

Conference on Disarmament

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English

Final record of the one thousand two hundred and sixty-first plenary meeting

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President: Mr. Kari Kahiluoto..... (Finland)

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The President: I declare open the 1261st plenary meeting of the Conference on Disarmament.

As per the revised schedule of activities contained in document CD/WP.571/Rev.1, today's plenary meeting will be focusing on the issue of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Before beginning our substantive discussions on this topic I would like to enquire whether any delegation wishes to raise any other issue first. This appears not to be the case.

As was the case for last week's discussion on prevention of an arms race in outer space, the United Nations Institute for Disarmament Research (UNIDIR) has provided some background notes, for which I am grateful, and which I will now in an abbreviated form read out as part of my own opening statement for this plenary.

Further to my announcement on 31 May requesting UNIDIR to assist the presidency in structuring the plenary discussions during the Finnish presidency and to present short factual presentations on the topic at hand in the beginning of each session, I will now provide the Conference with the following abbreviated remarks as an introduction to the issue of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Since the negotiation of the Nuclear Non-Proliferation Treaty (NPT) during the late 1960s, many of the non-nuclear-weapon States, especially those of the Non-Aligned Movement, which were not covered by any military alliance and were not in receipt of security guarantees under such an alliance, expected that in return for agreeing to renounce nuclear weapons they should receive assurances that they would not be left vulnerable to attack by countries that still had them. That is, that they would receive legally binding security assurances.

In 1978, the Final Document of the first special session of the General Assembly devoted to disarmament asked nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Since 1978 the Conference on Disarmament has included the topic of negative security assurances (NSAs) in its annual agenda.

In 1979 an ad hoc working group was established and chaired by Egypt. In its first report to the Conference, the group noted that there was wide recognition of the urgent need to reach agreement on effective international arrangements for NSAs, such as an international convention.

The following year the working group agreed that the object of the arrangements should be to effectively assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

There were different views on whether there should be a blanket or qualified extension of NSAs to non-nuclear-weapon States, and on the exceptions associated with the right to self-defence.

Ad hoc groups were reconvened every year until 1994, and in 1995 the nuclear-weapon States circulated renewed pledges on NSAs to the United Nations General Assembly and to the Security Council.

These unilateral declarations from 1995 led to the adoption of Security Council resolution 984 (1995) to the effect that non-nuclear-weapon States parties to the NPT would receive assurances that "the Security Council, and above all its nuclear-weapon State permanent members, will act immediately in accordance with the relevant provisions of the

Charter of the United Nations” to protect non-nuclear-weapon States against attacks or threats of aggression in which nuclear weapons are used.

These unilateral commitments were a part of efforts to secure the indefinite extension of the NPT at the 1995 NPT Review and Extension Conference.

The nuclear-weapon States, however, were not able to find common language for a similar clause in the final outcome document of the Review Conference. Instead, the Conference adopted a recommendation that further steps should be considered to assure non-nuclear-weapon States parties to the NPT against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument.

Aside from Security Council resolutions, NSAs are also included in protocols to the treaties establishing nuclear-weapon-free zones.

Although the NPT nuclear-weapon States express their support for the existing nuclear-weapon-free-zone treaties, the Treaty of Tlatelolco is the only one which has had its protocols ratified by all five NPT-recognized nuclear-weapon States.

After several years of efforts to continue work on NSAs, the Conference reconvened the Ad Hoc Committee on this topic in 1998. That body’s mandate was to negotiate effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Committee began work on 19 May, holding nine meetings in all.

The mandates on fissile material and NSAs in 1998 were stand-alone mandates, not incorporated into a single programme of work.

The Committee has not since been reconvened, leaving NSAs to be addressed in thematic debates on this topic such as those now being conducted in the Conference.

Despite the Conference’s current long-standing deadlock over its programme of work and priorities, it is not thought that any Conference member State officially specifically opposes the establishment of a working group on NSAs.

Recent iterations of a mandate on NSAs envisaged that a subsidiary body dealing with NSAs would “discuss substantively, without limitation, with a view to elaborating recommendations dealing with all aspects of this agenda item, not excluding those related to an internationally legally binding instrument”.

At this time I would like to open the floor to delegations and to invite them to make discussion on NSAs as interactive as possible.

I give first the floor to the representative of Denmark, speaking on behalf of the European Union.

Mr. Iliopoulos (Denmark): I have the honour to speak on behalf of the European Union. The acceding country Croatia, the candidate countries the former Yugoslav Republic of Macedonia, Montenegro, Iceland and Serbia, the countries of the stabilization and association process and potential candidates Albania and Bosnia and Herzegovina, as well as Ukraine and Georgia, align themselves with this declaration.

Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons are mentioned in decision CD/1864 as one of the issues on the Conference on Disarmament agenda for substantive discussion. The EU values the initiative to continue previous thematic debates within the Conference on this issue and is ready for substantive discussion.

The European Union, contributing to the global efforts to seek a safer world for all and to create the conditions for a world without nuclear weapons in accordance with the

objectives of the Non-Proliferation Treaty, recognizes the legitimate interest of non-nuclear-weapon States in receiving unequivocal and legally binding security assurances from nuclear-weapon States. As stated in the EU Strategy against proliferation of weapons of mass destruction, adopted by the European Council in December 2003, in United Nations Security Council resolution 1887 on nuclear non-proliferation and disarmament adopted in September 2009, and again in the EU Common Position for the 2010 NPT Review Conference, positive and negative security assurances strengthen the nuclear non-proliferation regime and can play an important role. They can serve both as an incentive to forgo the acquisition of weapons of mass destruction and as a deterrent. The EU will promote further consideration of security assurances to non-nuclear-weapon States parties to the NPT.

The EU reaffirms the continuing high value of the existing security assurances to non-nuclear-weapon States parties to the NPT on the use of or threat of use of nuclear weapons, provided for by the protocols to the treaties establishing nuclear-weapon-free zones, and of the unilateral statements by each of the five nuclear-weapon States, as noted by United Nations Security Council resolution 984 (1995). Such security assurances, which strengthen the nuclear non-proliferation regime, respond to the legitimate interest of non-nuclear-weapon States.

With regard to non-proliferation disarmament, the EU continues to attach great importance to the development of internationally recognized nuclear-weapon-free zones. Established on the basis of arrangements freely arrived at among States of the regions concerned, as elaborated in the guidelines adopted by the United Nations Disarmament Commission in its substantive session of 1999, nuclear-weapon-free zones enhance regional and global peace and security and are a means to promote nuclear disarmament, stability and confidence.

The EU calls on nuclear-weapon States to reaffirm, in the appropriate forums, existing security assurances noted by United Nations Security Council resolution 984 (1995) and to sign and ratify the relevant protocols on nuclear-weapon-free zones, drawn up following the requisite consultations in accordance with the above-mentioned guidelines, recognizing that treaty-based security assurances are available to such zones. In this respect we welcome the recent progress of the negotiations between ASEAN member States and the five permanent members of the Security Council on the South-East Asian nuclear-weapon-free zone. The EU reiterates its commitment to a Korean peninsula free of nuclear weapons.

The EU regards the establishment of a zone free of nuclear weapons as well as other weapons of mass destruction as well as their means of delivery in the Middle East as a means of enhancing security and stability in the region. Thus, the European Union welcomed the reaffirmation by the 2010 NPT Review Conference of the 1995 NPT resolution on the Middle East and the endorsement of practical steps leading to the full implementation of that resolution. The European Union welcomed the appointment of Under-Secretary of State Jaakko Laajava of the Ministry for Foreign Affairs of Finland as Facilitator and the designation of Finland as the host Government for the 2012 Conference on the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction. We welcomed also the report of Facilitator Laajava, presented during the first session of the Preparatory Committee for the 2015 Review Conference of the Non-Proliferation Treaty. In the run-up to the 2012 Conference, and beyond, we look forward to working together with the Facilitator and all concerned and interested parties, including by follow-up initiatives to the seminar organized by the European Union in Brussels on 6 and 7 July last year, as a contribution to the effort to promote confidence-building and in support of a process aimed at establishing a zone free of weapons of mass destruction and their means of delivery in the Middle East.

Mr. Daryaei (Islamic Republic of Iran): One of the main preoccupations of the members of the NPT during negotiation of the treaty was the provision of credible security assurances to the non-nuclear-weapon States. Non-nuclear-weapon States decided to join the NPT, being aware of the discriminatory nature of this treaty, with this understanding that they would not be the target of use or threat of use of nuclear weapons. Therefore, in the resolution for the adoption of the NPT, the General Assembly requested the then negotiating body to consider urgently the proposal that nuclear-weapon States should give an assurance that they would not use, or threaten to use, nuclear weapons against non-nuclear-weapon States without nuclear weapons on their territories.

It was in response to the insistent requests of non-nuclear-weapon States that the nuclear-weapon States recognized this legitimate interest for the first time in 1978 and then on the eve of the 1995 NPT Review and Extension Conference. The nuclear-weapon States made individual statements to the Conference on Disarmament in which they provided security assurances to non-nuclear-weapon States parties to the Treaty. The Security Council, in its resolution 984, took note of the statements made by each of the nuclear-weapon States, in which they gave security assurances against the use of nuclear weapons to non-nuclear-weapon States parties to the Treaty.

Subject to the full commitment of nuclear-weapon States to their declaration, these assurances remain partial, declarative and limited, with no legal burden on the part of nuclear-weapon States: these do not in any way constitute credible assurances, leaving aside the recent development that some nuclear-weapon States fully breach these commitments and explicitly and implicitly threaten the non-nuclear-weapon States. It is clear that these declarations cannot substitute for an internationally legally binding commitment. The assurances provided under protocols to treaties establishing nuclear-weapon-free zones are also subject to many conditions and are far from the expectations of non-nuclear-weapon States.

It seems that as long as nuclear weapons exist the shadow of the use or threat of use of these inhumane weapons will cloud the life of mankind.

NSAs were first introduced in the agenda of the Conference in 1980. At that time the majority of States would have expected that negotiating a legally binding instrument on negative security assurances should not constitute a major impediment for the Conference. This legally binding instrument would not provide any technical difficulties or excuses to resort to technical difficulties. Indeed, if there had been political will and honesty rather than hypocrisy and duplicity, this negotiation would have been very simple and should have reached concrete results many years ago. The Conference has witnessed many positive proposals in this regard which in some cases didn't go beyond a one-sentence treaty. The Irish proposal that was amended by Russia last year is an example.

It is deplorable that after more than 32 years we still live with the wish to start negotiations on the NSAs, while outside developments are not at all conducive to the goal of NSAs and the resistance in this regard is indicative of scenarios for possible use of nuclear weapons. Those who are using positive security assurances and benefiting from a nuclear umbrella are supporting their godfathers to maintain the reliability of their nuclear arsenals by modernizing them or they are silent on, and satisfied with, the lack of progress in this regard. They should not make themselves falsely happy, because even these States are a target of threat by other nuclear-weapon States. Thus, the only safe guarantee for all is total elimination of nuclear weapons and, pending that, the conclusion of a universal treaty on NSAs.

It is extremely dangerous that some nuclear-weapon States in their nuclear doctrines see the possibility of use of nuclear weapons against non-nuclear-weapon States parties to the NPT and are reviewing the development of easy-to-use nuclear weapons. The matter of

concern is that the threat and dangerous doctrine of use of nuclear weapons against non-nuclear-weapon States was officially and repeatedly proclaimed by high-ranking officials of nuclear-weapon States. All of these vicious developments have put the non-nuclear-weapon States more than ever under the real threat of possible use of nuclear weapons. The recent threat by some nuclear-weapon States against the non-nuclear-weapon States is a blatant breach of the Charter of the United Nations, the agreed principle in the Final Document of the first special session of the General Assembly devoted to disarmament, and the advisory opinion of the International Court of Justice on the illegality of use of such weapons, which should not be tolerated any more. The international community should not await the deployment of such weapons to react. Such policies and practices seem to have learned no lesson from the massacres of Hiroshima and Nagasaki, and should be condemned and not repeated any more.

These assurances are morally incontrovertible. They are not a favour to be granted by nuclear-weapon States. They are not an optional choice for the nuclear-weapon States, but rather, based on international humanitarian law and the principle of security for all, and principles of justice and good faith, they are the legitimate right of countries that deliberately renounce nuclear weapons in the framework of the NPT and they are a legal obligation of nuclear-weapon States. From the international security and stability point of view, the decision of the non-nuclear-weapon States not to pursue nuclear weapons is more important than the decision of those who stick to their nuclear weapons. We believe that unconditional, non-discriminatory, legally binding, credible security assurances to the non-nuclear-weapon States only partially counterbalance the renunciation of nuclear weapons by non-nuclear-weapon States.

Having reviewed all the views expressed on this very important subject, we remain convinced that the only absolute guarantee against the use or threat of use of nuclear weapons is their total elimination through transparent, verifiable and irreversible measures, in accordance with article VI of the NPT and as stipulated in the advisory opinion of the International Court of Justice in 1996. Pending achievement of that goal, nuclear-weapon States must provide legally binding credible and effective security assurances to the non-nuclear-weapon States against the use or threat of use of these weapons. Therefore, the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority by the international community. We propose that the Conference on Disarmament establish an ad hoc committee to negotiate on a draft legally binding instrument on the illegality of use of nuclear weapons and providing unconditional security assurances by nuclear-weapon States to non-nuclear-weapon States parties to the NPT as a matter of urgency.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): Russia is open to developing international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the provisions contained in our military doctrine.

Security assurances are particularly important in the context of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Providing and abiding by such assurances is the fundamental task of all parties to the NPT. We stressed this at the 2010 NPT Review Conference and at the recent first session of the Preparatory Committee for the 2015 NPT Review Conference. Russia has consistently supported non-nuclear-weapon States parties to the NPT in their desire to obtain such assurances. We hold that achieving this goal would promote the universalization of the NPT, strengthen the non-proliferation regime and enhance the level of trust and predictability in relations between States.

We wish to recall that in 1995, Russia co-sponsored United Nations Security Council resolution 984 with the other nuclear Powers. In connection with this resolution

positive security assurances were provided and national statements by nuclear-weapon States on negative assurances were noted.

The obligations of nuclear-weapon States with regard to negative assurances have already acquired a legally binding nature pursuant to the relevant protocols to the nuclear-weapon-free zone treaties. Russia has signed and ratified such protocols to the Tlatelolco, Rarotonga and Pelindaba treaties. We have also provided security assurances to Ukraine, Belarus and Kazakhstan in connection with their renunciation of nuclear weapons.

With the entry into force of the new Treaty on the Reduction and Limitation of Strategic Offensive Arms, the Budapest Memorandum retains its legal force for the three States mentioned. Russia has undertaken to respect Mongolia's non-nuclear status under a bilateral agreement with the country. Consequently, Russia has at present given legally binding security assurances to approximately 120 States. The number will only grow as new nuclear-free zones are established. We are ready to work towards extending the reach of nuclear-weapon-free zones.

Having resolved outstanding issues with the countries of the Association of Southeast Asian Nations (ASEAN), Russia and the other nuclear-weapon States are open to signing protocols to the Southeast Asian Nuclear-Weapon-Free-Zone Treaty (the Bangkok Treaty) in the very near future.

We welcome the decision of the Central Asian States to establish a nuclear-weapon-free zone in their region and support the agreement that these States have concluded. We call on all nuclear States to support the Treaty on a Nuclear-Weapon-Free Zone in Central Asia and sign protocols on the provision of security assurances to the parties thereto.

I would like to address separately the convening of the Conference on the establishment of a Middle East zone free of weapons of mass destruction and their means of delivery, which is a priority. We intend to make every effort to ensure that this critical international event takes place in the proposed time frame, i.e. in 2012, and is as successful as possible, representing the beginning of resolute and multidimensional action towards the establishment of this zone.

In concert with the United States and the United Kingdom, the two other NPT depositaries and co-sponsors of the 1995 resolution on the Middle East, we are working on the implementation of the relevant decisions of the 2010 NPT Review Conference.

We believe that further efforts should be made to ensure the unconditional participation of absolutely all countries of the Middle East in the Conference. Each of them should contribute to creating a regional non-proliferation regime.

We are of the opinion that specific dates for holding the Conference in 2012 should be determined as soon as possible. December, which has often been mentioned in this regard, strikes us as a perfectly acceptable time. In our view, discussions on postponing the Conference pending full stabilization of the region, and on the supposed need first to establish the "necessary political conditions", are extremely misguided and counterproductive. We are convinced that, given the necessary political will, the planned dialogue can in itself become a decisive factor in strengthening trust by establishing a new political climate in the Middle East that will be more conducive to the search for ways and means of resolving the political situation in the Middle East. We stand ready to do whatever we can to support Mr. Laajava in his work.

The Conference on Disarmament is mandated to work on the issue of security assurances, first and foremost owing to its status as the sole multilateral forum for disarmament. In this regard, we reiterate our support for the decision of the 2010 NPT Review Conference on beginning discussions on negative security assurances at the Conference on Disarmament.

Mr. Nurtileuov (Kazakhstan): Kazakhstan, as the country that voluntarily relinquished the fourth largest nuclear arsenal in the world by closing down one of the largest nuclear test sites, at Semipalatinsk, remains a staunch supporter of the global process of disarmament, non-proliferation and nuclear threat reduction. I reaffirm Kazakhstan's position that total elimination of all nuclear weapons is the only absolute guarantee against the use or threat of use of such weapons.

During the sixty-sixth session of the United Nations General Assembly, the President of Kazakhstan called for the start of deliberations on a universal declaration on a nuclear-free world, which would enshrine the commitment of all States to move towards the idea of a nuclear-free world. This would also represent an important step towards the abolition of all conventions on the prohibition of nuclear weapons. Pending total abolition of all nuclear weapons, codifying nuclear security assurances in a universal and legally binding manner will be a high priority for my country.

Kazakhstan joined the NPT as a non-nuclear-weapon State, with the understanding that it will not be a target for the use or threat of use of nuclear weapons. It was a time of great expectations for us. We are all aware that since the entry into force of the NPT there were many recent initiatives aimed at elaborating multilateral legally binding instruments containing NSAs. Nevertheless, the world still has to admit that there is no serious progress in this direction. Also, I wish to refer to the role and importance of Security Council resolution 984 (1995) that took note of the statements made by the nuclear-weapon States with regard to their commitment not to use or threaten to use nuclear weapons against non-nuclear-weapon States parties to the NPT. From our perspective, political declarations are quite a partial measure as they do not create an obligation under international law and are subject to conditions and reservations. Moreover, they are inadequate to prevent risks of nuclear attack.

Nowadays, NSAs are even more crucial both for regional and global security, especially for those who have opted to forgo their nuclear options by joining the NPT. Given the contemporary global concerns, Kazakhstan strongly supports delegations urging resumption of meaningful work within the Conference to negotiate a legal framework that should be universal, unconditional and unlimited in its scope as well as in its duration.

Taking into account the realities of the present international environment, Kazakhstan is of the view that establishment of nuclear-weapon-free zones would be one of the practical ways to address this issue in the meantime. Certainly, creation of such zones is not an end in itself, and it cannot replace a universal and legally binding agreement. We consider it an additional tool to prevent proliferation of nuclear weapons and provide assurances against the use or threat of use of nuclear weapons against non-nuclear-weapon States.

The Semipalatinsk Treaty on the establishment of a nuclear-free zone in Central Asia entered into force in 2009 and is still awaiting assurances from nuclear-weapon States. As a country that has established, in cooperation with its immediate neighbours, a nuclear-weapon-free zone in Central Asia, Kazakhstan emphasizes the strong commitment by the regional States to completing the institutionalization of the Semipalatinsk Treaty. We are ready for a constructive dialogue with the five nuclear-weapon States for an early signing of a protocol on negative assurances to the States of the zone.

I take this opportunity to inform you that Kazakhstan is authorized by the Central Asian States to hold preliminary consultations with the five permanent members of the Security Council. We appreciate nuclear-weapon States' support and due attention to this issue.

As declared by my Foreign Minister in this august audience earlier this year, the Astana Declaration adopted by the Council of Foreign Ministers of the Organization of

Islamic Cooperation (OIC) welcomed the convening of a conference on the Middle East in 2012. A separate resolution of the Council of Foreign Ministers was devoted to the establishment of nuclear-weapon-free zones in the Middle East. The OIC States are convinced that progress in nuclear disarmament and non-proliferation in all their aspects is the firm basis for strengthening international peace and security. Rendering all possible assistance to convening the 2012 conference on the Middle East is among the priorities of Kazakhstan's chairmanship of OIC. We hope that thanks to the political will of regional States a zone free from weapons of mass destruction in this part of the world will be established in the near future.

In conclusion, I reiterate that Kazakhstan stands ready to work with all delegations to explore avenues for resuming our negotiations on all core issues of the Conference, including NSAs.

Mr. Öskiper (Turkey): I will try to keep my intervention as brief as possible. To this end, I wish to underline two points. Turkey supports the elaboration of legally binding international instruments that will assure the non-use of nuclear weapons by nuclear-weapon States against non-nuclear ones.

As a matter of fact Turkey, along with numerous other members of the Conference, has over the years repeatedly called for legally binding security assurances by nuclear-weapon States to the non-nuclear-weapon States parties to the NPT. These assurances, without a doubt, would help to strengthen the non-proliferation regime.

In our view, the issue of negative security assurances is firmly anchored in the NPT regime. The 1995 and 2000 NPT review conferences not only endorsed the unanimously adopted United Nations Security Council resolution 984 on unilateral security assurances of each of the nuclear-weapon States, but also called for the consideration of additional measures, including international and legally binding instruments.

The Final Document of the NPT Review Conference of 2010 also made specific references to negative security assurances. In this regard, it is incumbent upon all of us to implement the relevant articles of the action plan of 2010.

Secondly, Turkey is of the opinion that nuclear-weapon-free zones play a significant role in enhancing regional and consequently global peace. They are important tools in generating security and confidence. Such initiatives in Latin America and the Caribbean, the South Pacific, Africa, South-East Asia and Central Asia are pioneers of further such zones.

This being said, we are looking forward to the international conference to be held this year on the Middle East, in accordance with the action plan of 2010. Being one of the most dynamic and volatile regions in the world, Turkey believes that the Middle East deserves particular attention in this regard. Turkey would very much like to see a Middle East free of all weapons of mass destruction and their means of delivery. To this end, we hope to see fruitful discussions in the path towards this conference, and hopefully a successful result at the earliest convenience. We welcome the report of the Facilitator Ambassador Jaakko Laajava which was presented during the first NPT Preparatory Committee last month, and look forward to further outcomes from this report. The two priorities for Turkey on this issue are to hold the conference this year and to make sure that all of the States of the region participate.

Keeping in mind the current sociopolitical developments in the Middle East, successfully realizing a conference on the region as a zone free of all weapons of mass destruction and their delivery means will be a significant development with possibly positive repercussions in other matters of discussion in the region.

To conclude, allow me to reiterate that in recent years, extensive and in-depth discussions within the Conference have enabled the members to be further acquainted with each others' views and positions. Turkey believes that there is ample ground to have further and even more fruitful discussions on this agenda item in the Conference.

Ms. Kennedy (United States of America): The United States stands by the security assurance that it provided to all non-nuclear-weapon States parties to the Non-Proliferation Treaty who are in full compliance with their non-proliferation obligations, as stipulated in our 2010 Nuclear Posture Review. We are also convinced that the most appropriate way of implementing legally binding negative security assurances is through adherence to the relevant protocols to nuclear-weapon-free-zone treaties.

We have long supported properly crafted nuclear-weapon-free zones, which when rigorously implemented under appropriate conditions can contribute to regional and international peace, security and stability. Such treaties can only be negotiated on a regional basis with compliance by all regional parties and under appropriate conditions unique to each region. These treaties generally include prohibitions against the development, possession, stationing, transfer, testing and use of nuclear weapons, and their respective protocols provide for legally binding negative security assurances. They provide valuable regional support to the NPT and the international nuclear non-proliferation regime, as the 2010 Review Conference Final Document recognized.

We have been doing our part to extend NSAs using this valuable instrument of nuclear-weapon-free zones. In addition to having signed and ratified the Treaty of Tlatelolco, the United States submitted for Senate advice and consent to ratification the protocols to the nuclear-weapon-free zones established for Africa and the South Pacific, following up on our commitments at the NPT Review Conference. Also at the Review Conference, you will recall, I hope, Secretary Clinton also indicated our readiness to engage with parties to nuclear-weapon-free zones in South-East and Central Asia.

I am pleased to report that we have since concluded consultations with Association of Southeast Asian Nations (ASEAN) States, which will allow the United States and other permanent members of the Security Council to sign the Protocol to the Treaty of Bangkok on a nuclear-weapon-free zone in South-East Asia. We are finalizing arrangements for a signing ceremony this summer. This was a major undertaking made possible by the constructive engagement of the ASEAN States, under the leadership of Indonesia and Cambodia, and our P5 partners. The United States is also reviewing the protocol to the Central Asia nuclear-weapon-free-zone treaty and looks forward to further engagement on this issue. And of course we welcome Mongolia's declaration of its nuclear-weapon-free status and support the measures taken by Mongolia to consolidate and strengthen this status, reflecting its unique geographical position.

The United States continues to support the goal of the Middle East weapons-of-mass-destruction (WMD)-free zone. We recognize that practical conditions will need to be in place to realize this long-term effort, including regional peace and security and full compliance by regional States with non-proliferation obligations. We also recognize that the impetus for a Middle East WMD-free zone must come from the region, since it cannot be imposed from outside. The United States is lending its full support to the Facilitator of the conference on a Middle East WMD-free zone, the distinguished Finnish Under-Secretary, Ambassador Jaakko Laajava. Regional States now have the primary responsibility to ensure that this conference can be carried out in an unbiased and constructive manner to allow the participation of all the neighbours.

We appreciate this opportunity to share our views on regional nuclear-weapon-free zones as a legal mechanism for the extension of NSAs. We are not persuaded that a global

convention on NSAs is practical or achievable, but we are certainly willing to engage in a substantive exchange of views regarding different national perspectives on this issue.

The President: I would now give the floor to the representative of the Philippines.

Mr. Domingo (Philippines): Mr. President, as this is the first time the Philippines is taking the floor under your presidency, I wish to take this opportunity to congratulate you on your assumption of duties as our President, and to assure you of our full support. May I also express our appreciation for your constructive approach to our work, and your extensive consultations, particularly with the G21 and the informal group of observer States?

Today is the National Day of the Philippines, the 114th anniversary of the proclamation of our independence, and we wish to rededicate ourselves to our republic's founding principles of freedom and democracy, and in today's context freedom from nuclear weapons and other weapons of mass destruction.

I would like to express our appreciation to you and the colleagues present today for our fruitful discussions on negative security assurances, and to UNIDIR for its assistance. In the South-East Asian context, we worked closely with our colleagues in ASEAN and partners for the furtherance of the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone, or Bangkok Treaty, and welcome the progress being made on the next major milestone for our zone, the signing and ratification of the protocol to the treaty by the nuclear-weapon States. We hope to accomplish this within this year, as there is already agreement in principle to sign the protocol by the nuclear-weapon States, and we thank Ambassador Kennedy for her statement. We would also like to continue our dialogue with other nuclear-weapon-free zone regimes, and particularly wish to thank our colleagues in the Tlatelolco Treaty regime and the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) for their invaluable assistance and counsel. We also look forward to interaction with the Mongolia, Pelindaba, Rarotonga and Semei regimes, and urge progress towards realization of a nuclear-weapon-and-WMD-free zone in the Middle East and a nuclear-weapon-free Korean peninsula. We also wish to thank again UNIDIR, the Geneva Forum, Reaching Critical Will and other friends in academia and civil society for their important work in advocacy and education with regard to NSAs and the overall nuclear and WMD disarmament dialogue.

Mr. Khvostov (Belarus) (*spoke in Russian*): Our delegation sees the subject of today's discussion as one of the key agenda items of the Conference on Disarmament.

Belarus has made a substantial contribution to creating a nuclear-free world, having acceded to the Treaty on the Non-Proliferation of Nuclear Weapons in 1993 as a non-nuclear State and cleared the country of nuclear weapons by the end of 1996. We have thereby fulfilled all of our obligations under international agreements governing nuclear missiles. I recall that the text of the 2010 Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms expressed deep appreciation for the contribution of Belarus to nuclear disarmament and strengthening international peace and security.

We consider that the proliferation of nuclear weapons and the materials and technology required to build them represents one of the most serious challenges to international security and stability, particularly with the current growing terrorist threat.

Belarus as a non-nuclear-weapon State attaches particular importance to the provision of assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons by nuclear-weapon States. The need for the development of a comprehensive and legally binding agreement on the provision of unambiguous and

unconditional security assurances to non-nuclear States is more than urgent. Such assurances should be given to non-nuclear-weapon States parties to the NPT.

Action 8 of the action plan on nuclear disarmament which was unanimously adopted at the 2010 NPT Review Conference enshrined the commitment of nuclear-weapon States to fully respect their existing commitments with regard to security assurances to non-nuclear States.

Our experience in the area of nuclear disarmament shows that non-nuclear States should seek to conclude a legally binding document on security assurances.

The Memorandum on Security Assurances in Connection with the Republic of Belarus's Accession to the Treaty on the Non-Proliferation of Nuclear Weapons, signed in Budapest on 5 December 1994 (document CD/1287 of 13 January 1995) is unfortunately not being fully implemented by the two Western signatories. I mention this to underline that assurances cannot be achieved with political statements and promises; a legally binding multilateral instrument is essential.

Mr. Simon-Michel (France) (*spoke in French*): France fully subscribes to the statement just delivered on behalf of the European Union.

My country has made strong commitments to allow non-nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) to receive assurances against the use or threat of use of nuclear weapons.

In a unilateral declaration delivered before the Conference on Disarmament on 6 April 1995, which the Security Council noted in resolution 984 of 11 April 1995, France extended positive and negative security assurances to all non-nuclear-weapon States parties to the NPT which respect their non-proliferation commitments. For France, this declaration constitutes a unilateral act of international law which creates legal obligations. The Security Council noted these security assurances in resolution 1887 of 2009, affirming that they strengthened the non-proliferation regime.

I would also like to emphasize the progress achieved, with the other nuclear-weapon States parties to the NPT and the member States of the Association of Southeast Asian Nations (ASEAN), towards the signature of a protocol to the Bangkok Treaty establishing a nuclear-weapon-free zone in South-East Asia, which we are due to sign in the coming months. After more than 10 years of deadlock, this progress had been made possible thanks to a number of negotiating sessions which began in Geneva around a year ago and continued in New York, on the sidelines of the First Committee, and then in Bali at the end of last year.

The signature of this protocol will make it possible to complete the system that today enables more than 100 States to benefit from security assurances of this kind through the creation of nuclear-weapon-free zones. France is also a party to the relevant protocols to the Treaty of Tlatelolco, the Rarotonga Treaty and the Treaty of Pelindaba. My country stands ready to broaden this system, in accordance with the principles established by the Disarmament Commission in 1999 and in conformity with international law, including the law of the sea.

For France, the extension of negative security assurances within a regional framework, through protocols to treaties establishing nuclear-weapon-free zones, is one of the main routes to disarmament and also to nuclear non-proliferation.

Mr. President, be assured that my country will spare no effort to support the mission of your compatriot, Mr. Jaakko Lajaava, as facilitator of the conference on establishing a Middle East zone free of nuclear and other weapons of mass destruction as well as of their means of delivery, which is to be held this year, 2012, with the participation of all States of

the region as well as the main stakeholders in this region. We are all aware of how essential this conference is.

France's doctrine of deterrence is fully consistent with the security assurances it offers. It limits even further the circumstances in which nuclear weapons might be used. The sole purpose of this doctrine, which is strictly defensive, is to guarantee that the vital interests of the nation are safeguarded, while rejecting the idea that nuclear weapons might be considered battlefield weapons for use in support of military strategy. It is reserved for extreme situations of self-defence, which is a right enshrined under the Charter of the United Nations.

We would like to add in closing that this doctrine does not target any particular State and that France's nuclear forces are not aimed at any target.

Mr. Wu Haitao (China) (*spoke in Chinese*): Mr. President, China has consistently held the view that security assurances from nuclear-weapon States to non-nuclear-weapon States are of real importance for the full implementation of the Treaty on the Non-Proliferation of Nuclear Weapons and for the active promotion of nuclear disarmament and non-proliferation of nuclear weapons.

Firstly, non-nuclear-weapon States' demands for legally binding security assurances are entirely legitimate and reasonable. Their commitment not to develop or acquire nuclear weapons is a conscientious contribution to the international nuclear disarmament and non-proliferation process, and in return they should receive security assurances from nuclear-weapon States. Receiving such assurances will help give them a deeper sense of security, decrease their motivation to pursue nuclear weapons and help to maintain and strengthen the international nuclear non-proliferation regime.

Secondly, the fundamental way of resolving the issue of negative security assurances is through the complete prohibition and thorough destruction of all nuclear weapons. Before we can achieve this goal, nuclear-weapon States need to make a commitment not to be the first to use nuclear weapons at any time or under any circumstances, and unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones, and conclude an international legal instrument to that effect as soon as possible. At the same time, if nuclear-weapon States do reduce the role of nuclear weapons in their national security policies, do not target any country for a nuclear strike and do not draw up any plans to launch nuclear strikes against non-nuclear-weapon States, they will foster progress on the issue of negative security assurances.

Thirdly, the Conference should begin substantive work as soon as possible to negotiate and conclude an international legal instrument on negative security assurances. Every year since the 1990s the General Assembly has adopted a resolution calling on the Conference to begin negotiating an international legal instrument on negative security assurances. For many years in a row the Conference convened an ad hoc committee on negative security assurances, which did in-depth work on specific issues such as the channels and steps involved. The ad hoc committee made many useful suggestions and laid a good foundation on which to negotiate and conclude a legal instrument. The action plan agreed at the 2010 NPT Review Conference also proposed that the Conference should, on the basis of an adopted programme of work, begin substantive work on negative security assurances as soon as possible.

Ms. Mehta (India): Mr. President, we join other colleagues in thanking you for this opportunity to outline our views on negative security assurances. We also wish to thank you for providing the Conference with background on the issue, which has been on the agenda of the Conference since 1979. The Final Document of the first special session of the General Assembly devoted to disarmament underscored the need for nuclear-weapon States

to pursue efforts to conclude effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Nuclear weapons pose the gravest danger to humanity and to international peace and stability. The best assurance against their use or threat of use is their complete elimination. India has been consistent in support for global, verifiable and non-discriminatory nuclear disarmament. We are committed to achieving the goal of a nuclear-weapon-free world at an early date.

In the absence of global nuclear disarmament, as part of our doctrine of credible minimum nuclear deterrence, India has espoused the policy of no first use against nuclear-weapon States and non-use against non-nuclear-weapon States. We are prepared to convert these undertakings into multilateral legal arrangements.

Progressive steps for delegitimization of nuclear weapons are essential to the goal of their complete elimination. While we work towards this goal, measures could be taken to reduce nuclear dangers. Measures to reduce nuclear danger arising from accidental or unauthorized use of nuclear weapons increasing restraints on the use of nuclear weapons and de-alerting of nuclear weapons are pertinent in this regard. India's resolutions in the United Nations General Assembly First Committee entitled "Convention on the prohibition of the use of nuclear weapons" and "Reducing nuclear danger" give expression to some of these measures and have found support from a large number of countries. Our working paper CD/1816, tabled in the Conference in February 2007, also suggested specific measures relevant to our debate today, including one for a global first-use agreement and a convention on the prohibition of the use of nuclear weapons.

As part of the G21 and the Non-Aligned Movement, India has supported the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States as a matter of priority. The negotiation of such an instrument will complement other measures to reduce the salience of nuclear weapons in security doctrines and improve the international climate for promoting nuclear disarmament and non-proliferation in all its aspects.

In conclusion, we believe that non-nuclear-weapon States have a legitimate right to be assured against the use or threat of use of nuclear weapons. We remain committed to working with other members of this Conference towards the objective of the establishment of a subsidiary body to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Mr. Jackson (Ireland): Mr. President, as this is the first time that my delegation takes the floor during your presidency, I would like to congratulate you on your assumption of the role and assure you of my delegation's full cooperation.

My delegation would also align itself with the statement delivered this morning on behalf of the European Union.

For my delegation, it is a firmly held and long-standing belief that the only absolute guarantee against the use or threat of use of nuclear weapons is their complete and total elimination. The complete and verifiable elimination of nuclear weapons is a goal for which Ireland has striven for over five decades. Negative security assurances could be an important measure pending the achievement of a world without nuclear weapons, but they can only be an interim measure toward that goal about which many have spoken in this Conference in recent weeks – a world that is free of nuclear weapons.

For States like Ireland, which have voluntarily taken on a binding legal obligation never to acquire nuclear weapons, we consider it is logical to expect that there is a guarantee that such weapons will never be used against them. The decision by the

overwhelming majority of the world's States to commit themselves never to acquire nuclear weapons enhances the security of all, including nuclear-weapon States. In 1995, Security Council resolution 984 recognized the legitimate interest of non-nuclear-weapon States parties to the NPT in receiving security assurances. That resolution also noted the security assurances contained in statements by the five nuclear-weapon States.

Outcome documents from the NPT Review Conferences of 1995, 2000 and 2010 have all made references to security assurances. In each of those documents the language used differs but they share a common feature, a reference to a legally binding security assurance.

With the legitimate interest of non-nuclear-weapon States in receiving unequivocal and legally binding security assurances being so widely acknowledged and recognized, my delegation finds the absence of an instrument troubling and the failure to even start negotiations on one disturbing.

It is sometimes argued that a treaty on negative security assurances is a less urgent matter on the disarmament agenda because unilateral declarations such as those noted by Security Council resolution 984 are sufficient to meet the needs of non-nuclear-weapon States. It has also been argued that the protocols to treaties establishing nuclear-weapon-free zones are a means of providing security assurances. We find neither of these arguments convincing.

Naturally, we acknowledge and welcome the fact that some nuclear-weapon States have in recent years strengthened their declaratory policies with regard to security assurances. However, we recall that the 1995 declarations contain caveats that are open to interpretation and are therefore unclear. For my delegation, unilateral declarations, while welcome, must be interpreted for what they are: unilateral policy statements. Such statements are not legally binding and may be changed or abandoned at any moment. Thus we are compelled to conclude that such declarations are insufficient.

My delegation acknowledges the value of nuclear-weapon-free zones, and of the security assurances contained in the protocols to the treaties establishing them. We welcome the indications, including this morning's, that the nuclear-weapon States have made significant progress towards ratifying the protocols to the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone. My delegation is concerned that in several cases the signature or ratification of other such protocols by nuclear-weapon States have been accompanied by unilateral declarations or reservations which appear to be designed to retain the possibility of using nuclear weapons in certain circumstances.

The creation of a zone free of nuclear weapons and all other weapons of mass destruction and of their means of delivery in the Middle East would be a very significant step. In this regard, Ireland would like to express its deep appreciation for the work being carried out by Under-Secretary Laajava as Facilitator and the Government of Finland as host for the conference on this important issue.

Regrettably, though the number of nuclear-weapon-free zones has increased, there remain areas, such as our own, where, because of the presence in them of nuclear weapons and/or of States who consider themselves to be covered by nuclear umbrellas, the creation of nuclear-weapon-free zones is unrealistic or untenable. It seems illogical to us that any non-nuclear-weapon State's possibility of receiving legally binding NSAs should be negated by the sovereign decisions of its neighbours based on their own perceptions of their national security.

My delegation recalls that during last year's exchange of views on this topic in the Conference, some delegations had reservations about whether the negotiation of a multilateral legally binding instrument on NSAs should take place in this forum or another.

My delegation does not consider that the negotiation of a treaty in this Conference would necessarily oblige any State to condone the possession of nuclear weapons by States which are not party to the NPT. Thus, we do not have a particular preference for the forum in which negotiations should be carried out but believe that negotiations in this forum would add to the track record of this Conference, a track record that has not seen any additions for over a decade.

For my delegation, the core of such a treaty would be a general prohibition on the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the NPT. The treaty should be open to and achieve universal adherence. For States such as Ireland, a non-nuclear-weapon State party to the NPT, it would not add to our existing obligations. For other States it would not confer any new status upon them. Work on a treaty would not be starting from scratch, and my delegation would recall that we suggested, during last year's exchange of views on this topic, that an instrument on NSAs might be based on a single rather simple sentence. My delegation would recall that ad hoc committees were established in this Conference in 1993 and in 1998. I would like to take this opportunity to also recall that the New Agenda Coalition submitted a working paper on the subject of NSAs, with a draft of a possible protocol or agreement annexed to it, to the 2005 NPT Review Conference. That paper reviewed the background to the question of security assurances, including the nature and scope of the assurances provided, contained elements that could be included in a legally binding instrument, and proposed a format for such an instrument.

My delegation would like to thank you, Mr. President, and your predecessor Ambassador Getahun for the opportunity provided by the schedule of activities to exchange views on this important topic. While these discussions and exchanges are not a substitute for the agreement and implementation of a programme of work, it is the hope of my delegation that by exchanging views in plenary session like today, we can bring the long overdue prospect of substantive negotiations closer.

Ms. Wardhani (Indonesia): Achieving total global nuclear disarmament remains the highest priority for the Indonesian Government. Pending the achievement of that goal, and as a State which has renounced the nuclear weapons option, we would like to emphasize that our demand for security assurances remains prevalent.

Let me recall the initiatives which have been made in the context of NSAs.

NSAs have been deemed very important since the Nuclear Non-Proliferation Treaty was negotiated in the 1960s, and they have been constantly discussed in the NPT ever since. The NPT Review Conference 2010 Final Document stipulated that all States agreed that the Conference should immediately begin discussions on effective international arrangements to assure without limitation non-nuclear-weapon States against the use or threat of use of nuclear weapons; this with a view to elaborating recommendations dealing with all aspects of NSAs, not excluding an international legally binding instrument.

In 1966, General Assembly resolution 2153 A (XXI) requested the Eighteen-Nation Committee on Disarmament to consider urgently the proposal that the nuclear-weapon Powers should give an assurance that they will not use, or threaten to use, nuclear weapons against non-nuclear-weapon States without nuclear weapons on their territories.

Unfortunately the response from the nuclear-weapon States, reflected in Security Council resolutions 255 (1968) and 984 (1995), which included a number of reservations from the four nuclear-weapon States members of the Security Council, remained incomplete. However, the requests for these security assurances are still prevalent.

In 1978, the Final Document of the first special session of the General Assembly devoted to disarmament asked nuclear-weapon States to pursue efforts to conclude

appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

In the context of the Conference, an ad hoc committee was set up to discuss NSAs, but it did not make any progress. There has not been any effort since 1999 to reconvene this ad hoc committee in spite of requests to do so from a large number of member States. A resolution on NSAs has been introduced in the United Nations General Assembly since 1990, and with reference to the latest resolution (66/26), a large majority of States approved it by 119 in favour to none against, with 56 abstentions.

Numerous initiatives have been made, and no State objects to the concept of NSAs, yet no single legally binding instrument is on the way to guarantee the attainment of NSAs for States which do not possess nuclear weapons.

Indonesia believes that, given geographical limitations, the establishment of nuclear-weapon-free zones is not sufficient to guarantee the aforementioned security assurances, and neither is the declaration by States that possess nuclear weapons. These zones and the unilateral declaration may constitute efforts to provide security assurances. However, they cannot serve as a substitute for universal legally binding security assurances which are designed to convince States not to pursue the nuclear weapons option.

In order to curtail nuclear proliferation, every nuclear-weapon possessor must be willing to provide assurances that they will not use or threaten to use nuclear weapons against States that do not possess these weapons.

Pending the achievement of the complete elimination of nuclear weapons, the Indonesian delegation would like to stress the urgent need for early agreement on a universal, unconditional and legally binding instrument to assure States that do not possess nuclear weapons against the use or threat of use of nuclear weapons. In order to attain that objective, my delegation views that the establishment of an ad hoc committee or a working group dealing with NSAs in the Conference is pertinent.

Mr. Woolcott (Australia): Mr. President, as this is the first time I have taken the floor under your presidency, let me congratulate you and assure you of Australia's support and appreciation for all your work.

Australia supports the provision of NSAs by the nuclear-weapon States to non-nuclear-weapon States parties to the NPT. Australia would welcome stronger and more effective assurances from the nuclear-weapon States, with fewer caveats. Australia considers that NSAs should support the nuclear non-proliferation regime and the goal of a world without nuclear weapons.

As a State party to the Treaty of Rarotonga, which established the South Pacific Nuclear-Weapon-Free Zone in 1985, Australia is a strong supporter of nuclear-weapon-free zones, freely arrived at among the States of the region concerned. Australia sees such zones as important means by which NSAs can be provided to non-nuclear-weapon States parties to the NPT.

Australia is pleased that all five nuclear-weapon States have signed and four have ratified the second and third protocols to the Treaty of Rarotonga. These protocols respectively provide NSAs and a commitment not to test nuclear weapons within the zone. Australia also welcomes the Obama administration's submission of the Rarotonga protocols as well as the protocols to the Pelindaba Treaty to the United States Senate for advice and consent to ratification.

Australia is also pleased that the ASEAN States and the nuclear-weapon States have made substantive progress toward the latter signing the protocol to the Bangkok Treaty.

Australia encourages the development of further zones, including in such regions as the Middle East. In this regard, Australia welcomes continuing efforts and encourages further efforts by all relevant stakeholders to implement and support the conclusions and recommendations for follow-on action in respect of the Middle East, agreed at the 2010 NPT Review Conference.

Australia recalls the important responsibility which the 2010 NPT Review Conference placed on the Conference on Disarmament to take forward substantive work on NSAs through action 7. Australia stands ready to work in the Conference on the basis of action 7, as well as action 6 and action 15.

Mr. Akram (Pakistan): Mr. President, at the outset I would like to express our appreciation for the paper prepared by UNIDIR as read out by you on this issue. My delegation welcomes this opportunity to share our views on negative security assurances. The demand for concluding legally binding and effective international negative security assurances by nuclear-weapon States to non-nuclear-weapon States (NSAs) has been on the international arms control and disarmament agenda since the 1960s. This demand was reinforced and crystallized in paragraphs 32 and 59 of the consensually adopted Final Document of the first special session of the General Assembly devoted to disarmament.

While for several decades the Conference has also discussed the need and urgency for concluding NSAs, it is lamentable that we are as distant from this important goal as we were half a century ago.

Pakistan considers the issue of NSAs as second only to nuclear disarmament in terms of importance. However, till the time the world is rid of nuclear weapons, it is of utmost importance to prevent the use of nuclear weapons, especially against States that do not possess them. Pakistan has therefore espoused the cause of NSAs since the 1960s and has traditionally played a leading role in this regard.

Every year the General Assembly adopts a resolution on NSAs, tabled by Pakistan and co-sponsored by a large number of countries. In 2011, paragraph 5 of resolution 66/26 called on member States to “actively continue intensive negotiations with a view to reaching early agreement and concluding effective international agreements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons”. Paragraph 1 of the same resolution reaffirmed the urgency of concluding such agreements, and the sixth preambular paragraph recognized the need to safeguard the independence and sovereignty of the non-nuclear-weapon States.

Pakistan believes that the responses of some of the nuclear-weapon States to this long-standing demand, as contained in Security Council resolution 255 (1968), in declarations by four of the five nuclear-weapon States at the first special session on disarmament, and in Security Council resolution 984 (1995), are insufficient and partial. These unilateral declarations contain qualifiers and caveats, the interpretation of which lies with the States giving those declarations. They thus cannot substitute for a credible and a legally binding instrument on NSAs.

For us, these qualifying declarations are an extension of the discriminatory provisions of the NPT. For example, if a nuclear-weapon State can reserve the right to use nuclear weapons in case of “an invasion or any other attack”, as their unilateral declarations state, then do the non-nuclear-weapon States also have the right to build nuclear weapons if they are faced with a threat of invasion or any other attack?

It is important to reiterate here that Pakistan’s nuclear programme is a product of its security compulsions and not its desire for prestige and status. As a responsible nuclear-weapon State, our strategic doctrine is based on maintaining minimum credible deterrence. Yet we have given our unconditional pledge not to use or threaten to use nuclear weapons

against States not possessing nuclear weapons, and we are ready to transform this pledge into a legally binding international instrument.

We have already elaborated our rationale for supporting legally binding instruments on NSAs in several of our previous statements to the Conference. Let me briefly summarize the main elements:

- The option of using nuclear weapons against non-nuclear-weapon States is not only strategically untenable but morally unacceptable, indeed reprehensible;
- In our view, the principle of non-use of force or threat of force, as enshrined in the Charter of the United Nations, extends to the use of nuclear weapons. Concluding legally binding agreements or agreement on NSAs is therefore an obligation, not an option. Since NSAs do not involve any elimination, reduction or freeze on nuclear weapons, they do not undermine the security of any nuclear-weapon State;
- As long as the goal of nuclear disarmament eludes us, NSAs can bridge the security gap between nuclear and non-nuclear-weapon States;
- Concluding and implementing NSAs causes no financial burden and is therefore a cost-free exercise with immense benefits for global peace and security;
- Once concluded, NSAs would obviate concerns amongst non-nuclear-weapon States on account of new doctrines and technologies regarding the use of nuclear weapons, including their tactical use;
- NSAs can make a significant contribution to strengthening the international non-proliferation regime. However, their absence would have an opposite effect;
- NSAs would constitute a major confidence-building measure between the nuclear and non-nuclear-weapon States, thus leading to a genuinely conducive international environment facilitating negotiations on other matters related to nuclear disarmament and non-proliferation;
- Commencing negotiations on this agenda item would meet the demands of all member States pushing for the Conference to undertake substantial negotiations.

In view of the importance and rationale that I have just explained, Pakistan would urge the Conference on Disarmament to immediately establish a subsidiary body to negotiate an effective international agreement or agreements assuring non-nuclear-weapon States against the use or threat of use of nuclear weapons. We are not alone in making this demand. The G21, comprising more than half the membership of this august body, has repeatedly called for the same action, as reflected in CD/1924, and it has also been elaborated in the paper prepared by UNIDIR that such an exercise has already been undertaken by the Conference; therefore we find it quite odd that it is not possible for us to do so at this stage.

In this regard, we would like to say that substantive work can commence on the basis of either of the two draft texts submitted in the Conference in 1979; the draft text CD/10 by Pakistan or the draft text CD/23 submitted by the G21. We also believe that negotiations on NSAs will serve to break the current deadlock in the Conference that has prevailed for more than a decade.

It is worth reflecting as to why the Conference has not been able to commence substantive work on NSAs despite the overwhelming support reflected in the relevant General Assembly resolutions and the G21 statements in the Conference. In this regard, the States that oppose establishing a subsidiary body to negotiate NSAs should clearly outline their position and take responsibility for the ongoing stalemate in the Conference. There is in our view a contradiction here because, as stated in the document prepared by UNIDIR,

despite the Conference's current long-standing deadlock on the programme of work and priorities, it is not thought that any CD member State officially, specifically opposes the establishment of a working group on NSAs, and therefore our bewilderment in this regard is more pronounced.

What also merits attention is an analysis of why these States oppose legally binding instruments on NSAs. If they do not want to unconditionally and legally relinquish their right to use nuclear weapons against non-nuclear-weapon States, how will they possibly relinquish nuclear weapons at all? Without unequivocal and legally binding NSAs, how are they contributing to the cause of non-proliferation, which they so clearly espouse? It is clear to us that these States only want to have selective and discriminatory steps towards non-proliferation, without any quid pro quo towards genuine nuclear disarmament, or any step leading thereto, such as NSAs. That was their policy at the time of concluding the NPT, as well as at the time of the NPT's indefinite extension. And that is their policy now in the Conference, with regard to an FMCT.

Ms. Adamson (United Kingdom of Great Britain and Northern Ireland): Mr. President, I would like to wish the Philippines happy birthday. I think it may also be Russia's National Day. We look forward to celebrating with you later this week. Hopefully, with the Philippines we can have another birthday cake when we sign the Protocol to the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone in the summer.

I won't repeat much of what has already been said, but I want to associate the United Kingdom with the statement given by Denmark on behalf of the EU.

Others have spoken about declarations which were made in the run-up to the 1995 Review and Extension Conference to the NPT, and in fact our Chinese colleague recalled that as recently as last month the five permanent members of the Security Council made another statement reflecting our position on NSAs. I also want to say for the United Kingdom that after the 2010 elections the new Government conducted a strategic defence and security review which resulted in an updated negative security assurance. I also wish to recall that we operate a minimum credible nuclear deterrent. Our weapons are on several days' notice to fire and are not targeted at anyone.

I remember back in the 2010 NPT Review Conference we spent a lot of time talking about NSAs, and the outcome document talked about the interest of non-nuclear-weapon States in receiving NSAs. I think this morning's session shows again just how much resonance this issue has for the non-nuclear-weapon States. So while our own priority is the commencement of negotiations on FMCT, I don't want to in any way diminish the interest in the subject from other people in the chamber.

I also wanted to mention a few things on nuclear-weapon-free zones, which the United Kingdom sees as the vehicle for providing legally binding NSAs. Again back in 2010 we tasked ourselves, all of the NPT membership, to look again at the protocols to existing nuclear-weapon-free zones and to see whether we could move closer to signing protocols and whether we have not already done so, and I am very pleased to see that we have in the case of the Southeast Asia Nuclear-Weapon-Free Zone got much closer to agreement on signing the Protocol. We are also in discussions about a Central Asian nuclear-weapon-free zone and on Mongolia's nuclear-weapon-free status.

I want to pick up on a couple of things Ambassador Akram just said, because I do hope we could have some interactive debate about the issue. He talked about selective and discriminatory steps. Going back to the Disarmament Commission's 1999 Guidelines, which were one of the few products from the Commission, sad to say, and obviously reflect the views of the whole membership, the role of nuclear-weapon-free zones was stated in those guidelines, and in fact steps by which one could conclude such zones in coordination with the nuclear-weapon States were clearly stated there. So I would say that countries in

the ASEAN region or in Central Asia have actually set out and said they want to conduct such protocols with us, so I don't think we should diminish the wish of countries to actually enter into regional nuclear-weapon-free zone arrangements with us.

On the potential for doing an NSA treaty in the Conference, as I said before, our priority is FMCT. I realize that progress on disarmament eludes us, but we wish to continue trying to have progress on disarmament, that is very much what we are pushing for and that is what the 2010 NPT Review Conference was all about. So I would say we have to keep trying on disarmament while recognizing that this is a very legitimate subject for discussion, so I am sure in the course of the informals over the next six weeks or so we can come back to NSAs, and we would welcome a more thorough discussion.

I just want to close with a few words on the Middle East WMD-free zone and through you, Mr. President, to thank Mr. Laajava for the statements and interactions which he had in Vienna at the NPT Preparatory Committee. I know he and his team have been working tirelessly in preparation for the 2012 conference and I want to say that we, the co-conveners, heard his appeal when he said he needed help from us to convene the conference, and he also said that he needed help from the countries of the region to make this a reality, and I would just like to reiterate the support of the United Kingdom for the conference this year but also to urge us all to hear Mr. Laajava's appeal and for all of us to signal to each other that we do indeed want to have a good and productive conference this year.

The President: I thank the representative of the United Kingdom for her statement and also took note of the specific questions raised to the delegation of Pakistan. There are two speakers on my list, Japan and Algeria. So I would now give the floor to Japan please.

Mr. Amano (Japan): I would like to briefly state Japan's position on the agenda item under discussion today, namely, negative security assurances.

In our official statement delivered on the occasion of signing the NPT in 1970, my country underscored that "the nuclear-weapon States must not have recourse to use of nuclear weapons or threaten to use such weapons against non-nuclear-weapon States". That position remains unchanged, and Japan lends its basic support to the concept of NSAs.

As such, we believe that it is fundamentally important for all States possessing nuclear weapons to diminish the role of nuclear weapons in their national security strategies. We should recognize, in this connection, that NSAs can make a significant contribution to reducing the role of nuclear weapons.

NSAs are in the legitimate interest of non-nuclear-weapon States. Nuclear-weapon States should make their existing NSA pledges credible to the rest of the world and should provide stronger assurances to non-nuclear-weapon States that comply with the NPT. In this regard, we commend the Nuclear Posture Review of the United States and the Strategic Defence and Security Review of the United Kingdom, the importance of which was recently acknowledged by the NATO Deterrence and Defence Posture Review adopted at the NATO Chicago Summit. They provide strengthened assurances not to use or threaten to use nuclear weapons against non-nuclear-weapon States that are party to the NPT and in compliance with their nuclear non-proliferation obligations.

We also believe that the establishment of nuclear-weapon-free zones, where appropriate, is a practical step to promoting and realizing legally binding security assurances. In this connection, Japan is pleased with the successful conclusion of negotiations last November between the ASEAN countries and the nuclear-weapon States on the Protocol to the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone. Japan strongly hopes the five nuclear-weapon States will sign and ratify the Protocol at an early date. Nuclear-weapon-free zones have also been established in the South Pacific, Africa

and Central Asia, and Japan appeals to all the parties concerned to work together constructively in order to bring about the expeditious entry into force of the respective protocols of each zone.

Mr. Khelif (Algeria) (*spoke in French*): Mr. President, the delegation of Algeria is pleased that you are able to draw on the very useful input of the United Nations Institute for Disarmament Research (UNIDIR) to launch the discussion on this very important theme, and would like to add a few thoughts to give some historical context to the manner in which this issue is considered.

Firstly, the issue of negative security assurances was at the heart of the discussions when the NPT was negotiated, and there is a General Assembly resolution, adopted in 1966, in which, while calling on States to conclude a non-proliferation treaty, the Assembly also urged them to seek concrete measures to guarantee the security of non-nuclear-weapon States.

Secondly, the question of negative security assurances draws its political basis, and perhaps also its legal basis, from the Charter of the United Nations and the collective security system that the Charter establishes, particularly the principle of non-violence in international relations.

As a non-nuclear-weapon State Algeria fully assumes its responsibility and is entitled to ask nuclear-weapon States to likewise assume the responsibility incumbent upon them, which includes ensuring respect for non-proliferation in all its forms, and making headway along the path of disarmament with the ultimate aim of achieving the elimination of nuclear weapons and ensuring the universality of the NPT.

In this context, negative security assurances are intended to respond to non-nuclear-weapon States' legitimate need to defend themselves against the use of nuclear weapons. They are also essential for the sustainability of the non-proliferation regime.

We are pleased to have heard the nuclear Powers today reaffirming the unilateral commitments made previously, but we continue to believe that these arrangements do not measure up to the security requirements of non-nuclear-weapon States. It is important to remember that the aim of negative security assurances is to guarantee the security of non-nuclear-weapon States. The current measures are essentially declarations and could therefore be renounced at any time on the grounds of self-defence or the need to preserve vital interests. These measures also continue to be invariably underpinned by the security logic of the nuclear-weapon States and not by the security logic of the non-nuclear-weapon States.

This is why Algeria is calling for the formulation of a multilateral instrument to guarantee the security of non-nuclear-weapon States. It is true that the Charter of the United Nations refers to the principle of self-defence. Certain nuclear Powers also refer to the need to protect their vital interests. We have a couple of comments to make on this issue. Firstly, self-defence should not be exercised in an absolute manner, independently of the principles of international humanitarian law. Secondly, the vital interests referred to in these principles are equally valid for non-nuclear-weapon States. Hence we believe that there are other means to guarantee these vital interests, and to guarantee the legitimacy of all States, which do not involve the use of these weapons of mass destruction.

In short, we would like to say that the only guarantee against the use of nuclear weapons would be their definitive and verifiable elimination.

Mr. Akram (Pakistan): I take the floor in a spirit of engagement and interactive dialogue that we also agree should mark our deliberations, and I'd like to respond to my good friend and colleague the Ambassador of the United Kingdom.

I just want to make it very clear that Pakistan does not in any way diminish the importance of regional arrangements and the security assurances given to those regional arrangements by the major nuclear-weapon States. We value that, but the point is that if these kinds of assurances can be given to different regional set-ups, why is it not possible to do so on a universal basis? Judging from what we have heard this morning, several of us, including Pakistan, who are not part of the set of five major nuclear-weapon States, and one of those five, are ready to give unqualified universal guarantees of assurances of non-use of nuclear weapons against non-nuclear-weapon States, so if we can do that I don't see why the established major nuclear Powers cannot join in the same effort.

I also noted that of course the FMCT is a priority for several countries, but as we all know there is a problem starting negotiations on that subject, and for that reason we are arguing that we should look for an area or an issue on which we can negotiate, especially if there is no one who is opposed to that issue, and that issue, to our mind at least — and this is reaffirmed from today's discussions — is NSAs, because we have not heard anybody really having a problem or strong opposition. Matters of detail, of course, can be worked out, but I think this is an area where we can make progress. That's the whole point.

The President: I thank the representative of Pakistan for these comments. This now concludes my list of speakers, so I would ask: does any other delegation wish to take the floor or to react specifically to any of the interventions made? I wish also to point out that on 7 August there is a second schedule of activities debate on NSAs, which also will give the possibility to react to statements.

If there is no other delegation asking for the floor before closing this plenary I would briefly wish to revert to my national capacity as representative of Finland.

In my national capacity as representative of Finland, I would wish to take note that several interventions have referred to the role of Finland as Facilitator and potential host for a 2012 conference on a zone free of weapons of mass destruction and their delivery vehicles in the Middle East. I would wish to read to the Conference on Disarmament a message specifically passed for me to read by Under-Secretary Jaakko Laajava, and I would read this message now, so I ask you to bear with my reading for a second time in this meeting.

Message from the Facilitator of the 2012 conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction to the Conference on Disarmament, 12 June 2012.

The Facilitator is grateful for the wide interest and support for the preparations of the 2012 conference expressed in today's discussion. The views raised will be taken carefully into account.

After the Facilitator's report to the NPT Preparatory Committee in Vienna on 8 May, consultations have continued and intensified. The Facilitator remains committed to doing his utmost to ensure that a successful conference will be arranged in 2012. In order to achieve this goal, active support and cooperation from the convenors of the conference — the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the United Nations and States of the region — is necessary. As regards the timing of the conference, December has frequently been mentioned in the consultations as a possibility. Finland as the host Government is prepared to host the conference any time during 2012.

The project is of special interest to the States of the region, but it is in our common interest to ensure a successful conference, as a failure might have

repercussions on the non-proliferation regime and international security and cooperation.

Now I would return to my capacity as President of the Conference and ask if there are any other delegations wishing to take the floor.

This not seeming to be the case, this concludes our business for today.

The next plenary meeting of the conference will be held on Thursday, 14 June, at 10 a.m. and will focus on the issue of revitalization of the Conference.

The meeting rose at 12.15 p.m.