

Statement by Ambassador Shaukat Umer, Permanent Representative of Pakistan to the United Nations, Geneva, in the General Debate of the First Committee of the 59th Session of the UN General Assembly on 12 October, 2004

Mr. Chairman,

The end of the Cold War in the closing years of the last Century generated widespread hope for peace and prosperity. Unfortunately, such hope for a “peace dividend” was short lived. The 21st Century dawned, as the last, with a world beset by conflict and destruction, among and within States. What is different today is that globalization has made every conflict and every catastrophe “international” in its impact and implications. And, there is no coherent global policy to “regulate” armaments, arrest proliferation and promote disarmament.

2. Today, threats to peace and challenges to arms control and disarmament arise from several sources.

Mr. Chairman,

3. International terrorism, and the possibility of the use of weapons of mass destruction by terrorists, constitute a threat to all States, including the most powerful. This resort to the asymmetric instrument of terrorism is, in part at least, a consequence of growing asymmetry in power and the inability of the international system to eliminate political injustice and the unjust suppression of peoples in many parts of the world, especially in the Islamic world. While the international campaign against terrorism has been effective, and cooperation to counter it is growing, we have yet to initiate a comprehensive strategy to address and eliminate its root causes.

4. Pakistan agrees that all efforts must be made to prevent terrorists and other non-state actors from acquiring and using weapons of mass destruction. In our view, the conclusion of a non-discriminatory and universal treaty would be the most effective instrument to counter this threat. Pakistan agreed to the adoption of resolution 1540 by the Security Council as an interim measure to foster national action by member states to prevent the acquisition of WMD capability by non-state actors, especially terrorists.

5. Pakistan has adopted comprehensive measures to prevent WMD proliferation.

- We have taken effective steps, in cooperation with the international community, to eliminate an underground proliferation network which had its tentacles in two dozen countries. We are cooperating closely with the IAEA in this endeavour. We urge other concerned countries to do likewise.

- Pakistan has adopted wide ranging measures to ensure foolproof security for its nuclear and strategic assets. Four years ago, we established a Nuclear Command and Control Authority which is responsible for Pakistan's strategic assets. These assets are vital for our strategic deterrence posture. There is no question of their falling into the wrong hands.
- We have also created a Nuclear Regulatory Authority for the safe operation of civilian nuclear plants.
- Pakistan has elaborated legislation to implement its obligations under the Chemical Weapons Convention.
- Last month, Pakistan's Parliament promulgated a comprehensive Export Control Act to deal with nuclear and biological weapons, material, goods, technologies, equipment and their means of delivery. Salient elements of our new law include: prohibition of diversion of controlled goods and technologies, including re-export, transshipment and transit; licensing and record keeping; export control lists and penal provisions of up to 14 years imprisonment and a fine of Rs. 5 million. We are confident that there will be no proliferation of WMD from Pakistan.

Mr. Chairman,

6. While the threat of WMD terrorism creates fear and foreboding, people are dying and suffering each day as a result of "small wars" conducted mainly by "small arms". A host of "complex crises" in Africa and other parts of the developing world are exacerbating national and international security, creating major humanitarian emergencies, and neutralizing economic progress. A host of measures have been initiated to address these crises, including the UN Programme of Action against illicit Small Arms and Light Weapons. These crises need to be addressed in a comprehensive manner, through conflict resolution, ending external intervention, and halting the illegal exploitation of natural resources which motivate and fuel many of these conflicts.

7. There are other regional situations and conflicts which portend even greater danger. In the Middle East, the Arab-Israeli confrontation is aggravated by the threat of proliferation and use of weapons of mass destruction. Preventing the proliferation of nuclear weapons and other weapons of mass destruction in the Middle East needs to be addressed in a comprehensive and cooperative framework. No one can ignore that nuclear weapons and their means of delivery already exist in the region. We trust that the current controversy relating to the nuclear programme of a country in the region will be addressed in a cooperative framework. Pakistan

supports the fulfillment of international obligations by all States. We also support the objective of creating a zone free of weapons of mass destruction in the Middle East.

8. It is essential to prevent the emergence of nuclear weapons on the Korean Peninsula and avoid an extended arms race with grave portents for peace and stability in North-East Asia. We support the six party talks initiated and hosted by China. Concerted efforts must be made to ensure the success of these talks with the objectives of ensuring a Korean Peninsula free of nuclear weapons and addressing the security concerns and economic aspirations of all the States concerned.

9. In South Asia, the security environment has visibly improved in recent months with the initiation of a composite dialogue between India and Pakistan. We believe that a durable peace and security in South Asia will require an earnest effort to: **one**, resolve outstanding disputes, particularly Jammu & Kashmir; **two**, promote mutual nuclear restraint; and **three**, maintain a balance of conventional forces between Pakistan and India.

10. Peace and security is an important item on the agenda of the composite dialogue. Both India and Pakistan are committed to work for "strategic stability". They have declared that their nuclear capability is a factor for stability in South Asia. They are committed to taking the measures necessary to reduce the risk of accidental or unauthorized use of nuclear weapons. We have agreed on a number of nuclear confidence building measures, including improvement of hotlines, prior notification of missile flight tests, and reaffirmation of our unilateral test moratoriums. Further confidence building measures are to be discussed.

11. Pakistan believes that several other, more ambitious, measures for mutual nuclear and missile restraint can be agreed, such as:

- maintenance of nuclear weapons on de-alert status;
- no operational deployment of nuclear ballistic missiles;
- no acquisition or deployment of Anti-Ballistic Missile systems;
- avoidance of a nuclear and missile arms race.

12. A balance in the conventional defence capabilities of the two countries is essential for strategic stability and durable peace, especially since their forces are mainly deployed against each other. An arms imbalance can create temptations for coercion and aggression. It can increase the dangers of catastrophe inherent in a nuclearized South Asia. We hope India will

accept the confidence-building measures suggested by Pakistan to enhance strategic stability in the conventional field; agree to avoid a ruinous arms race; temper its weapons acquisition; and agree to maintain an acceptable ratio of forces with Pakistan.

Mr. Chairman,

13. The crisis of the nuclear non-proliferation regime arises not only from the apparent intention of some to acquire nuclear weapons but, even more so from the tension between nuclear legality and nuclear reality. This tension is apparent in 3 major areas:

14. **One**, the 5 nuclear weapon States have undertaken a legal commitment, under Article VI of the NPT, to achieve nuclear disarmament. Some progress has been made towards reducing strategic arsenals. But, over 20,000 nuclear weapons are still held, mostly on high alert, by the two largest nuclear weapon States. Moreover, it seems clear that the nuclear powers intend to retain their nuclear weapons “for the foreseeable future”. A credible programme for nuclear disarmament, within a reasonable timeframe, is indispensable to revive the essential “bargain” which is at the heart of the NPT. Any regime which seeks to perpetuate discrimination, and ignores the vital security interests of the majority of States, cannot be sustained indefinitely.

15. **Two**, the NPT recognizes only 5 nuclear weapons States. In reality, there are 3 other states which possess nuclear weapons. These three States are also unlikely to give up their nuclear weapons “for the foreseeable future” outside the framework of a programme of global nuclear disarmament or regional arms control and conflict resolution. In their joint statement in June this year, Pakistan and India have declared that their nuclear capabilities are essential for regional stability. Endeavours to insist on their adherence to the NPT as non-nuclear States are unrealistic. Attempts to persuade them, through penal measures or technology denial are likely to be fruitless and could damage the prospects of creating a credible global non-proliferation regime. Unless the cooperation of the 3 nuclear weapon states which remain outside the NPT is evoked through mutual agreement, there will remain a gaping hole in the NPT regime. We note with interest that IAEA Director-General has recently called for the inclusion of the three non-NPT nuclear states in future talks on non-proliferation and disarmament.

16. **Three**, the NPT “bargain” essentially involved the acceptance by its non-nuclear parties of the temporary retention of nuclear weapons by 5 nuclear weapon states in exchange for the promise of nuclear disarmament; as well as full cooperation in the development and peaceful uses of nuclear technology. Since the nature of such peaceful nuclear cooperation was not elaborated in the NPT, many of the advanced non-nuclear parties have developed or acquired the complete nuclear fuel cycle, including, enrichment and reprocessing technologies which

create the capability for nuclear weapons development. The international community is now belatedly concerned about the spread of these sensitive parts of the nuclear fuel cycle to other States even under international safeguards. It is clear that such double discrimination is difficult to justify. Equitable solution must be found, through political and technological means, not coercion or the use of force. We believe that the Experts Group convened by the IAEA Director-General should evolve practical solutions to ensuring the safety of the nuclear fuel cycle. Meanwhile, political steps, including security assurances, may offer the means to regulate the sensitive parts of the nuclear cycle in civilian nuclear programmes.

17. Pakistan suggests the convening of an International Conference to address and remove the current tensions between nuclear legality and nuclear reality in the three areas I have outlined.

Mr. Chairman,

18. There are several other worrying aspects on the global proliferation and disarmament scene:

- the absence of international agreement on missiles. Unfortunately, the Hague Code of Conduct does not address the

- concerns of several militarily significant States;

- the dangers which may arise from “war fighting” nuclear doctrines and reports regarding the further qualitative development of “useable” nuclear weapons;
- the development and deployment of anti-ballistic missile systems which could destabilize deterrence stability, including in South Asia;
- the steady militarization of Outer Space. Unless a global regime is agreed, Outer Space is likely to become the major theatre of a new global arms race.

19. It is obvious, that these global challenges to stability, disarmament and non-proliferation can be addressed only in multilateral negotiations. The complex of disarmament and non-proliferation threats – in the regional as well as global context – has never been greater. There is no substitute for multilateral legal norms which enjoy universal legality or acceptance, even if the negotiation of international treaties, with effective verification provisions, are often time consuming and complex. Freely negotiated international treaties are the necessary sheet-anchor for effective arms control, non-proliferation and disarmament. Decisions promulgated in exclusive

and limited bodies representing the views, interests and perspectives of the few and the powerful do not enjoy universal commitment and are thus lacking in the legitimacy which can only be offered by international treaties.

Mr. Chairman,

20. Therefore, it is now imperative to revive the Conference on Disarmament and restore its role as “the sole multilateral negotiating forum on disarmament.” The impasse in the CD is artificial. We are unable to decipher the reluctance, on the part of some, to simultaneously address the issues of proliferation and disarmament. The work programme of the CD must include the negotiations of a fissile material treaty, encompassing existing stockpiles and an effective verification mechanism. It must also include measures to prevent the militarization of Outer Space and the negotiation of a realistic programme of nuclear disarmament to which nuclear powers have committed themselves under Article VI of the NPT and at its last Review Conference. Moreover, until nuclear disarmament is achieved, security guarantees to non-nuclear weapon States can provide a most effective tool to reduce the incentives for WMD proliferation. The desire to address comprehensively the major threats to international security and disarmament within the CD cannot be dismissed as “linkages”. On the contrary, it is only such a comprehensive and global endeavour for disarmament and non-proliferation that can evoke the support of the international community.

Mr. Chairman,

21. Pakistan supports efforts to improve the effectiveness of the working methods of the United Nations disarmament machinery, including the First Committee. Such efforts must involve, first and foremost, the revival of the Conference on Disarmament to play its assigned role as the sole multilateral negotiating forum. It must also involve the full utilization of the UN Disarmament Commission and the First Committee for discussion of major disarmament and non-proliferation problems. These deliberative bodies can serve to evolve the basis for negotiation of international agreements on various outstanding and emerging threats of proliferation and challenges to genuine disarmament. They must not be marginalized.

22. As regards the First Committee, we believe that its reform efforts must be pursued within the following parameters:

- a) The political role of the First Committee must be enhanced.
- b) The approach should be incremental and build upon progressive steps.

- c) There should be better and more efficient time management.
- d) All decisions must be reached by consensus.

23. However, truncated change is likely to introduce distortions in the functioning of the Assembly. Efforts to improve the functioning of the First Committee cannot be divorced from the measures under consideration for the revitalization of the General Assembly and its other Committees.

Thank you Mr. Chairman.