going on for far too long. Everything is in place: the draft decision document in CD/1948 defines clear tasking, it contains clear time schedules and it makes provision for chair and coordinator positions. Let me express in passing my appreciation for the confidence shown in me when I was named once again as one of the coordinators.

After the experience of the cold war with its absurd build-up of nuclear weapons, one can only hope that the world community as a whole has learned its lesson to the extent that States do not aspire to engage in a nuclear arms race once more, be it on the global or the regional level. At the end of the day, nuclear arms races make no one more secure – on the contrary. And they are a colossal waste of resources, which are much more needed elsewhere to improve the security of States and the well-being of people.

If one wants to put an end to nuclear arms races, the first obvious step must be to stop the production of the material needed for nuclear weapons and to deal with all related matters in this context, like, for instance, adequate verification methods. Negotiations for such a treaty will take time, but we must not continue to postpone the beginning of this process year after year.

To those who may still hesitate to sign on, one needs to say this: what you are being asked to do today is only not to stand in the way of a process to begin substantive work on a treaty dealing with the raw material for nuclear weapons.

So, one should not create the impression that anyone is being asked today or tomorrow to sign on to a treaty ending the production of fissile material for nuclear weapons purposes. To join a consensus does not mean to have to explicitly say “yes”; only not to say “no”. What is at stake here is not to prevent the entire international community any longer from exploring the provisions of a treaty which in one way or another will have to be the first step towards reaching the ultimate objective of a world free of nuclear weapons – an objective we all share.

The President: I give the floor to the distinguished representative of Sweden.

Mr. Lindell (Sweden): Mr. President, allow me to begin by commending and congratulating you and your team on your excellent work and to thank you for the proposal contained in document CD/1948.

Sweden fully subscribes to the statements by the European Union delivered at the beginning of the session and earlier in this meeting. We join others in condemning the nuclear test by North Korea, conducted in clear violation of several Security Council resolutions and with disregard for the disarmament and non-proliferation regime. The test is a serious affront to the international norm established by the Comprehensive Nuclear-Test-Ban Treaty.

My delegation has consistently called for a resumption of substantial work in this Conference. We are, of course, fully aware of the difficulties in finding a formula that would command consensus. It is also clear to us that there will never be a draft programme of work that all members will consider perfect or perhaps even good enough to explicitly support. What we hope can be achieved is a situation in which all members, more or less reluctantly, can refrain from opposing a proposal. This, we think, is how the consensus rule is meant to function.

Mr. President, we would like to make three brief points. First, the proposal contained in CD/1948 is, in our view, balanced and fair. We believe that it represents an effort to accommodate all sides. Secondly, Sweden believes in a step-by-step approach to nuclear disarmament, and is convinced that an FMCT is an essential step in such a process. The proposal in front of us reflects these ideas. Thirdly, we have all registered the repeated calls from the General Assembly, the Secretary-General and many others for the Conference on Disarmament to get back to work.

For all these reasons Sweden supports the adoption of document CD/1948, and we would like to urge all members to show flexibility and to accept its adoption.

The President: I give the floor to the distinguished Ambassador of Slovakia.

Mr. Rosocha (Slovakia): Mr. President, first of all I wish to begin by congratulating you on your assumption of the presidency of the Conference on Disarmament at this critical juncture. It is a pleasure to see a neighbouring country steering this important body. I would also like to praise you for all the effort you have invested in a successful start to the Conference on Disarmament’s work.

Slovakia fully subscribes to the statement delivered by Ireland on behalf of the European Union.

Unlike last year, we started this session in different circumstances by adopting two resolutions, which have created a group of governmental experts on a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices and an open-ended working group on nuclear disarmament. The First Committee reminded us in strong terms that the situation in the Conference on Disarmament is unsustainable and must be changed.

Clearly, we cannot continue our business as usual. We understand that patience is needed but we believe that action is key and essential in the current state of affairs. The adoption of a programme of work would reaffirm the credibility and reiterate the relevance of the Conference. It would also confirm that we have put the revitalization of this essential body on the right track. Starting negotiations and substantive work on pressing issues that have been before us for a long time would not only be a step in the right direction, but it is an obligation we have to meet.

Mr. President, the proposals in the draft programme of work that you have submitted to us are worth studying and looking at carefully. We have noted with interest your suggestion to merge two of the core issues of our agenda. With this proposal, you are asking us to make a concession here. Nevertheless, we are ready to consider it seriously and in good faith, as it might allow us not only to start a work on a fissile material treaty, but also to take forward nuclear disarmament negotiations in the multilateral format.

Continued stalemate is unsustainable. We cannot afford to wait any longer. We have to fulfil not only our commitments to disarmament and non-proliferation but also to carry out our responsibility in this field.

With this in mind, Mr. President, we are ready to work with you and all partners towards the adoption of a programme of work based on your proposal. At the same time, we pledge our support to incoming presidencies for its full implementation.

The President: I give the floor to the distinguished Ambassador of Pakistan.

Mr. Akram (Pakistan): Mr. President, as this is the first time my delegation has asked for the floor, I would like to begin by congratulating you on your assumption of the presidency and also to express our deep appreciation for the hard work that you have done to put before us a programme of work. I must commend you for the transparent manner in which you have conducted consultations in this regard, and we appreciate your efforts. I would also like to express our appreciation to Ambassador Hoffmann of Germany, the last President of the Conference on Disarmament, for his untiring efforts which led to the conclusion of our report last year.

I intended to speak and share our views with regard to the programme of work that you have put forward for us; but let me briefly also start by commenting on some of the issues that have been raised during the statements made so far. You yourself, Mr. President, referred to our former colleague the Ambassador of Egypt calling upon us to move away from our comfort zones. I recall that very well. We have also heard about the need for flexibility and compromise today. The question is: do States actually agree to move out of their comfort zones, to show flexibility and to be prepared to compromise when issues of national security are involved? I do not think that anyone has done so far. I also want to refer to what has been mentioned about the last resolution adopted at the General Assembly on the work of the Conference on Disarmament, which very clearly calls for a balanced and comprehensive programme of work. Now, for a common layman's interpretation, a balanced and comprehensive programme of work means exactly that. There should be balance between the different agenda items. Unfortunately, so far we have not seen a programme of work that is truly balanced in its propositions and its recommendations on how we conduct our work. And that is really where the problem has existed.

Mr. President, I have in several meetings with you as well in your meetings with my group, the Group of 21, expressed our views regarding your programme of work. We have also shared with you yesterday the response that I have received and the instructions that I received from my capital. We have, as you know, put forward to you certain amendments to the programme of work, and I respect your honest response that the amendments we have proposed are unlikely to be acceptable; but these amendments reflect our efforts to protect our national security interests.

We have on many past occasions explained very clearly why Pakistan cannot agree to negotiations on an FMCT. It is simply because in an environment of asymmetry of fissile material stockpiles, if we were to engage in such negotiations to simply cut off future fissile material production without engaging in negotiations that will also reduce existing stockpiles, our security would be compromised. That is the essence of the position of my country.

Now, while it is admirable that the programme of work that you have drafted is seemingly balanced or seemingly acceptable, or should be, we need to be sure for ourselves, we need to be absolutely certain that the mandate that exists in the programme of work would not lead to direct or indirect pre-negotiations on an FMCT. Our concerns in this regard are substantiated, since the same language — to engage in “substantive discussions” — is not used with regard to other core issues on the Conference on Disarmament agenda, which incidentally would have also ensured balance. These three other core issues are issues on which some States are not ready or willing to negotiate, whether it is nuclear disarmament, negative security assurances or prevention of an arms race in outer space. Therefore the language that is used with regard to FMCT and not used with regard to the other three core issues raises our concerns that what in fact is being proposed is an indirect form of negotiation or pre-negotiations on an FMCT. We want to make sure that this is not the case.

There is also a reference to the Shannon mandate, and while the ambiguity of the Shannon mandate may have served a specific purpose when it was negotiated and adopted in 1995, developments in the past few years in our security environment leave no room for ambiguity as far as Pakistan is concerned. We need to be absolutely certain that these negotiations will not be about a treaty that will only ban future fissile material production, but that it will also negotiate a reduction of stockpiles. The room for so-called constructive ambiguity, as I said, does not exist for us.

There are also other issues which are not necessarily issues specific to Pakistan, but issues on which we have a common position or several other delegations have common positions in the G21. The primary concern of some of us is the attempt to merge the items of nuclear disarmament and FMCT into one working group, which to us seems to have been done at the cost of relegating nuclear disarmament in terms of its importance and its work, especially since for us as members of the Group of 21, nuclear disarmament is an issue which enjoys the highest priority. The second issue is the notion of the FMCT being the first step towards nuclear disarmament. This too is unacceptable because we do not agree that an FMCT has any priority over nuclear disarmament, in fact quite the reverse. Moreover, to follow this course would make progress on nuclear disarmament hostage to the conclusion of an FMCT.

Mr. President, I do not know how you wish to proceed. We have, as I mentioned, submitted to you our amendments, and you have categorized them as amendments that are unlikely to command support or consensus. It is only fair for me to say that, as of now, and in terms of the language that is used in your programme of work, that that programme of work for us at this stage also is unacceptable. I think that it is only fair to me to express our position very clearly to you and to all members of the Conference on Disarmament.

The President: I give the floor to the distinguished representative of Cuba.

Mr. Puentes (Cuba) (*spoke in Spanish*): Thank you, Mr. President.

The statements made at the most recent plenary meetings of the Conference on Disarmament have confirmed that the vast majority of States attach great importance to the Conference.

With the usual frankness that has always characterized the positions taken by Cuba, we must voice our concern, once more, at the fact that some States insist on abandoning the Conference and starting negotiations on disarmament treaties outside this body and outside the United Nations machinery. Cuba does not support that approach, because, in our view, the success of such initiatives would constitute a dangerous step backwards. We wish to reaffirm that, now more than ever, we all share the responsibility of preserving and strengthening the Conference.

We reiterate the importance of the Conference adopting, as soon as possible, a comprehensive and balanced programme of work that takes account of the real priorities in the field of disarmament.

Mr. President, we thank you for the proposal you have submitted in document CD/1948. The proposal introduces a new element, namely the establishment of a working group that merges the issue of nuclear disarmament with the negotiation of a treaty banning the production of fissile material, which is seen as a first step towards nuclear disarmament. Cuba has serious concerns about this approach.

As far as Cuba is concerned, nuclear disarmament is and must continue to be the highest priority in the field of disarmament, and it therefore must be granted the highest priority in the Conference's programme of work.

In this connection, we reiterate the proposal made by the Movement of Non-Aligned Countries, which consists of an action plan for the gradual reduction of nuclear weapons, resulting in their total elimination and prohibition by 2025.

For this reason, rather than the proposal submitted to us, we favour the establishment of a working group on nuclear disarmament that has a negotiating mandate, with the aim of adopting a convention establishing a phased programme for the complete elimination of nuclear weapons within a specified period of time and under strict international control.

Furthermore, the language used in the new proposal seems to make progress in nuclear disarmament conditional on progress being made in the negotiation of a fissile material treaty. Cuba does not endorse that approach.

With regard to the first paragraph of the proposal, particularly the reference to the mandate contained in document CD/1299, Cuba wishes to place on record its interpretation that this mandate leaves open the possibility that a future treaty might cover not only production but also stocks. This is the only approach that is consistent with the objective of general and complete disarmament.

The proposal also includes the consideration by the Conference of other very important issues, such as those relating to negative security assurances and the prevention of an arms race in outer space, which are very important for those States that, like Cuba, do not possess weapons of mass destruction of any kind and are not engaged in an arms race. However, we regret that the mandate differs from the proposed way of dealing with the other agenda items. This breaks with the balanced and comprehensive nature that the Conference's programme of work should have.

As we have already stated, Cuba believes that the Conference has the capacity to negotiate in parallel a treaty eliminating and prohibiting nuclear weapons, a treaty prohibiting the arms race in outer space, a treaty providing effective security assurances for States which, like Cuba, do not possess nuclear weapons, and a treaty prohibiting the production of fissile material for nuclear weapons or other nuclear explosive devices.

Mr. President, Cuba is confident that you will give due consideration to the concerns by Cuba and by other delegations about the proposal expressed. We encourage you and the

other presidents to continue your consultations so as to reach, as quickly as possible, a compromise that is acceptable to all. Listening to the statements made today, we have heard that some States have difficulties with linking the issue of fissile material with the issue of nuclear disarmament; on the other hand, other States have the reverse problem. We believe that taking both positions into account could undoubtedly lead us to separate the two proposals, which seems to be the consensus that is emerging in this meeting room. We do not want to conclude without first thanking you for the way you have conducted the consultations on the programme of work being discussed today. Your presidency has exemplified inclusiveness and respect. We congratulate you on your hard work.

The President: I give the floor to the distinguished representative of the Democratic People's Republic of Korea.

Mr. Jon Yong Ryong (Democratic People's Republic of Korea): First of all the delegation of the Democratic People's Republic of Korea would like to join others in highly appreciating you, Mr. President, for the manner in which you are conducting and advancing the work of the Conference.

The scientific field for national defence of the Democratic People's Republic of Korea succeeded in the first underground nuclear testing at the site for underground nuclear testing in the northern part of the Democratic People's Republic of Korea today. The test was carried out as part of practical measures of counteraction to defend the country's security and sovereignty in the face of the ferocious hostile act of the United States of America, which wantonly violated the Democratic People's Republic of Korea's legitimate right to launch a satellite for peaceful purposes. The test was conducted in a safe and perfect way on a high level with the use of a smaller and light A-bomb, unlike the previous ones yet with great explosive power. It was confirmed that the test did not give any adverse effect to the surrounding ecological environment. The specific features of the function and explosive power of the A-bomb and all other measurements fully tallied with the values of the design, physically demonstrating the good performance of the Democratic People's Republic of Korea's nuclear deterrence that has become diversified.

The nuclear test will greatly encourage the army and the people of the Democratic People's Republic of Korea in their efforts to build a thriving nation with the same spirit and mettle as displayed in conquering space, and offer an important occasion in ensuring peace and stability in the Korean peninsula and the region.

South Korea should stop the foolish act of airing the fierce nature of the history of the stand-off between the Democratic People's Republic of Korea and the United States of America. If the European Union truly wants peace and security on the Korean peninsula, it should urge the United States first to terminate its hostile policy towards the Democratic People's Republic of Korea on an impartial basis.

It is the base nature of the Japanese to dislike it when things go well in other countries. My delegation does not feel any need to explain all our positions to Japan, the fault-finders whose way of thinking is not normal, but we cannot but disclose the aim sought by the Japanese in their demeanour.

A short time ago, Japan fired another spy satellite into outer space. And you know where. As a matter of fact it is not proper for Japan, the war criminal State, to have a spy satellite, and it is also in violation of the treaties on the peaceful use of space. Japan is trying to cover up its move to turn itself into a military giant by creating an atmosphere of bitterness towards the Democratic People's Republic of Korea.

The United States and their followers are sadly mistaken if they miscalculate that the Democratic People's Republic of Korea would accept the entirely unreasonable resolutions

against it. The Democratic People's Republic of Korea will never be bound to any resolutions.

The President: I give the floor to the distinguished Ambassador of Brazil.

Mr. Vallim Guerreiro (Brazil): Mr. President, let me first congratulate you on your presidency and thank you very much for your dedicated efforts in trying to make us agree on a programme of work and break the deadlock existing in this Conference.

Last year, when Ambassador Hisham Badr, who was sitting where you are sitting now, proposed his own idea of a programme of work, the Brazilian delegation said that from our perspective FMCT negotiations should be subsumed into negotiations on a broader nuclear weapons convention which would make us achieve the aim of a world without nuclear weapons.

The proposal we now have before us, as you have articulated, is a step, albeit a very small one, in the right direction, in that it acknowledges that the FMCT has to be a part of a larger process.

Now, given the amount of highly enriched uranium and plutonium which exist at present, for it to be a step in the direction of nuclear disarmament one has to take account of the present stocks, or else it will simply not be a step in the direction of a world without nuclear weapons. And if ever this programme of work is accepted, the delegation of Brazil will approach the negotiations with that understanding. Simply without taking into account the issue of stocks, we will not be contributing to nuclear disarmament and therefore we will not be honouring the mandate as stated at present.

That is the position of the Brazilian Government. Now, Mr. President, when you approached me and asked me whether I was available to coordinate the working group, I told you yes, personally I was ready to take up that responsibility, but I also told you that I would have to seek authorization from my Government. And when I requested authorization from my Government, I said I would only accept this responsibility, if I had, let's say, an authorization to be absolutely impartial, and I received the authorization with that understanding.

The President: I thank you very much and I give the floor to the distinguished Ambassador of Bulgaria.

Mr. Piperkov (Bulgaria): Mr. President, my delegation wishes to join those who expressed their deep appreciation of your personal commitment and dedication to making progress in the work of the Conference on Disarmament. We cannot but commend your efforts in conducting a wide range of consultations and, as a result, submitting document CD/1948.

I feel it is important to make some remarks in order to add the voice of my delegation to those who already expressed their positive attitude to your draft decision aimed at the establishment of a programme of work for the Conference on Disarmament's 2013 session.

We appreciate your efforts to implement the rules of procedure of this august body. As stipulated in rule 28, "the Conference, at the beginning of its annual session, shall establish its programme of work, which will include a schedule of its activities for that session". It goes without saying that the Conference could not establish a programme of work without considering a draft decision on it.

For Bulgaria, the programme of work adopted in 2009 as document CD/1864 continues to be a gold standard. At the same time, we see the Conference unable to deliver in accordance with its mandate. Maybe the time has come to make concessions, to go beyond our golden legacies and look for new approaches if we really care for the future of

the Conference as well as for the future generations. In this context, we regard document CD/1948, which merges nuclear disarmament and FMCT in one working group, as a brave step in the right direction.

Bulgaria has always sought to play a constructive role in this body, and has supported every initiative designed to overcome the long-standing deadlock in the Conference. Although we are asked to go beyond the gold standard, Bulgaria is ready to make a compromise and support the draft decision on the establishment of a programme of work contained in your draft document CD/1948. Though we heard today some other positions, we call upon all other delegations to do the same, acting in a responsible way. Sometimes, to act in a responsible way does not necessarily mean to agree, simply to avoid disagreeing.

We heard and fully subscribe to the statement made today by Ireland, on behalf of the European Union. I would like just to add my voice to those who expressed their concern at the new nuclear test conducted by the Democratic People's Republic of Korea earlier today. We call on the authorities of the Democratic People's Republic of Korea to adhere to their international commitments and not to hamper efforts to establish a lasting peace and security on the Korean peninsula.

We cannot do anything else but categorically condemn this new test.

The President: I give the floor to the distinguished representative of the United Kingdom of Great Britain and Northern Ireland.

Ms. Saggese (United Kingdom of Great Britain and Northern Ireland): As has been confirmed, North Korea carried out a nuclear test today. The United Kingdom associates itself with the statement delivered reflecting European Union views during this meeting.

I would also like to draw attention to the statement made by William Hague this morning, and I quote:

“North Korea's development of its nuclear and ballistic missile capabilities poses a threat to international and regional security. Its repeated provocations only serve to increase regional tension, and hinder the prospects for lasting peace on the Korean peninsula.

United Nations Security Council resolution 2087 committed the Security Council to take significant action in the event of a further launch or nuclear test by North Korea. The United Kingdom will begin urgent consultations with Security Council partners calling for a robust response to this latest development. North Korea has a choice to make: it can engage constructively with the international community, cease developing its nuclear and ballistic missile programmes and return to negotiations, or face increasing isolation and further action by the Security Council and the international community.”

The President: I give the floor to the distinguished Ambassador of Kazakhstan.

Mr. Tileuberdi (Kazakhstan): Mr. President, the delegation of Kazakhstan welcomes and supports all your efforts aimed at the revitalization of the Conference on Disarmament's work. We found the current draft of the decision on the programme of work for the 2013 session to be very balanced; it reflects the interest of all parties, and we are ready to start substantive work on the basis of document CD/1948.

The delegation of Kazakhstan joins the previous speakers condemning the further launch of a long-range rocket by North Korea. In its statements, the Minister for Foreign Affairs of the Republic of Kazakhstan expressed deep regret that the Democratic People's Republic of Korea had repeatedly breached United Nations Security Council resolutions 1718 of 2006, 1874 of 2009 and 2087 of this year.

Kazakhstan believes that the move may have an adverse effect on the global non-proliferation regime and poses a threat at both regional and global levels.

As a nation that has voluntarily renounced its nuclear arsenals, Kazakhstan calls on the Democratic People's Republic of Korea to refrain from nuclear testing. Kazakhstan hopes that North Korea will resume the Six-Party Talks on settling nuclear issues and other security-related issues with regard to the Korean peninsula.

Kazakhstan strongly urges North Korea to follow United Nations Security Council resolutions and abandon its nuclear programmes.

The President: I give the floor to the distinguished representative of the Russian Federation. You have the floor, Sir.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): Mr. President, the Russian delegation has repeatedly expressed its support for the Conference on Disarmament, including by proposing options to find a solution for its programme of work. We remain convinced that it is in the interests of all States to preserve and work within the framework of the Conference. For this reason, we certainly welcome the efforts of the Hungarian presidency, the entire team and you personally, Mr. President, to seek creative solutions for the programme of work. I would like to make it clear that we are ready to support the document submitted by you, CD/1948, as we believe that it will allow for substantive work to begin, which all of us are awaiting. At the same time, I would like to emphasize that, in our opinion, discussing the agenda items outside the framework of the Conference — whether in an open-ended group of the General Assembly or in a group of governmental experts — is not likely to achieve the desired result.

Concerning the recent nuclear test by the Democratic People's Republic of Korea, I would like to draw your attention to an extract from a statement by the Ministry of Foreign Affairs of Russia. And I quote:

“By carrying out a further nuclear test, Pyongyang has once again disregarded international law and flouted United Nations Security Council resolutions. Such conduct is incompatible with the generally accepted standards of the international community and certainly warrants its condemnation (...). It is all the more regrettable that the State in question is one with which our country has a long history of good relations.

We urge the Democratic People's Republic of Korea to cease such illegal activities, strictly comply with the United Nations Security Council resolutions, renounce its nuclear missile programmes, and rejoin the NPT and the IAEA comprehensive safeguards regime. In this way and this way only can the Democratic People's Republic of Korea emerge from its current state of international isolation, which will open up the way for its participation in international cooperation in various fields, including the peaceful use of the atom and space. We are convinced that this way forward will serve first and foremost the interests of the Democratic People's Republic of Korea itself.

However, we hope that the current move by Pyongyang will not be used as a pretext for escalating military activity around the Korean peninsula. The approach of ‘flexing’ nuclear missile muscles must be countered by alternative international legal means. There is a need to develop an effective peacekeeping system in the region, based on the principle of equal security for all participants, in accordance with the multilateral obligations undertaken for the denuclearization of the Korean Peninsula.

Russia calls on all parties concerned to show restraint and intends together with the other participants in the Six-Party Talks to sustain its efforts to normalize the situation on the peninsula through political and diplomatic means.”

I would also like to inform you that our representatives who participated in the Six-Party Talks have already made contact with their counterparts.

The President: I give the floor to the distinguished Ambassador of China.

Mr. Wu Haitao (China) (*spoke in Chinese*): The Chinese delegation appreciates and supports the President’s efforts to promote the adoption of a programme of work. We hope that the President together with all the parties will engage in broad consultations, work to bridge differences and promote the early adoption by the Conference of a comprehensive and balanced programme of work.

With regard to the nuclear test conducted by North Korea, the Chinese Ministry of Foreign Affairs issued a statement today expressing our opposition to this action and urging North Korea to honour its commitment to denuclearize. The statement also points out that preserving peace and stability in the Korean peninsula and North-East Asia is in the common interest of all parties. The Government of China urges all parties to respond calmly and to continue to work for the denuclearization of the Korean peninsula through negotiations and dialogue, in the framework of the Six-Party Talks.

The President: I give the floor to the distinguished Ambassador of France.

Mr. Simon-Michel (France) (*spoke in French*): Mr. President, I would first like to thank you for your intense and tireless efforts and for the readiness with which you have held the consultations resulting in this draft programme of work.

My country also has some issues with document CD/1948. This document is based on the wording of a non-consensual resolution of the United Nations General Assembly, resolution 67/56, which my country voted against. From our point of view, this proposal constitutes a step backwards compared with document CD/1864, which is the last programme of work adopted by consensus in the Conference on Disarmament, in 2009. We also believe that this proposal constitutes a step backwards compared with the final document of the 2010 NPT Review Conference and action 15 of its action plan, which is binding for all of us and which serves as our common road map. We have the impression that in this document we have lost a specific working group on the treaty banning the production of fissile material, which was given a clear negotiating mandate in previous programmes of work, including document CD/1864.

The treaty banning the production of fissile material is a shared priority, as clearly affirmed by the action plan of the 2010 NPT Review Conference. It is the logical next step in nuclear disarmament. It is an essential element that lies at the heart of nuclear disarmament and constitutes the first step towards nuclear disarmament.

We therefore feel that this document reflects concessions we find regrettable. At the same time, France supports the role of the Conference on Disarmament as the sole multilateral disarmament negotiating forum and wishes to end this deadlock that has gone on for too long. It is for this reason that, although we feel we are moving too far away from resolution CD/1864, my country will be flexible and will not oppose consensus on the programme of work contained in CD/1948.

Like most delegations, I would now like to say a word about the nuclear test just conducted by North Korea in flagrant violation of Security Council resolutions 1718 (2006), 1874 (2009) and 2087 (2013). I of course concur with the statement made by the European Union, and I would like to draw your attention to the statement issued by the President of France, Mr. François Hollande, just this morning. I quote:

“I condemn in the strongest possible terms the nuclear test just conducted by North Korea. France once again urges North Korea to immediately comply with its international obligations and to carry out a complete, verifiable and irreversible dismantlement of its nuclear and ballistic programmes. In the immediate future, North Korea must unconditionally refrain from any action that might further increase the tension on the Korean peninsula and might undermine international peace and security. France supports firm action by the United Nations Security Council and is working to that end with its partners.”

The President: I give the floor to the distinguished representative of Australia.

Ms. Payne (Australia): Mr. President, Australia would like to commend you for your efforts and leadership in producing this draft programme of work and putting it forward for a decision today. Australia supports the draft programme of work as it currently stands as a real attempt to return this Conference to substantive work. We would be disappointed, as it appears that a mutually satisfactory outcome cannot be reached on this. This aside, Australia remains firmly committed to this Conference and will continue to engage in the hope that it can soon make the right choice between opportunity and irrelevance.

Australia would also like to join others here today that have condemned the nuclear test by North Korea earlier today. I would like to quote from Australian Prime Minister Gillard’s statement today that “the testing clearly violates a number of United Nations Security Council resolutions, is a threat to international peace and security and challenges the nuclear non-proliferation treaty and comprehensive test-ban treaty”.

As a Security Council member, Australia will work for the strongest possible response to the continuing defiance of North Korea to the will of the international community.

The President: I give the floor to the distinguished Ambassador of Indonesia.

Mr. Wibowo (Indonesia): My delegation asked for the floor not to comment on the draft programme of work contained in document CD/1948 — I intend to make it at a later stage — but to respond on the Democratic People’s Republic of Korea nuclear test.

My country cannot accept any action by any country, being of the region or any other regions, which conducts action in total disregard for international law and obligations and international concern. My delegation regrets very much the nuclear test conducted by the Democratic People’s Republic of Korea and considers this as unacceptable, for this would only provoke tension in the peninsula as well as threatening peace, security and stability in the region.

The President: I give the floor to the distinguished representative of Egypt.

Mr. Elatawy (Egypt) (*spoke in Arabic*): Mr. President, allow me at the outset to extend to you our sincere appreciation for your efforts during your presidency of the Conference and to affirm that we recognize the difficulty of the main task entrusted to you as President of the Conference, namely to reach a comprehensive and balanced programme of work that enjoys consensus.

At the first meeting of the current session, Egypt reviewed its position in respect of the draft programme of work for this session and, in particular, the priority of nuclear disarmament, whether achieved through a comprehensive treaty or a series of mutually complementary steps. Moreover, Egypt noted the need for any fissile material treaty to be dealt with in the context of nuclear disarmament and, consequently, the need for any mandate for discussion of such a treaty to include reference to the issue of existing fissile material stocks, which is not covered in the draft programme of work under discussion.

The draft programme of work before us contains some contentious elements. For example, the language of the draft suggests that the only way to reach nuclear disarmament is through a series of mutually complementary steps. It thus ignores the proposal to negotiate a phased programme to eliminate nuclear weapons permanently within a specific time frame, including a nuclear weapons convention – a proposal already made by the Non-Aligned Movement in the framework of the Treaty on the Non-Proliferation of Nuclear Weapons. Furthermore, the draft programme of work presents a fissile material treaty as the first step towards nuclear disarmament that would pre-empt negotiations, thereby posing a controversial premise.

Although it is important to deal with fissile material in the context of nuclear disarmament, that can be done, for example, through a nuclear weapons treaty with a specific section on fissile material. There may also be other steps, in the step-by-step process, on the way to a fissile material treaty.

In view of the above, Egypt considers that there is a need for further consultations, clarifications and consultations with capitals before the draft programme of work is adopted, in order to ensure that it is balanced and comprehensive and that it can be passed by consensus. It is clear that, at present, there is no consensus on the programme of work before us.

The President: I give the floor to the distinguished representative of Algeria.

Mr. Khelif (Algeria) (*spoke in Arabic*): Mr. President, at the outset, the Algerian delegation wishes to reiterate its deep appreciation for the considerable efforts that you have made since the beginning of the session, and prior to the session, to enable the Conference to arrive at a comprehensive solution that will allow it to pursue substantive work. In this connection, the Algerian delegation thanks you for the draft programme of work contained in document CD/1948. As you know, Mr. President, from the outset, in the framework of your transparent consultations with the Group of 21, and bilateral consultations, the Algerian delegation has shared a number of reservations, suggestions and observations with you about your proposed approach in respect of the programme of work. It was our wish that the topic of nuclear disarmament and the issue of banning the production of fissile material should be tackled by two separate working groups, in order to avoid any confusion in paragraph 1 of draft decision CD/1948. However, in the spirit of responsibility that brought us all here and, based on our desire to keep the Conference, we have taken a sufficiently positive attitude to your idea of merging the two groups. At the same time, in view of the ambiguity of the mandate and in response to many concerns raised by many of our colleagues from the Group of 21 today, we have shared our concerns with you and made some suggestions about possible responses. We thank you for having taken some of these into account in your proposal. However, in view of the discussions that took place today it appears that matters have not yet reached a sufficient degree of maturity to allow us to take a decision on this draft. The Algerian delegation considers that the draft decision in document CD/1948 contains many positive points and constitutes an acceptable basis. We invite you, Mr. President, to continue your consultations and, also, invite the presidents who will follow you to continue the same effort, so that we can close the gap and bridge differences concerning this draft and, eventually, arrive at a draft and a settlement acceptable to all on the basis of document CD/1948. In this connection, I would like to draw attention to a few points raised by some delegations which, in their statements, have insisted on the need for flexibility and for all parties to make concessions in order to reach a decision on a programme of work that is acceptable to all. In this context, we emphasize that the non-nuclear-weapon States, in particular those in the Group of 21, have made numerous concessions. Those concessions already exist in the draft decision; for example, for the Algerian delegation and Algeria, which is a non-nuclear-weapon State, the fundamental issue and the first priority at the Conference on Disarmament is the issue of

negative security assurances. However, in order to show sufficient flexibility we have accepted a mandate that includes mere discussion of this topic. We hope that other delegations will take this into account and demonstrate the same flexibility in order to reach a solution that is acceptable to all.

The President: I give the floor to the distinguished Ambassador of Iran.

Mr. Sajjadi (Islamic Republic of Iran): Mr. President, since this is the first time that I take the floor in this meeting, allow me to congratulate you on the assumption of the post of President of the Conference. As one of the six presidents of the session (P6) we are aware and appreciative of your diligent efforts in doing consultation for creation of consensus on the issue of a programme of work.

We attach great importance to the Conference on Disarmament, thus we support all efforts aimed at the start of substantive work in this august body. Based on the rules of procedure, the adoption of the programme of work is indeed the main task of the Conference on Disarmament to start its formal negotiation task.

My delegation has always insisted on equilibrium and balance among the main core issues as the main criteria for the adoption of the programme of work. In our view, a comprehensive and balanced programme of work to enable the Conference on Disarmament to start negotiations on the four core issues can best serve the purposes of the Conference as well as the safety and security of the whole international community.

As a member of the G21 and the Non-Aligned Movement, our top priority in the Conference on Disarmament is nuclear disarmament. The agenda of the Conference on Disarmament is designed in a manner that helps the start of negotiation of concerted and jointly reinforcing international instruments for nuclear disarmament. Like the majority of the members of the Conference on Disarmament, we believe that the early commencement of negotiations within the Conference on a phased programme for the complete elimination of nuclear weapons within a specified time frame, including a nuclear weapons convention, is the urgent need of the Conference on Disarmament today.

The issue of nuclear disarmament, which is a broad and wide subject, should not be narrowed down to one issue, leave alone a situation that would be subject to another issue.

It is worth mentioning that in the action plan for the non-proliferation of nuclear weapons we have 22 actions on nuclear disarmament. Action 6 is specifically on the creation of a subsidiary body in the Conference on Disarmament to deal with nuclear disarmament. It would be very difficult to convince ourselves that all of these 22 actions on disarmament have been relegated or limited to action 15 and are still consistent with the action plan and the principle of balance.

On the fissile material treaty, we said many times with no ambiguity that this treaty should contribute to the cause of disarmament, not vice versa. The contribution of an FMCT to disarmament will happen when the issue of stocks is covered under a possible treaty.

In conclusion, as you are well aware, we have been positively engaged in your consultation on the programme of work and we have supported your efforts that aimed at the creation of consensus in this regard. Our efforts were intended to help you in finding consensus on the text.

The President: I thank you very much. This was the last speaker on my list, the distinguished representative of Iran, and now I am asking whether any other delegation wishes to take the floor. I give the floor to the distinguished representative of the Democratic People's Republic of Korea.

Mr. Jon Yong Ryong (Democratic People's Republic of Korea): The denuclearization of the Korean peninsula is impossible unless the denuclearization of the world is realized, since it has become clear now that the United States' hostile policy to the Democratic People's Republic of Korea remains unchanged.

In this forum some delegations did mention a resolution of the issues on the Korean peninsula through Six-Party Talks. As we have already declared our position, the joint statement of 19 September adopted at the Six-Party Talks is quite clear. Everybody knows that the principle of respect for sovereignty and equality has now become defunct and prospects for the denuclearization of the Korean peninsula have become gloomier due to the United States' hostile policy to the Democratic People's Republic of Korea that has become ever more pronounced.

There can be talks, I repeat, there can be talks for peace and stability for the Korean peninsula and the region in the future, but not talks for the denuclearization of the peninsula.

The President: I thank you for your statements, and I think this debate has indicated once again that after many months of consultations, the picture that is emerging in the face of CD/1948 is really representing the fine line, which is a common ground between the many national positions that have been outlined in this chamber. That is why I will now turn to document CD/1948 containing the draft decision on a programme of work for the 2013 session submitted by the President. As you know, over the past several weeks, I have conducted intensive consultations with a view to establishing consensus among all on a 2013 programme of work for the Conference. I have done this in accordance with the mandate — and indeed obligation — given to me by the rules of procedure of the Conference.

During these consultations, I received input from several delegations, which I have tried to reflect to the best of my abilities in the document before you. During bilateral consultations that took place just yesterday afternoon, I received new language from a delegation for one additional amendment to the text of CD/1948. In my opinion, the proposed language would unfortunately not meet the agreement of the overwhelming number of the members of the Conference. For this reason, I feel that I am not in a position to further modify the text of CD/1948.

I now call upon the Conference on Disarmament to adopt draft decision CD/1948. Is there any objection to this?

I now give the floor to the distinguished Ambassador of Pakistan.

Mr. Akram (Pakistan): Regrettably, as I pointed out in my statement earlier, my country is not in a position to accept your draft programme of work for the reasons that I have already explained.

The President: I give the floor to the distinguished representative of Egypt.

Mr. Elatawy (Egypt): As I mentioned in my statement, we cannot, we do not see that there is consensus right now on this draft, and we call upon you and the incoming presidents to continue consultations. We need to elaborate on some of the points included and on the language that is in the draft programme of work. As it stands right now, it needs further elaboration, so we call upon you to continue consultations on that matter.

The President: As there is no consensus, the draft programme of work as contained in document CD/1948 is not adopted. In my opening statement, I evoked the tale of the Sleeping Beauty to illustrate the present state of play in the Conference on Disarmament. Now, it seems that Beauty still remains asleep. Much to my regret, we have added a new item CD/1948 to the long list of unadopted programmes of work. The Conference has again

not reached consensus on the President's draft proposal, as has been the case for more than a decade, except 2009. Our own responsibility to promote disarmament, including nuclear disarmament, has unfortunately been further highlighted by the reported nuclear explosion in the Democratic People's Republic of Korea. It is my hope that my successors will not give up efforts to present a draft text, which, at the end, may be able to win the support of all members of this Conference. I wish them all the best in this heavy task.

Before we conclude our business, and as this is the last plenary meeting under the Hungarian presidency, let me express my most sincere thanks to all delegations and regional coordinators for their cooperative attitude and the goodwill they showed me. It was good to learn that even if views diverge sometimes, the friendly tone and frankness of our consultations was constant.

Let me extend my thanks to Secretary-General Kassym-Jomart Tokayev, Deputy Secretary-General Jarmo Sareva and the whole staff of the United Nations Office of Disarmament Affairs for their expertise and highly professional contribution to the work of the presidency. I would also like to thank the conference officers and interpreters for their precious work of the highest standard. And, last but not least, I would like to thank my team, who worked hard and very diligently throughout these weeks and months.

I give the floor to the distinguished Ambassador of South Africa.

Mr. Minty (South Africa): Mr. President, at the outset, since it is the first time that I am speaking, permit me to congratulate you on your assumption of the presidency of the Conference on Disarmament and express my delegation's appreciation for all your efforts. In particular, we want to thank you for your dedication to finding a formula for a programme of work that would allow the Conference on Disarmament to break out of its long-standing stalemate and to resume the substantive work for which it was created, namely the negotiation of international instruments in the field of disarmament. Given these considerable efforts and the creativity that you have displayed, Mr. President, it is unfortunate that a consensus formula could still not be found.

This should nevertheless remain our primary objective during the present Conference on Disarmament session.

Since becoming a member of the Conference on Disarmament my delegation has always sought to display the highest possible degree of flexibility in our approach to the annual programme of work of the Conference. Despite the serious concerns raised by my delegation during consultations on draft decision CD/1948, my delegation yet again stood ready to join a possible consensus on the adoption of this draft decision. It is deeply regrettable that the sense of flexibility displayed by the majority of Conference members has again not been reciprocated by all.

Now that consensus on the adoption of a programme of work has once again eluded us, please allow me for the record to briefly outline my Government's core concern regarding draft decision CD/1948.

South Africa has long supported the immediate commencement of negotiations in the Conference on Disarmament on a fissile material treaty that would serve both disarmament and non-proliferation objectives. However, we do not believe that such a treaty is the only and exclusive issue that requires attention on the road towards a nuclear-weapon-free world; nor do we believe that a treaty that would exclude provisions on fissile material stocks would make a meaningful contribution to the goal of nuclear disarmament.

While the reference to document CD/1299 and the mandate contained therein under the first working group provides no assurance that stocks would be included in the future fissile material treaty, we nevertheless remain ready to engage in unconditional negotiations on this treaty. The idea of combining nuclear disarmament and a fissile material treaty into

a single subsidiary body was an innovative idea that we were willing to accept. However, the linkage created between the two issues, in terms of the mandate provided to the subsidiary body, unfortunately and probably unintentionally introduces a concept that is not acceptable to my delegation, especially in view of the past experience of South Africa. While we are ready to start negotiations on a fissile material treaty, as an undeniably important step towards nuclear disarmament, progress on this should never become a precondition for other nuclear disarmament steps to follow.

During the bilateral and group consultations South Africa and a number of other G21 delegations suggested compromise texts aimed at addressing this concern. However, there was seemingly no flexibility to substitute the concept of a first step with any of the many alternatives provided.

South Africa is unequivocally committed to nuclear disarmament and the achievement and maintenance of a world free of nuclear weapons. While the threat to humanity posed by chemical and biological weapons has long been recognized and codified in a ban on these weapons through negotiations in this very body, the threat of nuclear weapons remains.

The indiscriminate nature and vast humanitarian consequences posed by nuclear weapons compel us to continue our quest towards their total elimination. We are convinced that neither the possession of nuclear weapons nor the pursuit of such capabilities can enhance international peace and security. The primary responsibility for the elimination of nuclear weapons lies with those States that continue to rely on nuclear weapons for their security. It is therefore incumbent upon these States to engage without further delay in an accelerated process of negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

The construction of a comprehensive framework of mutually reinforcing instruments for the achievement and maintenance of a world without nuclear weapons is an urgent priority that can no longer be postponed.

We believe that common threats can only be effectively addressed through enhanced international cooperation and strong and credible multilateral institutions that can respond to our collective security concerns. Our principal approach in this forum should therefore be one that addresses common security concerns rather than the selective security interests of certain countries, regions or security alliances. It remains our hope that the Conference on Disarmament, despite the many years of impasse, can regain its position as a responsive multilateral institution. Continued inertia is not sustainable and will increasingly affect the relevance and statutes of the Conference on Disarmament as the world's sole multilateral disarmament negotiating forum.

With reference to the news overnight, it is with deep regret and concern that South Africa has learned about the reported nuclear weapons test by the Democratic People's Republic of Korea yesterday. We urge the Democratic People's Republic of Korea to desist from any actions which exacerbate tensions in the region and run contrary to its stated commitment to the total elimination of nuclear weapons.

In conclusion, Mr. President, I wish to thank you for your efforts and assure you and the other five incoming presidents for the 2013 Conference on Disarmament session of my delegation's continued support and cooperation.

The President: I give the floor to the distinguished representative of Algeria.

Mr. Khelif (Algeria) (*spoke in Arabic*): Mr. President, the Algerian delegation apologizes for requesting the floor again, but in view of your summary, we wish to say, briefly, that unfortunately it would appear that one kiss is not enough to awaken the princess. Perhaps more is needed. We consider draft decision CD/1948 to be a building

block in the framework of efforts made at the Conference over the years to come up with a text on a programme of work that is acceptable to all. We consider that the draft decision is not a dead end, but a step that can be taken further. We therefore call on the presidents that will follow you to continue consultations on this decision because it contains many positive points; with some effort, we can reach a compromise that meets the concerns expressed by some delegations and a formula acceptable to all. Consequently, we reiterate our call to the presidents who will follow you to continue consultations and efforts on this valuable draft which contains many positive points, in the hope that we will reach a solution that is acceptable to all.

The President: This concludes our business for today. The next plenary meeting will take place on 19 February 2013. Before we adjourn this meeting, allow me also to wish Ambassador Sujata Mehta good luck and success for the Indian presidency of the Conference on Disarmament.

The meeting rose at 12.35 p.m.