Statement

by

Mr. Raza Bashir Tarar, Minister, Permanent Mission of Pakistan to the United Nations,

Introducing Draft Resolution

on “Conclusion of Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons”

in

the First Committee
63rd Session of the United Nations General Assembly

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Statement by Mr. Raza Bashir Tarar Minister, Permanent Mission of Pakistan to the United Nations, introducing draft resolution on "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" in the First Committee of the 63rd UNGA, New York, 30 October 2008

Mr. Chairman,

I have the honour to take the floor to introduce the draft resolution contained in document A/C.1/63/L.7 entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", on behalf of the delegations of Bangladesh, Benin, Brunei Darussalam, Colombia, Cuba, Egypt, El Salvador, Ghana, Guinea, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Myanmar, Peru, Philippines, Qatar, Saudi Arabia, Sri Lanka, Syrian Arab Republic, Uzbekistan, Viet Nam and my own delegation.

Mr. Chairman,

Raised by non-nuclear-weapon States in the 1960s, the demand for security assurances crystallized in 1968 during the final phase of NPT negotiations. However, the response of the nuclear-weapon States reflected in Resolution 255 of the Security Council was not adequate. At the first Special Session of the General Assembly on Disarmament, it was agreed to conclude an international instrument to provide binding and credible negative security assurances to the non-nuclear-weapon States. Unfortunately, however, the declarations made by the four of the five nuclear-weapon States at SSOD-I and, later, at the NPT Extension Conference and reflected in Resolution 984 of the Security Council, were also considered insufficient, qualified and partial by most of the non-nuclear-weapon States.

Mr. Chairman,

Several factors have militated against fulfillment of the expectation that the end of the Cold War would make it easier for Nuclear Weapon States to extend nuclear security assurances to the non-nuclear-weapon States.
The central question is why should NSAs be given and that too in the form of a legal instrument? Allow me to mention few of the potent justifications in this regard.

a) The principle of non-use of force or threat thereof, enshrined in the UN Charter extends to nuclear weapons. In this context, the right to self-defense is not unfettered. International Humanitarian Law requires proportionality of response in armed conflicts – both conventional and strategic.

b) Positive and negative assurances given thus far, being conditional and non-binding, essentially amount to political declarations. Moreover, most such assurances would become inoperative in case of an attack on the states providing the assurances or their allies mounted by an NWS or in alliance with it. Even states of an NWFZ are subject to the same provisos and do not have any ironclad guarantees. Only one nuclear weapon state has given unconditional NSAs to non-nuclear weapon states and the NWFZ states.

c) The indefinite NPT extension has created the presumption among NWS that they have the right to retain nuclear weapons while complete nuclear disarmament under Article VI of the NPT remains open-ended and negotiable.

d) Negative Security Assurances are unfinished business that has to be accomplished sooner or later since the NPT Review Conference and the September Summit of 2005 did not address the issues of disarmament, non-proliferation, and negative security assurances.

e) New security doctrines envisaging possible use of nuclear weapons against the use or threat of use of chemical and biological weapons and against terrorism run counter to the letter and spirit of Security Council resolutions 255 and 984, new security. Additionally, doctrines conjuring up scenarios of winnable nuclear wars against non-nuclear weapon states are not tenable.

f) NAM has rightly expressed concern over the development of new types of nuclear weapons and their possible deployment. New doctrines advocating the development of tactical nuclear weapons for actual use, while eroding confidence building effect of NSAs embody a disastrous miscalculation that the use of low yield nuclear weapons
would remain localized and not conflagrate beyond the theatre of the conflict.

g) Expansion of nuclear alliances and provisions for sharing of nuclear weapons and command and control amongst alliance members has increased the geographical scope of the use of nuclear weapons. NATO, for example, retains the option to use nuclear weapons as part of its deterrence posture. This is inconsistent with the NSA pledges of its NWS members.

h) The NSA concept is weakened by the professed right to use "overwhelming force", understood to include nuclear weapons and nuclear response to non-nuclear weapons of mass destruction.

Mr. Chairman,

Such factors lend great urgency to the task of conclusion of credible negative security assurances to the non-nuclear-weapon States. The co-sponsors of the draft resolution, contained in L.7, seek to underline this sense of urgency and to see it being translated into concrete action.

Mr. Chairman,

Similar to the drafts adopted at previous First Committee sessions, this draft resolution has been technically updated. Reaffirming the urgent need to reach an early agreement of effective international arrangements on negative security assurances, the draft notes with satisfaction that there is no objection in principle to the idea of an international convention on this subject. It appeals to all States, especially the nuclear-weapon States, to work towards an early agreement and recommends further intensification of efforts to evolve a common approach and a common formula on this issue. Finally, it recommends to the Conference on Disarmament to actively continue intensive negotiations with a view to reaching early agreement on negative security assurances.

Mr. Chairman,

The co-sponsors believe that conclusion of effective arrangements on negative security assurances could constitute a major confidence-building measure in the current tense international circumstances between the nuclear and the non-nuclear-weapon States as well as among the nuclear-weapon
States. Secondly, it could contribute to reducing nuclear danger. It could ease the threats which arise from new doctrines of nuclear use and facilitate the negotiations on other matters relating to nuclear disarmament and non-proliferation.

Accordingly, Mr. Chairman, my delegation and the co-sponsors, urge the adoption of the draft resolution in L-7 with the widest possible majority.

I thank you.