Statement by His Excellency U Mya Than,
Permanent Representative of the Union of Myanmar
to the United Nations Office and Other International Organizations in
Geneva
on behalf of
the ASEAN Member States
in the General Debate of the First Committee
59th Session of the United Nations General Assembly

New York
13 October 2004
I. Introduction

Mr. Chairman,

I have the honour and privilege to take the floor on behalf of the Association of the South East Asian Nations: Brunei Darussalam, Cambodia, Indonesia, the Lao People’s Democratic Republic, Malaysia, the Philippines, Singapore, Thailand, Vietnam and my own delegation, Myanmar.

II. Resolution on ICJ’s advisory opinion

Mr. Chairman,

3. The ASEAN countries believe that the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons is a very important contribution to the international community’s efforts for peace and security. It is the conviction of the ASEAN countries that, in view of the recent political developments, there now exist conditions for the establishment of a world free of nuclear weapons.

4. The ASEAN countries also reaffirm the unanimous conclusion of the advisory opinion of the International Court of Justice of 8 July 1996 that there exists an obligation to pursue in good faith and bring to conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. In this regard, we, the ASEAN countries, continue to support and intend to co-sponsor the resolution, tabled every year by Malaysia, reaffirming this important ruling.

III. Resolution on nuclear disarmament

Mr. Chairman,

5. For a number of years, the ASEAN countries have co-sponsored the yearly resolutions, initiated by Myanmar, calling upon the nuclear weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems. The resolution urges the nuclear weapon States, as an immediate measure; to de-alert and deactivate immediately their nuclear weapons and to take other concrete measures to further reduce the operational status of their nuclear weapon systems. It also
calls for the convening of an international conference on nuclear disarmament in all its aspects at an early date to identify and deal with concrete measures of nuclear disarmament.

6. These two resolutions are part of the ASEAN members’ contributions to the cause of disarmament. This year, Malaysia and Myanmar, with the support of ASEAN and other co-sponsors, will re-table these resolutions. It is our ardent hope that these resolutions will enjoy broader support and increased co-sponsorship.

IV. Nuclear disarmament and nuclear non-proliferation

Mr. Chairman,

7. The ASEAN countries have consistently stressed the importance of achieving universal adherence to the Comprehensive Nuclear Test Ban Treaty (CTBT) and the Nuclear Non-proliferation Treaty (NPT). We reiterate our call on the nuclear weapon States to make further efforts towards the elimination of all nuclear weapons.

8. In this context, we welcome the convening of the Third Conference on Facilitating the Entry into Force of the CTBT in Vienna in September 2003. We also welcome the adoption by the Conference of the twelve concrete measures, contained in the Final Declaration of the Conference, to promote an early entry into force of the CTBT. We are encouraged that three nuclear weapon States have ratified this important Treaty to date.

Mr. Chairman,

9. We welcome the positive outcome of the 2000 Review Conference of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The ASEAN countries particularly welcome the unequivocal undertaking by the nuclear weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States Parties are committed under Article VI of the Treaty. We reiterate our view that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. We, therefore, call once again for the full and effective implementation of the steps set out in the 2000 Final Document. In this connection, we reaffirm our conviction that there exists an urgent need for the nuclear weapon States to take concrete measures to fulfil their obligations under the NPT, in particular Article VI on nuclear disarmament and Article IV to provide technical assistance in the application of nuclear energy for peaceful purposes to non-nuclear weapon States.
10. We note with appreciation the preparatory work by the First Session of the Preparatory Committee for the 2005 Review Conference of the NPT, held in New York in April 2002, the Second Session held in Geneva in April-May 2003 and the Third Session held in New York in April-May 2004. However, we regret the inability of the Third Preparatory Committee to agree on the agenda and substantive recommendations to the 2005 NPT Review Conference.

11. In this context, we reaffirm the importance to establish at the 2005 Review Conference subsidiary bodies, in accordance with rules 34 of the draft Rules of Procedure for the 2005 Review Conference to consider issues related to nuclear disarmament, safety and security of peaceful nuclear programmes, security assurances, regional issues, respectively, with particular reference to the 1995 resolution on the Middle East.

V. Missiles and the Moscow Treaty

Mr. Chairman,

12. We share the view that there is an urgent need for a comprehensive approach towards missiles in a balanced and non-discriminatory manner, as a contribution to international peace and security. Given the complexity of the issue, we regret the fact that no consensus was reached on the preparation of a final report by the Second Panel of Government Experts on Missiles. We continue to believe that the concerns related to missile proliferation are best addressed through multilaterally negotiated, universal, comprehensive and non-discriminatory agreements.

13. We also note the entry into force of the Moscow Treaty on Strategic Offensive Reductions between the Russian Federation and the United States of America as a step towards reducing their deployed strategic nuclear weapons. This Treaty should be implemented in accordance with the principles of irreversibility and transparency. It is our hope that the United States and Russia will both reduce the level of their operationally deployed strategic nuclear warheads as stipulated in the Treaty by the end of 2012.

VI. Weapons of mass destruction

Mr. Chairman,

14. We take note of the decision the Fifth Review Conference of the Biological Weapons Convention (BWC) that the States Parties should meet annually in the lead-up to the Sixth Review Conference in 2006 and the Meeting of Experts should be held prior to each annual meeting. In this connection, we welcome the convening of the first and second Meetings of Experts from States Parties to the
BWC in Geneva in August 2003 and in July 2004, respectively. We also welcome
the convening of the first annual meeting of the States Parties to the BWC in
Geneva in November 2003 and express the hope that the second annual
meeting of the States Parties to be held in Geneva in December 2004 will
strengthen and broaden national and international efforts and the optimum
utilization of the existing mechanisms for the surveillance, detection, diagnosis
and combating of infectious diseases affecting humans, animals and plants.

VII. Small arms and light weapons

Mr. Chairman,

15. The ASEAN countries note with appreciation the positive outcome of the
First Biennial Meeting on the Illicit Trade in Small Arms and Light Weapons in All
its Aspects held in New York in July 2003. We take note of the establishment
and the work of the Open-Ended Working Group to negotiate an international
instrument on marking and tracing of the illicit transfer of SALW and the
convening of the Second Biennial Meeting on the Programme of Action to
Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects in
2005.

16. We call upon the Member States and the International Community to take
appropriate measures for the implementation of the Programme of Action. We
also join the call made by the Secretary-General of the United Nations on the
Member States to redouble their efforts to work on a ban on supplying small
arms to non-state actors.

17. This year marks the fifth anniversary of the entry into force of the Ottawa
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of
Anti-Personnel Mines and on Their Destruction which has been ratified and
acceded to by 143 countries. We take note of the convening of the First Review
Conference of the Convention on the Prohibition of the Use, Stockpiling,
Production and Transfer of Anti-Personnel Mines and on Their Destruction in
Nairobi, Kenya from 29 November to 3 December 2004.

VIII. Nuclear-Weapon-Free Zones

Mr. Chairman,

18. We strongly believe that the establishment of the nuclear-weapon-free
zones (NWFZS) constituted by the Treaties of Tlatelolco, Bangkok, and
Pelindaba as positive steps towards attaining the objective of global nuclear
disarmament. In this regard, we welcome the establishment of nuclear-weapon-
free zones on the basis of arrangements freely arrived at among the States of the regions concerned.

19. The ASEAN countries, through sustained efforts, have successfully established a nuclear-weapon-free zone in South East Asia. The South East Asia Nuclear-Weapon-Free Zone Treaty (SEANWFZ) had entered into force on 27 March 1997. A protocol is annexed to the treaty for accession by nuclear weapon-States (NWS). In welcoming the announcement by China at the ASEAN+China Summit in November 2002 of its readiness to accede to the Protocol, we wish to reiterate our call to NWS to accede to the Protocol as soon as possible.

20. We welcome the progress in the implementation of the SEANWFZ Treaty and stress the importance of direct consultations between ASEAN and the five nuclear weapon States. We consider this a significant progress towards encouraging the accession of the nuclear weapon States to the Protocol to the SEANWFZ Treaty.

21. We also reaffirm the importance of vigorous efforts to further strengthen cooperation in supporting the implementation of the SEANWFZ Treaty, with a view to promoting the purposes and objectives of the Treaty, particularly ensuring the early accession by the Nuclear Weapon States.

IX. SSOD IV

Mr. Chairman,

22. This year marks the twenty-fifth anniversary of the convening of the First Special Session of the General Assembly devoted to Disarmament (SSOD I). We took note of the Report of the Open-ended Working Group on SSOD IV which was held in 2003 and underline the need for the issue of SSOD IV to be referred back to the General Assembly for its consideration.

23. We reiterate once again our support for the convening of the Fourth Special Session of the United Nations General Assembly devoted to Disarmament. We continue our call for further steps leading to the convening of the Fourth Special Session with the participation of all Member States of the United Nations as well as the need for SSOD IV to review and assess the implementation of SSOD I, while reaffirming its principles and priorities.

X. Declaration of ASEAN Concord II (Bali Concord II)

24. We welcome the signing of the Declaration of ASEAN Concord II (Bali Concord II) at the 9th ASEAN Summit held in Bali, Indonesia in 2003, which
decided to establish an ASEAN Community comprising the three pillars, namely, political and security cooperation, economic cooperation and socio-cultural cooperation in line with the ASEAN Vision 2020, as a Community of Southeast Asian Nations, bonded together in partnership, in dynamic development and in a community of caring societies. The ASEAN Community would be achieved through the framework of the ASEAN Security Community, the ASEAN Economic Community and the ASEAN Socio-Cultural Community. In this regard, we commended the substantial progress made since the adoption of the ASEAN Concord II in the formulation and finalization of plans of actions of those three pillars as the basis in ASEAN’s strive towards full integration.

XI. ARF process and confidence building measures

Mr. Chairman,

25. The ASEAN countries continue to attach special importance to confidence building efforts among the countries in the region. ASEAN has been steadfastly undertaking concrete measures to enhance regional security through various initiatives at the ASEAN Regional Forum.

26. We note the positive developments in the ASEAN Regional Forum (ARF) process through inter-session activities and linkages between Track I and Track II. We take note with satisfaction of the fruitful discussions and exchange of views at the 11th ARF held in Jakarta in July 2004, which welcomed the admission of Pakistan as the 24th participant in the ARF. We are particularly encouraged that the 11th ARF has reaffirmed the crucial role of ARF as the main political and security forum in the region. We resolve to ensure that ASEAN shall continue to enhance its leading role to further the momentum of cooperation in further advancing the ARF process, as its contribution to the maintenance of peace, security and stability in the Asia Pacific region. It has also recognized the purpose and principles of the Treaty of Amity and Cooperation in the Southeast Asia (TAC) as the key code of conduct for promotion of cooperation, amity and friendship within Southeast Asia and between ASEAN and other ARF participants. We welcome the accession by the People’s Republic of China and India to the TAC in October 2003 and the accession by Japan and Pakistan in July 2004 and look forward to the accession of the Russian Federation to the TAC later on this year. In this connection, we call on non-Southeast Asian countries to consider acceding to the TAC.

27. The ARF has also recognized that terrorism, irrespective of its origins, motivations or objectives, constitutes a threat to all peoples and countries, and to the common interest in ensuring peace, stability, security and economic prosperity in the region and beyond. It has further reiterated the strong condemnation by the Ministers of the acts of terrorism in all its forms and manifestations. Moreover, it has emphasized that the campaign against terrorism should be conducted in full conformity with the purposes and principles
of the Charter of the United Nations and in accordance with the principles of international law, in particular humanitarian and human rights laws.

28. We also note with satisfaction the level of confidence and trust that had been developed under ARF auspices and with the activities in the overlapping areas between CBMs and preventive diplomacy that ARF had begun to undertake.

XII. Conference on Disarmament

Mr. Chairman,

29. We reaffirm the importance of the Conference on Disarmament as the single multilateral negotiating forum on disarmament. We are, however, disappointed and concerned by the continuing impasse in the Conference on Disarmament and note with regret that the Conference of Disarmament was still unable to reach an agreement on the programme of work at its 2004 session. It is our hope that the States concerned will demonstrate their commitment to the process of disarmament and exercise the political will to overcome this deadlock and reach amicable solution in the near future.

30. We note with appreciation that during the 2004 annual session, the successive Presidents of the Conference had conducted intensive consultations with a view to reaching consensus on a programme of work.

31. We also note with appreciation that during the 2004 annual session, the successive Presidents of the Conference had convened structured informal plenary meetings on the substantive issues on its agenda and on additional and new issues, related to its agenda.

32. The ASEAN countries believe the expansion of the Conference on Disarmament is necessary and we fully endorse the application of Thailand and the Philippines.

XIII. Regional Centre for Peace and Disarmament

Mr. Chairman,

33. We wish to take this opportunity to express, once again, our appreciation to the United Nations Regional Centres for Peace and Disarmament in Asia and the Pacific, Latin America and Caribbean and Africa for their effective contributions towards international peace and security. Regional Seminars and Forums, which were organized by those Centres, effectively contribute to the progress of ongoing security and disarmament process in respective regions.
34. We highly appreciate and fully support the dynamic activities and the substantial contributions to the security dialogue and raising the awareness of disarmament issues in the region by the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific. We welcome the convening of United Nations Conference on Disarmament Issues held in Sapporo, Japan in July 2004, which focussed, among other things, on the mounting challenges to nuclear non-proliferation and international response, nuclear black market, strengthening the role of the IAEA, and challenges and prospects of the 2005 NPT Review Conference.

Conclusion

Mr. Chairman,

35. We once again renew our commitment to multilateralism as an important means of pursuing and achieving our common objectives in the fields of disarmament and our determination to further promote multilateralism in this respect.

36. It is now more urgent than ever for us, the international community, to strive for international peace and security and redouble our efforts and live up to our commitments to the goal of creating a nuclear-weapon-free world. We, the ASEAN countries, once again reaffirm our commitment to work cooperatively to achieve these goals as a matter of utmost priority.

I thank you, Mr. Chairman.