



# General Assembly

Sixty-third session

## First Committee

**11**<sup>th</sup> meeting

Friday, 17 October 2008, 3 p.m.

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Official Records

*Chairperson:* Mr. Marco Antonio Suazo . . . . . (Honduras)

*The meeting was called to order at 3.10 p.m.*

### Agenda items 81 to 96 (continued)

#### Thematic discussion on item subjects and introduction and consideration of draft resolutions submitted under disarmament and international security agenda items

**The Chairperson** (*spoke in Spanish*): Yesterday we concluded our discussion of the cluster on nuclear weapons. We shall now continue our thematic discussion and the submission of draft resolutions under all disarmament-related international security agenda items and our discussion on other weapons of mass destruction. We will begin with a statement by Mr. Santiago Irazabal Mourão, who is the Chairman of the Panel of Governmental Experts established to further explore the issue of missiles in all its aspects. We are pleased that he is with us this afternoon. I warmly welcome him and invite him to make a statement to the Committee on this important issue for our work.

**Mr. Mourão**, Chairman, Panel of Governmental Experts on the Issue of Missiles in All its Aspects (*spoke in Spanish*): First, allow me to congratulate you, Mr. Ambassador, on your election to chair the work of the First Committee. I sincerely thank you for setting aside time on the Committee's agenda to allow for the presentation of the report of the third Panel of Governmental Experts on the issue of missiles in all its aspects. I was honoured to chair the work of the Panel. Through you, Sir, I should also like sincerely to thank

Ambassador Sergio Duarte, the United Nations High Representative for Disarmament Affairs, for his kind invitation to attend this afternoon's meeting in order to provide an oral briefing on this important report.

(*spoke in English*)

Missiles continue to be a central issue on the agenda of international peace and security and a focus of increased international attention, discussion and activity. Missiles are a significant political and military issue, which is no doubt made more urgent by their potential to carry and deliver quickly and accurately a payload of weapons of mass destruction. The issue is obviously linked in varying ways with the perceived security scenario at the global and regional levels. Consequently, the expansion of national missile capabilities and the related elements of military posture have a significant impact on overall security evaluations, both global and regional. Their increased role in the military doctrines and national regional security policies of many States is a sustained trend. Almost all armed forces continue to incorporate into their arsenals and use a variety of conventionally armed missiles for specialized roles in military operations, either as part of their modernization processes and/or as part of military doctrine reviews.

Missiles and rockets with conventional warheads have been increasingly used both by States and non-State actors and some missiles have also been modified and employed against objects in outer space. It is important to note in particular that nuclear-tipped missiles, although never used, continue to play an

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important role in the doctrine of some States. While exact numbers and details are not openly available, there exists a clear trend of continued improvement of advanced missile-related technologies and the development of new and enhanced missile models. New technologies and materials and more reliable guidance systems, among other elements, enable some of those systems to reach a higher performance in terms of speed, accuracy, range and evasion, and, in some cases, at a relatively low cost. States continue to seek different measures to counter the special characteristics and capabilities of missiles. Of particular importance is the recent and ongoing development of an active missile system against ballistic and cruise missiles. In parallel, ballistic and cruise missiles with a capability for increased manoeuvrability and a variety of counter-measures intended to defeat such systems are also being developed.

Despite efforts, both within and outside the United Nations, no universal law, treaty or agreement governing missiles exists. The complexity of the issue, which besides the various different technical aspects has strategic, political, economic and commercial implications as well, has been complicated by divergent perceptions of the very nature of the concerns raised by missiles. The diversity of international interest on matters related to missiles poses a particular challenge to efforts to raise the issue in multilateral forums. However, some past and existing treaties and agreements, whether bilateral, plurilateral, regional or multilateral, do make specific provisions with regard to particular types or aspects of missiles. In addition, some States have also adopted unilateral measures to deal with missiles.

Within the United Nations system, in particular in the General Assembly, a number of resolutions that deal selectively with the issue of missiles have been adopted in the past few years. The United Nations Security Council has also, in the context of its mandate, approached the question, thematically as well as in the context of regional or country-specific issues through the adoption of a number of resolutions. The United Nations General Assembly has consistently reacted to the concerns raised by missiles by promoting instances in which the issue could be broadly discussed in order to allow a process of collective reflection that could guide the future steps of the international community in its efforts to address in a comprehensive

manner the issue of missiles in all its aspects. The establishment by the United Nations Secretary-General of the third Panel of Governmental Experts is part of this process.

The third Panel of Governmental Experts to deal with the issue in all its aspects, which I had the honour to preside over and which consisted of experts from 23 countries, convened for three sessions in New York in June 2007 and February and June 2008. During the course of their deliberations the experts reviewed past and present efforts by the international community, both within and outside the United Nations, to raise the issue of missiles. The discussions also benefited from a report prepared by the United Nations Institute for Disarmament Research (UNIDIR), as requested by the United Nations General Assembly. Experts reconfirmed the complexity of the issue, which is compounded by the divergent perception of how it impacts on the security context of individual countries, regions and the world.

Despite the multiple challenges posed by missiles and the challenges in reaching a common understanding of the concerns, experts identified key issues related to missiles. These include the global and regional security backdrop, which provides the motivation or lack thereof for missile development, acquisition, transfer or use; the issue of disarmament, arms control and non-proliferation; the interrelationship between doctrines, strategies and missile-related behaviour; of course, the issue of missile defence; and the increased contribution of space-based capabilities to a wide range of human endeavours.

In spite of its complexity and the divergent perceptions of the very nature of the concerns raised by missiles, experts nonetheless identified — without necessarily, of course, agreeing on all of them — some elements that in their view should be taken into consideration in further discussion of the issues. Among them allow me to single out the growing military significance of missiles and the fact that they can be armed with conventional and non-conventional warheads; the growing use of cruise missiles as a stand-off delivery system of choice for conventional ordnance; the commonalities between missiles and space-launch-vehicle technology; the access to and the use of man-portable air defence systems and missiles and their related technology by non-State actors; and the impact on international peace and security of the

potential use or threat of use of missiles carrying weapons of mass destruction by States.

The Panel concluded that because of the increasing complexity of the issue and the need to focus on existing and emerging consensus, as requested by the General Assembly, a step-by-step approach is required. Although no particular course of action or combination of actions was singled out, the experts considered it important to have a continued international effort to deal with the issue of missiles in the interests of international peace and security and to deliberate further on this issue. In this regard they recognized the important role of the United Nations in providing a more structured and effective mechanism to build such a consensus. The experts noted that the step-by-step approach could include the refinement of existing measures of control over the transfer and export of missiles and related items; the reporting by States of missile-related information under the various reporting mechanisms of the United Nations; efforts to enhance global and regional security; the development by States of voluntary transparency and confidence-building measures aimed at enhancing predictability; as well as the promotion of the peaceful uses of outer space.

I am honoured to present to the General Assembly the report contained in document A/63/176 adopted by consensus by the third Panel of Governmental Experts to discuss the issue of missiles in all its aspects, which in my opinion is a significant attempt to address the issue of missiles in all its aspects. Finally, on behalf of the Panel, I wish to express through you, Sir, its appreciation for the excellent support that it received from the United Nations Secretariat. The Panel wishes also to thank the High Representative for Disarmament Affairs, Ambassador Sergio Duarte, for his support throughout its work, and I would also ask you to convey the appreciation of the members of the Panel to the Secretary of the Group, Mr. Curtis Raynold, and to the extremely supportive research and administrative staff of the Office for Disarmament Affairs, as well as to Mr. Sidhu and Ms. Alyson Bailes, the UNIDIR consultants to the Panel.

**The Chairperson** (*spoke in Spanish*): On behalf of the Committee I should like to thank you for your statement, your comprehensive report and for all the work carried out by you and the Group. I am certain

that Committee members have taken due note of your statement.

In order to have an interactive discussion with Mr. Mourão, I will suspend the formal meeting now so that Committee members can have an opportunity to ask questions of him or make comments.

*The meeting was suspended at 3.25 p.m. and resumed at 3.35 p.m.*

**The Chairperson** (*spoke in Spanish*): We now return to the formal meeting on all draft resolutions and our thematic discussion on other weapons of mass destruction.

The first speaker under this cluster is Mr. Georgi Avramchev, Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations Office at Geneva and Chairman of the 2008 Meetings of States Parties to the Biological Weapons Convention, and I now have pleasure in giving him the floor.

**Mr. Avramchev** (Former Yugoslav Republic of Macedonia) Chairman, 2008 Meetings of the States Parties to the Biological Weapons Convention: In my capacity as Chairman of the 2008 meetings of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC), I am pleased to be able to take this opportunity to inform the First Committee of the activities of the States Parties to the Convention and the progress made in implementing the decisions and recommendations of the 2006 Sixth Review Conference. As representatives will recall, the Sixth Review Conference was a turning point for the BWC, resolving many of the issues that had bitterly divided States Parties since 2001 and consolidating the approach developed in the 2003-2005 intersessional process. Ending a 10-year hiatus, the Conference agreed on a Final Declaration embodying a common vision for the Convention and its implementation. The Conference also agreed on many practical measures including: a detailed new intersessional work programme to help ensure effective implementation of the Convention until the Seventh Review Conference in 2011; specific measures to obtain universal adherence to the Convention; an update of the mechanism for confidence-building measures relating to the Convention, and foreshadowing a more thorough review in 2011; requiring States Parties to nominate a

national contact point to better coordinate various aspects of national implementation and universalization; and various measures to improve national implementation, including of article X of the Convention dealing with the peaceful uses of biological science and technology.

Perhaps most significantly, the Conference decided to establish an Implementation Support Unit (ISU) for the Convention, addressing a long-standing need for institutional support for the efforts of States Parties in implementing the Convention itself and the decisions of the review conferences. We are now in the second year of the four-year intersessional work programme mandated by the Review Conference. As with the previous programme, each year is devoted to one or two specific topics related to improving implementation of the Convention. Two meetings are held each year. A meeting of experts, held in August, brings together a wide range of experts from States parties, international and regional organizations, and relevant professional, scientific and civil society bodies. The material, ideas and proposals raised and discussed at the meeting of experts are then distilled and refined by the Chairman and developed into a more politically oriented set of conclusions at the meeting of States parties held in December.

The aim of these meetings and the intersessional process overall is not to negotiate binding agreements or recommendations but to discuss and promote common understanding and effective action on the specific topics being considered. Although no binding commitments emerge, in practice the meetings produce considerable benefit, both through the exchange of information and experience and through the collection of ideas and proposals into a cohesive package that serves as a common point of reference for States parties that wish to make use of it.

Last year, under the chairmanship of my predecessor, Ambassador Masood Khan of Pakistan, the two topics considered were: first, ways and means to enhance national implementation, including enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions; and, secondly, regional and subregional cooperation on implementation of the Convention.

Following broad discussions involving States parties, Interpol, the World Health Organization

(WHO) and the World Organization for Animal Health (OIE), the meeting of States parties agreed on the value of having States parties: enact laws and measures that penalize and prevent activities that breach any of the prohibitions in the Convention; establish an effective system of export/import controls that are sufficient for prosecuting prohibited activities; promote cooperation and coordination among domestic agencies, while clearly defining the roles and responsibilities of each; raise awareness of the Convention among all relevant stakeholders, including policymakers, the scientific community, industry, academia, media and the public in general, while improving dialogue and communication among them; ensure effective enforcement of their legislative and regulatory measures, including through building capacity to collect evidence, to develop early warning systems, to coordinate between relevant agencies, to train law enforcement personnel and to provide enforcement agencies with the necessary scientific and technological support; and regularly review their measures in light of scientific and technological developments, updating lists of agents and equipment, and implementing additional measures as required.

This year, under my chairmanship, the BWC States parties are considering: national, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins; and oversight, education, awareness-raising measures along with the adoption and/or development of codes of conduct aimed at preventing misuse in the context of advances in bioscience and biotechnology research with the potential of use for purposes prohibited by the Convention.

The meeting of experts convened in Geneva from 18 to 22 August to begin work on these important topics, which go to the heart of improving effective national implementation of the Convention. Participation in the meeting was impressively broad — 96 States parties were represented and just under 500 delegates participated in the meeting. Of these, around 180 were experts who had travelled from capitals. Importantly, participation from developing countries is increasing — 53 per cent of the participating States were developing countries, up from 51 per cent in 2007 and 48 per cent in 2005. During the meeting 20 detailed presentations were made by delegations of developing countries, more than double

the number last year. This is an excellent result and demonstrates both the wide relevance of the topics and the utility of the intersessional work programme. I should also like to commend those States parties that were able to sponsor the participation of others, a practice that I hope will expand in coming years.

The meeting of experts produced a wealth of material that we are still processing. The nature of the topics was such that many participants were from outside the usual sphere of multilateral arms control and non-proliferation. Improving biosafety and biosecurity requires input from WHO, OIE, the Organization for Economic Cooperation and Development, from the various regional biosafety associations and professional societies, and from commercial industry. Representatives from all of these groups and organizations participated in the meeting. Similarly, progress on oversight, education, awareness-raising and codes of conduct requires the involvement and support of international, regional and national scientific bodies, professional associations, academia, commercial industry, and organizations such as UNESCO and the World Commission on the Ethics of Scientific Knowledge and Technology. Again, these were among the participants at the August meeting.

Among the many ideas and proposals that were discussed at the meeting, some common threads emerged. One clear theme that ran through the topics was that of balance. We heard repeatedly of the need for proportional measures, for carefully assessing risks, for balancing security concerns against the need for nurturing research and ensuring the peaceful development of biological science and technology. Another central theme was that of “no one size fits all” — no matter whether we are talking of standards for biosafety and biosecurity or codes of conduct, it is clear that States Parties and other actors recognize that individual and local circumstances must be taken into account when addressing these issues. Other common threads included — on biosafety and biosecurity: a clear statement of what is meant by biosafety and biosecurity in the context of the BWC and by extension in activities related to Security Council resolution 1540 (2004); the importance of basing national efforts on existing guidance and standards; and the need to involve all relevant stakeholders, including government, the scientific community, commercial industry and academia. These common themes will be refined and developed over the next few weeks and

considered by the meeting of States parties to be held in Geneva from 1 to 5 December.

Another of the major outcomes of the Sixth Review Conference was the establishment of the Implementation Support Unit (ISU). The ISU is now in its second year of operation and has been very well received by States Parties.

We are also making progress in another of the key areas mandated by the Review Conference, that of universalization. I am pleased to report that seven new States parties have joined the Convention since the Review Conference. The number of States parties now stands at 162. States parties to the Convention must continue to work hard to persuade the remaining 33 non-parties to join.

In closing I should like to note that the meeting of States parties this December will mark the half-way point in the intersessional work programme. We have made good progress but much remains to be done. The threat posed to global security by biological weapons is constantly evolving with the rapid advances in biological science and technology and the spread of those advances around the world. States parties should begin to consider what other measures are needed to confront this evolving threat and what steps they might take at the Seventh Review Conference in 2011 to ensure that the Biological Weapons Convention remains an effective barrier against the development or use of biological weapons.

**The Chairperson** (*spoke in Spanish*): I call on the representative of France to introduce draft resolution A/C.1/63/L.38.

**Mr. Danon** (France) (*spoke in French*): It is my honour to speak on behalf of the European Union (EU), Turkey, Croatia, the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, as well as Ukraine and the Republic of Moldova, who all align themselves with this statement.

The proliferation of weapons of mass destruction and their means of delivery calls for a global approach. The risk that terrorists might acquire biological or chemical weapons and their means of delivery adds a further critical dimension to this issue. Cooperation with and in the framework of the United Nations, as

well as between all member States is thus vitally important in this matter.

The European Security Strategy, the EU Strategy against the Proliferation of Weapons of Mass Destruction and our Common Position of 17 November 2003 on the universalization and reinforcement of multilateral agreements in the field of non-proliferation of weapons of mass destruction and means of delivery highlight the importance the EU attaches to these threats.

The multilateral instruments in the field of weapons of mass destruction, which is the issue here, namely the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC), and the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare play a key role in reducing this threat.

That is why the European Union is calling for the full universalization of these instruments, which requires them to be signed and/or ratified by a certain number of States that have not yet done so. Recently the European Union approached 11 countries not yet parties to the BWC on this subject. We also call on all Member States of the United Nations to re-examine the possibility of withdrawing any reservations that they might have entered upon acceding to the 1925 Protocol.

The European Union will continue to give assistance to those States that request aid in implementing the various instruments. In particular, in the framework of the Joint Action launched in 2006, it provided technical assistance to States parties in aligning their national legislation with the Biological Weapons Convention. As a follow-up to its action and in order to extend it to other aspects of the Convention, the EU has already initiated the process of adopting a new joint action in support of the Biological Weapons Convention. It is also working on the renewal of the Joint Action of 19 March 2007 in support of the activities of the Organization for the Prohibition of Chemical Weapons (OPCW).

The European Union has played and will continue to play a key role in the intersessional process launched in 2002 and consolidated at the BWC Review Conference in December 2006. It is essential that the issues addressed in August at the meeting of experts of the Biological Weapons Convention be reviewed on a regular basis in order to maintain the level of consciousness and vigilance needed to preserve the aims of the Convention. In this sense the intersessional process, as it functioned this summer and is set to be completed by the forthcoming annual meeting of the States parties, has once again played its part perfectly.

The Implementation Support Unit (ISU) for the Biological Weapons Convention, whose establishment was requested and supported by the European Union, plays a particularly important role in maintaining the link between the States parties to the Convention. Two years after its establishment the European Union has good reason to feel pleased with it.

The information exchange that has taken place on a voluntary basis in the framework of the Biological Weapons Convention via the confidence-building measures has brought important benefits. We call on all States parties to participate, as do all member States of the European Union, in this mechanism that serves to strengthen the Convention. The European Union welcomes the fact that participation in the mechanism has increased in recent years. The European Union is prepared to lend its support to all initiatives designed to encourage the submission of confidence-building measures. We are devoted to this objective in the new joint action in support of the Biological Weapons Convention.

Today, 11 years after its entry into force, the Chemical Weapons Convention has become one of the cornerstones of international efforts to eliminate weapons of mass destruction and prevent their proliferation. The CWC is a unique instrument in the field of disarmament and non-proliferation and its strict implementation must be guaranteed. Its unique character stems from the fact that the CWC is the only Convention that completely and without exception bans an entire category of weapons of mass destruction in a way that is non-discriminatory and verifiable under strict and effective international control. We welcome the fact that the CWC is now close to universal membership with 184 States Parties to date. The European Union calls on all States that have not

yet done so to accede without delay to this instrument, which is so vital for international security.

The European Union takes this opportunity once again to congratulate the OPCW on its remarkable success in fulfilling its tasks under the Convention. In this regard the European Union considers that the OPCW is an example and a source of inspiration for effective multilateralism in the field of non-proliferation and disarmament.

The second five-year Review Conference of the CWC, which took place in April 2008, was an important milestone. In preparation for the Conference the European Union adopted a common position in June 2007. The European Union's objective is to strengthen the CWC and the disarmament and non-proliferation regime it establishes, in particular by promoting compliance with the Convention, which includes the destruction of all chemical weapons within the established time limits, and by strengthening the Convention's verification scheme and striving for universal accession. The European Union welcomes the positive outcome of this Review Conference and we fully support its final report. It is essential, within the framework defined by the report, to continue to maintain the high verification criteria of the Chemical Weapons Convention and to strengthen it in order to achieve its objectives of non-proliferation and confidence-building. With this in view the European Union considers that the verification regime of the Chemical Weapons Convention must take account of new scientific, technological and industrial developments in the field of chemistry.

The destruction of all chemical weapons remains a key objective of the CWC. The destruction of existing stockpiles, as well as production capacities and the prevention of any future development of chemical weapons, represent not only a multilateral commitment but also a contribution against terrorism. The Union welcomes the substantial progress made by those countries that have not yet completed the destruction of their stockpile of weapons. The European Union reaffirms that the States parties are required to destroy their chemical weapons and the relevant production facilities or to convert the latter within the deadlines set by the Convention.

The European Union recalls that national implementation of the Convention, particularly through the adoption of the relevant national laws, is a key

factor for the full implementation of the CWC and meeting its aims and purposes. The European Union continues to be available to provide assistance in this area, as it did previously through its successive joint actions in support of the OPCW.

The European Union fully supports the action taken under Security Council resolution 1540 (2004). As we see it, Security Council resolutions 1540 (2004), 1673 (2006) and 1810 (2008) are fundamental for the development of an effective mechanism to prevent and counter the proliferation of weapons of mass destruction and their means of production and delivery from States to non-State actors worldwide. We urge all States to comply with the legally binding obligations of these texts. In 2008 the European Union renewed the Joint Action it had initiated in support of these instruments.

The question of the proliferation of missiles, which could be used to deliver weapons of mass destruction, is also a matter of major concern in the context of international security. A number of tests of mid-range missiles conducted over the past 12 months outside all the existing transparency and pre-notification schemes, especially by Iran at the beginning of July, deepen our concerns in this respect.

The European Union continues to consider that The Hague Code of Conduct represents, along with the Missile Technology Control Regime, the best existing tool to deal with the problem of missile proliferation. The European Union considers it necessary to reaffirm the clear multilateral and universal purpose of the Code. In this context the European Union will submit draft resolution A/C.1/63/L.38 on the Code for consideration by the First Committee. Already 130 States have subscribed to the Code and the European Union urges all States that have not yet done so to adhere to it as soon as possible. It goes without saying that the authority and effectiveness of the Code depend not only on the sheer number of States subscribing to it but also on our determination to remain committed to its implementation, inter alia by the submission of pre-launch notifications and annual declarations. We take this opportunity to invite all those States that have subscribed to the Code to submit such notifications and declarations, and we point out that continued disregard for provisions initially accepted by the States concerned undermines the viability and the functioning of the Code as a whole.

Furthermore, the European Union would also like to have ways of reinforcing the campaign against missile proliferation be examined. In this connection it notes the suggestion made in a joint Russian-American statement, issued at the sixty-second session of the United Nations General Assembly, that the overall elimination of all short- and medium-range surface-to-surface missiles should be discussed. The EU notes with interest in this context the proposal presented by the President of the French Republic in March 2008 that negotiations should be opened on a treaty prohibiting short- and medium-range surface-to-surface missiles.

The question of space activities has no necessary link with that of other weapons of mass destruction, but there are nevertheless sensitive aspects about which a number of States have expressed concerns, and we understand those concerns. The European Union stresses that the prevention of an arms race in outer space is an essential condition for the strengthening of strategic stability and for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes. As actors in the field of space we are particularly sensitive to the issue of the security of space installations and urge all Member States to refrain from undertaking actions likely to undermine it, especially by creating additional debris. In this context we took note in February 2008 of the submission by Russia and the People's Republic of China of a draft treaty on the prevention of the deployment of weapons in outer space and of the threat or use of force against space objects. The Union expressed its view on this issue in detail in the Conference on Disarmament.

The European Union recognizes the need for the development and implementation of confidence-building measures in outer space. We voted unanimously in favour of the General Assembly resolutions on transparency and confidence-building measures in outer space activities (resolution 62/43) and on the prevention of an arms race in outer space (resolution 62/20). It also recently forwarded its common reply to the Secretary-General on the question of international confidence-building and transparency measures in General Assembly resolution 62/43.

To this end and with a view to contributing to the strengthening of good cooperation in the field of space activities, the 27 member States of the European Union are working on a draft code of conduct for our space

activities. We want to promote the security of space activities through voluntary confidence-building and transparency measures that would be acceptable to the maximum number of States. The development of exchanges of information and good practice will help to develop trust and understanding among the actors in space, thus making a useful contribution to the long-term viability of space activities. The European Union hopes soon to be able to propose its draft to the international community as a contribution from the Union to the preparation of a non-binding international code of conduct for space activities. It also hopes to be able to hold consultations with nations active in space flight and to present this draft in the relevant forums concerned with space activities.

The European Union takes the view that various bodies have a complementary role to play in this field and in particular the Conference on Disarmament in Geneva and the Committee on the Peaceful Uses of Outer Space in Vienna. It welcomes the opportunities for exchanges of view and for sharing experience that have already been organized between these two bodies, and calls for them to be continued.

I should also like to state very succinctly that the European Union has submitted a draft resolution on The Hague Code of Conduct against Ballistic Missile Proliferation. The European Union wishes to promote the universalization of this instrument and its strengthening where this is necessary. We intend thus to contribute by presenting this text, which reproduces material contained in earlier resolutions submitted by the Chairman of the Code most recently in 2005. In light of the importance it attaches to this instrument the European Union has decided to depart from its normal practice by confiding for the first time to its Presidency the task of introducing the text on behalf of its member States to the First Committee of the General Assembly. This text already enjoys the sponsorship of about 100 Member States of the United Nations and I should like here to thank them for their support.

The Code reflects the result of broad consultations. Its essential objective is to increase transparency by pre-notification of procedures for the launching of missiles and space vehicles, as well as an exchange of information on associated policies and programmes. Since its adoption, 130 States have acceded to the Code. The draft resolution we are presenting this year is an update that recognizes that new ways and means of dealing effectively with the



problem of the proliferation of ballistic missiles capable of delivering weapons of mass destruction must be explored. These problems have also been the subject of the work of experts undertaken this year at the United Nations, whose report will, I am sure, be the subject of further discussion.

**Mr. Soares (Brazil)** (*spoke in Spanish*): I have the honour to speak on behalf of the Common Market of the South (MERCOSUR) and associated States — Argentina, Bolivia, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, Venezuela and my own country Brazil.

MERCOSUR member and associated States reaffirm their commitment to the goal and purpose of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC). We support its full, effective and non-discriminatory implementation and encourage continued efforts to achieve its universalization. In this context we stress the growing membership of the Convention and welcome the efforts undertaken by the Organization for the Prohibition of Chemical Weapons (OPCW) under the guidance of its Director-General, Ambassador Rogelio Pfirter, in support of universal participation in the Convention and its implementation at the national level. According to OPCW data, only seven States in the world have not adopted measures regarding this instrument. It is essential, therefore, that the countries that remain outside the jurisdiction of the Convention join it as soon as possible, so as to ensure that chemical weapons are prohibited worldwide. For this purpose we request States that have not yet done so to adhere to the CWC.

Greater interaction between States parties and increased efforts on their part to achieve effective implementation of the Convention are necessary in order to strengthen the mechanisms that increase the cooperation of developed countries. I refer to the mechanisms used to create and promote national measures and compliance with the obligations arising from the Chemical Weapons Convention, at the same time enabling the national development of a chemical industry for peaceful purposes. Our countries do not possess chemical weapons and do not have production facilities for this type of weapon. We recall that the Convention assures States parties the right to request and receive assistance and protection from the use or threat of use of chemical weapons. We once again call upon countries that possess chemical weapons to

comply with their obligations within the established deadlines and to destroy their arsenals.

The tenth anniversary of the entry into force of the Chemical Weapons Convention in 2007 was an opportunity to highlight the progress made and it demonstrated that disarmament is possible through collective action within the OPCW. It showed that the Convention is one of the fundamental legal instruments that can direct multilateral efforts in the struggle for the total elimination of weapons of mass destruction. We reiterate our commitment to multilateralism and to the objectives of achieving general and complete disarmament under strict and effective international control, including the prohibition and elimination of all weapons of mass destruction.

MERCOSUR member and associated States would like to highlight the results achieved at the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, which concluded with a consensus document that included important recommendations for the continuous implementation of the Convention.

MERCOSUR member and associated States reaffirm their commitment to strengthen the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC) and to contribute to the Convention with positive and practical measures. We hope that by next December the Meeting of States Parties will take into account the work undertaken by the Group of Governmental Experts. The Biological Weapons Convention has contributed to the goal of not developing, producing, stockpiling or possessing such weapons. The commitment assumed internationally by our countries is reflected in the 2003 Declaration on Security in the Americas and in resolution AG/RES. 2107 (XXXV-O/05) of the General Assembly of the Organization of American States, adopted on 7 June 2005, in which our region was declared free from biological and chemical weapons.

Furthermore, the heads of State of the region, in the Declaration regarding a South American Peace Zone, expressed their commitment to forbid the placement, development, production, possession, deployment, testing and use of all types of weapons of mass destruction, including biological and chemical

weapons, as well as their transit through the region. We underscore the efforts made during the Sixth Conference of the States Parties to the Biological Weapons Convention, in which an intersessional follow-up programme for 2007-2010 was adopted. We take note of the work done by the Implementation Support Unit. We agree on the importance of providing the Convention with a verification mechanism.

MERCOSUR member and associated States reiterate their commitment to continue working transparently and constructively with a view to achieving the universalization of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

**The Chairperson** (*spoke in Spanish*): I call on the representative of Indonesia to introduce draft resolution A/C.1/63/L.25.

**Mr. Adji** (Indonesia): I have the honour to speak on behalf of the Non-Aligned Movement (NAM) and NAM States parties to relevant treaties in the field of other weapons of mass destruction. NAM States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC) reaffirm that the possibility of any use of bacteriological agents and toxins as weapons should be completely excluded, and reaffirm the conviction that such use would be repugnant to the conscience of humankind.

NAM States parties to the BWC recognize the particular importance of strengthening the Convention through multilateral negotiations for a legally binding protocol and universal adherence to the Convention. We reiterate our call to promote international cooperation for peaceful purposes, including scientific-technical exchange, and underline the importance of maintaining close coordination among the NAM States Parties to the Convention and highlight that the BWC forms a whole and that, although it is possible to consider certain aspects separately, it is critical to deal with all of the Convention's interrelated issues in a balanced and comprehensive manner.

NAM States parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) invite all States that have not yet signed or ratified the Convention to do so as soon

as possible with a view to achieving its universality. NAM States parties to the Convention reaffirm that the effective contribution of the Convention to international and regional peace and security can be enhanced through its full implementation and further reaffirm the importance of international cooperation in the field of chemical activities for purposes not prohibited under the Convention.

NAM States parties to the Chemical Weapons Convention reiterate their call on the developed countries to promote international cooperation for the benefit of States parties through the transfer of technology, material and equipment for peaceful purposes in the chemical field, and the removal of all and any discriminatory restrictions that are contrary to the letter and spirit of the Convention. The full, balanced, effective and non-discriminatory implementation of all provisions of the Convention, in particular economic and technical development through international cooperation, is fundamental to the achievement of the Convention's object and purpose.

While expressing serious concern that more than 60 per cent of chemical weapons still remain to be destroyed, we call upon States that have declared possession of chemical weapons to ensure full and complete compliance with the final extended deadline of 29 April 2012 for the destruction of their chemical weapons, in order to uphold the credibility and integrity of the Convention. The obligation and responsibility for the destruction of chemical weapons lie solely with the possessor States parties, and the fulfilment of this obligation is fundamental to achieve the object and purpose of the Convention. In this regard we call on the relevant possessor States parties to intensify the rate of destruction of their chemical weapon stocks by taking every necessary measure to meet their final extended deadlines for the destruction of their chemical weapons in accordance with the provisions of the Convention.

NAM States parties to the CWC reaffirm that the implementation of article X of the Convention on assistance and protection against chemical weapons makes a significant contribution to countering the threats of use of chemical weapons. We stress the importance of achieving and maintaining a high level of readiness of the Organization for the Prohibition of Chemical Weapons (OPCW) to provide timely and needed assistance and protection against the use or threat of use of chemical weapons, including assistance

to the victims of chemical weapons. NAM States parties to the Convention, while paying due respect to the chemical weapons victims and their families, declare their firm conviction that international support to provide special care and assistance to all victims suffering the effects of their exposure to chemical weapons is an urgent humanitarian need. States parties to the Convention as well as the OPCW should pay urgent attention to meeting those needs, including through the possible establishment of an international support network.

The Non-Aligned Movement regrets unsubstantiated allegations of non-compliance with the relevant instruments on weapons of mass destruction, and calls on States parties to such instruments that make such allegations to follow the procedures set out in those instruments and to provide the necessary substantiation for their allegations. We call upon all States parties to the respective instruments to implement fully and in a transparent manner all their obligations under these instruments. NAM expresses satisfaction at the consensus among States on measures to prevent terrorists from acquiring weapons of mass destruction. We welcome the adoption by consensus of General Assembly resolution 62/33 entitled “Measures to prevent terrorists from acquiring weapons of mass destruction” and underline the need for this threat to humanity to be addressed within the United Nations framework and through international cooperation.

While stressing that the most effective way to prevent terrorists from acquiring weapons of mass destruction is through the total elimination of such weapons, we emphasize that progress is urgently needed in the area of disarmament and non-proliferation in order to help maintain international peace and security and to contribute to global efforts against terrorism. We call upon all Member States to support international efforts to prevent terrorists from acquiring weapons of mass destruction and their means of delivery and also urge all Member States to take and strengthen national measures as appropriate to prevent terrorists from acquiring those weapons, their means of delivery, materials and technology related to their manufacture.

While noting the adoption of Security Council resolutions 1540 (2004), 1673 (2006) and 1810 (2008), we underline the need to ensure that any action by the Security Council does not undermine the United Nations Charter, existing multilateral treaties on weapons of mass destruction, international

organizations established in this regard, or the role of the General Assembly. We further caution against the continuing practice of the Council of utilizing its authority to define the legislative requirements for Member States in implementing Security Council decisions.

In this regard NAM stresses the importance of the issue of non-State actors acquiring weapons of mass destruction to be addressed in an inclusive manner by the General Assembly, taking into account the views of all Member States.

Mindful of the threat posed to humankind by existing weapons of mass destruction and underlining the need for the total elimination of such weapons, we reaffirm the need to prevent the emergence of new types of weapons of mass destruction and therefore support the necessity of monitoring the situation and triggering international action as required.

Finally, may I take this opportunity to introduce the following draft resolution on behalf of the Non-Aligned Movement for the consideration of the Committee. Under this cluster we will submit a draft resolution entitled “Measures to uphold the authority of the 1925 Geneva Protocol” contained in document A/C.1/63/L.25 under agenda item 89. There are only two technical updates on the draft resolution — in the first preambular paragraph and in paragraph 4. We continue to renew our call to all States to observe strictly the principles and objectives of the 1925 Geneva Protocol and call upon States that have not yet done so to withdraw their reservations to this Protocol. We believe that this act will positively contribute to making effective progress towards general and complete disarmament under strict and effective international control. We hope that all Member States will support this draft resolution.

**Mr. Langeland** (Norway): A world without weapons of mass destruction cannot be achieved unless we further strengthen relevant global treaties, such as the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC) and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC). We should also fully support the 1925 Geneva Protocol. Likewise, we must ensure full implementation of United Nations Security

Council resolution 1540 (2004). Norway values its close cooperation with the United Nations Office for Disarmament Affairs (UNODA) in promoting national implementation of Council resolution 1540 (2004), as well as non-proliferation obligations at the regional level. We must reach full global adherence and compliance with the vital legally binding obligations set out in the Biological Weapons Convention and the Chemical Weapons Convention. Norway calls upon all countries that have not acceded to these two instruments to do so without delay. Let me also add that Norway has provided financial support to promote the Biological Weapons Convention in Africa.

Norway attaches great importance to the implementation of the Biological Weapons Convention intersessional programme of work adopted at the Convention's Sixth Review Conference nearly two years ago. We would in particular express our appreciation of the Implementation Support Unit (ISU) within the UNODA. The Unit has already proven its added value. It is important that States parties identify practical measures, strengthen deliberations and develop a common understanding and approach to move the Biological Weapons Convention process forward. Making full use of the confidence-building measures will also contribute to strengthening the Biological Weapons Convention regime.

An important focus of Biological and Toxin Weapons Convention efforts this year has been in the field of biological safety and biological security. This area is of crucial importance in preventing bioterrorism. Biosafety and biosecurity are key areas for further strengthening of the BWC norm. We should take into account that biosecurity and biosafety relate to the whole Convention, especially article IV on national implementation and article X on assistance and cooperation in the context of the BWC. Enhanced partnership among States parties and with civil society is a precondition for success.

Norway and Indonesia have, over the past two years, developed close cooperation in biosafety and biosecurity. We organized a regional seminar in Jakarta on 4 and 5 June this year in close cooperation with the Implementation Support Unit and institutions such as the Eijkman Institute and the Norwegian foundation Det Norske Veritas. The Jakarta seminar recognized the importance of national regulations being based on international and regional standards. It was furthermore noted that external certification and audit would

improve safety and security standards to ensure good practices and would also promote awareness-raising, confidence-building and technical cooperation. We expect that the meeting of States parties in December will be able to agree on practical steps in the field of biosafety and biosecurity.

Let me now turn to chemical weapons. There can be no doubt that the Chemical Weapons Convention is a key instrument in combating the spread of weapons of mass destruction. The Convention is a disarmament treaty and is also an essential tool in fostering international cooperation in the field of peaceful chemical activities. The Convention contains provisions on assistance and protection against chemical weapons. Norway considers the CWC to be a unique, successful multilateral agreement. Norway welcomes the fact that the Second Review Conference managed to agree on an outcome document. We also express appreciation of the work carried out by the Organization for the Prohibition of Chemical Weapons (OPCW). We now have an opportunity to ensure full implementation of the CWC obligations. It is vital that destruction of existing stockpiles is met within the deadlines set by the Convention. Likewise, production facilities must be destroyed or converted, in accordance with the provisions of the CWC. While the prime responsibility for the destruction lies with the possessor States themselves, non-possessor States can also contribute towards this end. As a contribution to the G8 Global Partnership, Norway is engaged in a destruction cooperation programme with the Russian Federation.

While moving forward to the full elimination of existing stockpiles of chemical weapons, our attention should be directed towards non-proliferation. It is vital that all States parties fully implement their non-proliferation obligations and report to the OPCW on all steps taken towards this end. It goes without saying that adequate national legislation and enforcement measures will greatly facilitate international cooperation in accordance with article XI of the CWC. We recognize that developing countries might need assistance, and Norway welcomes the OPCW programme for Africa.

Verification is one of the comparative advantages of the CWC. Yet, we must recognize that there is still room for improvement. All States parties must submit complete and accurate declarations to the OPCW Technical Secretariat. Inspections should focus on

other chemical production facilities, which are of great relevance to the Convention. It is necessary to continue efforts to ensure that the mechanism of challenge inspections is fully operational and ready to be used when needed. Let me also reiterate that the use of chemical agents not prohibited by the CWC must not undermine the norms set by the Convention.

Finally, let me turn to the questions of missiles and outer space. Norway has co-sponsored the draft resolution on the promotion of the Hague Code of Conduct. We urge all United Nations Member States to adhere to the Code and thus contribute to enhanced confidence and stability. An arms race in outer space must be avoided. We have supported resolutions in the United Nations General Assembly and have supported work programmes in the Conference on Disarmament to start consultations on measures to prevent an arms race in outer space.

**Mr. Verba** (Lithuania): Let me congratulate you, Sir, on your assuming your functions and assure you of my delegation's constructive support. Lithuania fully endorses the statement delivered by France on behalf of the European Union. Here I wish to draw the attention of the Committee to one particular issue — chemical weapons dumped at sea. There are increasing regional and global concerns in relation to chemical weapons and munitions dumped at sea, a toxic legacy of wars for future generations. The issue is global in nature and has the potential to affect many littoral nations.

Chemical weapons have been dumped in many of the world's bodies of water including the Baltic Sea, the North Atlantic Ocean, the White Sea, the Gulf of Mexico, the Indian Ocean, the North Sea, the North and South Pacific Oceans and the Tasman Sea. More than 40 States have signalled that sea-dumped chemical weapons directly or indirectly affect them. They have an impact on the environment and human health. Lately this problem has been posing economic, safety and security concerns. The recognition of multiple problems arising from sea-dumped chemical weapons in the Baltic Sea prompted the Helsinki Commission to commission the report in 1992. Experts from the Baltic States, Scandinavia, the United States and the United Kingdom concluded that the rate at which agents were being released into the environment was low and unlikely to pose a significant risk to the littoral States.

However, underlying those conclusions was the assumption that chemical munitions will lie essentially undisturbed. A factor behind the recent increase in concern is the likelihood that this assumption is no longer valid. In excess of 50,000 tons of chemical warfare munitions containing more than 10,000 tons of highly active toxicants, including arsenicals, were dumped in the Baltic Sea. Unlike any other dumping ground the shallow and closed Baltic Sea is particularly fragile. Disturbance of the Baltic seabed may trigger an economic, security and environmental disaster for the littoral States. Plans to build the gas pipeline passing over or close to the chemical munitions dump sites on the bottom of the Baltic Sea place the issue on the international and regional agenda. It calls for international cooperation and exchange of information. It necessitates the realization of sustainable risk-reduction action plans, an analysis of potential cost-effective remediation strategies and the exchange of the best practices and policies in other regions.

The drafters of the Chemical Weapons Convention, being aware of the immense cost of destroying stocks of chemical weapons, excluded all chemical weapons dumped at sea before 1 January 1985 from the scope of the treaty. Some aspects of mitigating the adverse impact of such a category of weapons were covered by later treaties, such as the 1998 Convention for the Protection of the Marine Environment of the North-East Atlantic. Sea-dumped chemical weapons, however, remain a fact of life. They affect and will continue to affect us. We call for more intensive international dialogue on how to address this challenge in a cost-effective, safe and acceptable manner.

One of the first initiatives was an international seminar organized by the Government of Lithuania at the end of September this year in Vilnius on the perspectives of international cooperation in the area of sea-dumped chemical weapons. More than 90 representatives and renowned experts from 27 States from Europe, Africa, Asia and North America as well as from the United Nations, the Organization for the Prohibition of Chemical Weapons, the European Union, the Helsinki Commission, academic and research institutions, non-governmental organizations and the private sector debated related ecological, safety and security challenges and threats in various parts of the world. The summary report of the seminar has been

released as an official document of the United Nations General Assembly. This event echoed a growing interest to intensify and promote dialogue and broader engagement on this issue within international and regional forums and frameworks. More importantly, security and economic implications were considered by many nations of equal concern with the environmental and health impact of sea-dumped chemical weapons.

The Government of Lithuania will promote voluntary international and regional cooperation, the exchange of information on best practices, policies, lessons and available technologies. Our efforts are aimed at improving our capabilities to respond to incidents involving sea-dumped chemical munitions and to prevent related risks, including the risk of terrorism, in general. We will seek the support of States to develop deeper understanding of this issue within the appropriate international frameworks, such as the United Nations and the OPCW. Active engagement of these two organizations is indispensable.

**The Chairperson** (*spoke in Spanish*): I call on the representative of Belarus to introduce draft resolution A/C.1/63/L.12.

**Mr. Uhorych** (Belarus): The delegation of Belarus has the honour to introduce the draft resolution entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament", contained in document A/C.1/63/L.12. The draft resolution is sponsored by Armenia, Bangladesh, Indonesia, Kazakhstan, Kyrgyzstan, Pakistan, the Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan and Venezuela. Belarus greatly appreciates the support for the document shown by current and future sponsors.

The issue of the prohibition of new types of weapons of mass destruction has been discussed by the General Assembly for more than 30 years. In its current form the draft resolution has existed since 1996. Since 1990 it has been adopted on a triennial basis. Compared to General Assembly resolution 60/46, the current draft contains only technical updates in the second preambular paragraph and in paragraphs 4 and 6. The purpose of the draft resolution is to establish an agreed international procedure that would make possible continuous monitoring by the Conference on Disarmament of the situation regarding

the development and manufacture of new types of weapons of mass destruction and would provide for recommendations on undertaking specific negotiations on identified types of such weapons when necessary. The draft resolution neither hampers research and development programmes nor overburdens existing disarmament machinery. It specifically notes that the Conference on Disarmament should keep the issue under review without prejudice to a further overview of its agenda and requests it to include the results of any consideration of the issue in the annual reports of the Commission.

Belarus believes that preventive measures are the best way to deal with potential threats to international peace and security. The nature and boldness of these preventive measures, however, largely depend on the political will of States. Lack of proven evidence of the existence or development of specific types of new weapons of mass destruction cannot serve as an excuse for losing sight of this important issue. Therefore, Belarus appeals to all Member States to reaffirm their political commitment to prevent the emergence of new weapons of mass destruction by supporting the proposed draft resolution. We call for its consensus adoption.

**Ms. Gash** (Australia): The proliferation of weapons of mass destruction and their delivery systems is a serious threat to international and regional security. The international community's response through United Nations Security Council resolution 1540 (2004) strengthens our defences against chemical and biological proliferation as well as against the proliferation of nuclear weapons and delivery systems. Australia has long been at the forefront of international efforts to combat the spread of chemical and biological weapons. As Chair of the Australia Group we work with 40 other countries and the European Community to harmonize and strengthen chemical and biological export control lists.

Coordination of national export control measures assists Australia Group participants to fulfil their obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC) to the fullest extent.

In the past decade the CWC has emerged as the cornerstone of the multilateral non-proliferation and disarmament architecture. It is crucial to our efforts to halt the proliferation of chemical weapons. Australia is encouraged by continuing progress in the destruction of chemical weapons, which has resulted in the verified elimination of more than one third of declared stockpiles. One former possessor State has completed elimination of all chemical weapons. We urge the other five possessor States to make every effort to meet their extended deadlines for destruction. In May of this year States parties to the CWC gathered in The Hague for the Second Review Conference. Australia welcomes the consensus report agreed at the Second Review Conference, but regrets that the difficult negotiating environment at that Conference prevented constructive discussion of many of the challenges facing the CWC and thus agreement by States parties on how to deal with them. It is now vital that all CWC member States look to the future to ensure that the CWC adapts to developments in science and technology. We must continue to strive for the full and effective implementation of declaration and inspection requirements with regard to activities not prohibited by the Convention.

The BWC is strengthening global defences against biological weapons and bioterrorism. We have lately witnessed re-energized and practical efforts towards full and effective implementation of the BWC, buoyed by the decisions reached at the last Review Conference. In 2008 we are again reaping the benefits of these decisions, including through valuable intersessional meetings and the accomplishments of an energetic Implementation Support Unit (ISU). The BWC has also recently made strides on universalization. As of 1 October 2008 there are 162 States parties and an additional 13 signatories — a significant improvement since the Review Conference when there were only 155 States parties. Australia warmly congratulates the three States that have ratified or acceded to the Convention this year — Zambia, Madagascar and the United Arab Emirates. We strongly hope that the recent tempo of new accessions and ratifications continues, particularly in our own region.

Australia is committed to realizing universal adherence to and full implementation of the BWC in the Asia-Pacific region. In May 2007 we organized a biosafety and biosecurity training workshop in Australia for 12 technical experts from South-East

Asia. We have supported the European Union Joint Action outreach programme for the Asia-Pacific. We have also urged — at Foreign Minister level — the eight Pacific States yet to join the BWC to do so. While we do not suspect any Pacific island States of ambitions to develop a biological weapons programme, adherence to and implementation of the BWC by those States is an important preventative tool against the safe havens sought by perpetrators of bioterrorism.

Australia considers that more needs to be done to counter weapons of mass destruction delivery systems, particularly given that there is no international treaty regime covering ballistic missile proliferation. Efforts to stop missile proliferation focus on coordinated action among concerned States, especially in relation to controlling exports of missile-related materials and technologies. The Hague Code of Conduct (HCOG) is a non-legally binding instrument that promotes cooperative and transparent measures aimed at curbing the proliferation of ballistic missile systems worldwide. Australia is working with other HCOG subscribers to broaden awareness of the Code, which has 130 State signatories, and to encourage more States to join. The Code complements the Missile Technology Control Regime (MTCR), which seeks to harmonize export controls on missile equipment and technology, and other unmanned aerial weapons-of-mass-destruction delivery systems. Australia will chair the MTCR in 2008-2009 and seek to advance its important work in defeating the proliferation of weapons-of-mass-destruction delivery systems.

Black-market activity, including illicit brokering and intermediation services, seeks to avoid the restrictions set out in the CWC, the BWC and the export control systems. With this threat in mind, the Republic of Korea and Australia will put forward during this session of the First Committee a draft resolution on the prevention of illicit brokering. The draft resolution addresses the proliferation risk posed by illicit brokering, including brokering in all aspects of weapons of mass destruction and their delivery systems. It is time this important issue was placed comprehensively on the United Nations agenda.

In conclusion, Australia continues to see an important role for the CWC and the BWC in the global security architecture and as a tool for curbing the threat of chemical and bioterrorism. We will continue our efforts to support, strengthen and advance these Conventions. We will also work to address clandestine

transfers of missiles, missile components and related technology, which represent an increasing proliferation concern for the international community.

**Ms. Jordán** (Cuba) (*spoke in Spanish*): The Cuban delegation fully supports the statement on other weapons of mass destruction made by the representative of Indonesia on behalf of the Non-Aligned Movement. The existence of weapons of mass destruction continues to pose a major threat to international peace and security. The aim of all efforts made by States in disarmament processes should be the complete and total elimination of such weapons and the prevention of the emergence of new types of weapons of mass destruction.

Cuba reaffirms that all States must comply with their obligations related to arms control, disarmament and the prevention of the proliferation of weapons of mass destruction in all its aspects. Cuba is a State party to and strictly abides by all provisions of the international legal instruments prohibiting weapons of mass destruction, such as the 1925 Geneva Protocol, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

As a State party to the Chemical Weapons Convention Cuba continues to play an active role, urging a balanced approach to its two fundamental pillars, disarmament, including verification, and assistance and cooperation. Cuba also supports all action aimed at the universalization of the Convention. The report of the Second Review Conference on the Convention held last April in The Hague provides quite a balanced overview of the positions and concerns of States parties as the result of arduous negotiations. This document constitutes an important tool for the future.

The total destruction of chemical arsenals, in accordance with the deadlines extended by the Eleventh Conference of States Parties is and remains the most important task for the Organization for the Prohibition of Chemical Weapons (OPCW). As these deadlines draw closer, it will also be important to pay close attention to the future role of the OPCW in the international arena. Cuba considers that the OPCW plays an important role in the promotion of economic and technological progress of the States parties,

particularly the less developed. For that reason we, along with the rest of the non-aligned countries, advocate the full implementation of article XI devoted to full economic and technological development, and we promote significant actions to achieve that aim. Cuba reiterates its appeal to developed countries to promote genuine international cooperation through the transfer of technologies, materials and equipment for the use of chemicals for peaceful purposes. The discriminatory restrictions that some States continue to impose on certain States parties to the Convention regarding transfers for the peaceful use of chemical agents and materials are totally contrary to the letter and spirit of the Chemical Weapons Convention. The full and effective implementation of the Convention's provisions concerning international cooperation is vital for the objective and purpose of the Convention as a whole.

Cuba reiterates that any possibility of the use of bacteriological and toxin agents as weapons must be completely eliminated. The follow-up mechanism implemented during the Sixth Review Conference of the Biological Weapons Convention is undoubtedly a useful tool for the exchange of national experience and a forum for consultation. However, Cuba believes that the only way to truly strengthen and improve the Convention is by negotiating and adopting a legally binding protocol that is effective against the production, stockpiling, transfer and use of biological weapons. That protocol should also provide for the balanced and broad verification of all articles of the Convention. Once again Cuba calls for the promotion of international cooperation for peaceful purposes, including scientific and technical exchange and universal adherence to the Convention.

Cuba shares the legitimate international concern for the risk that terrorist groups will acquire weapons of mass destruction. Nevertheless, it insists that such a risk cannot be eliminated through a selective approach that is limited to horizontal proliferation while ignoring vertical proliferation and disarmament. If we really want to combat the possible use of weapons of mass destruction by terrorists, then urgent progress is needed in the area of disarmament, including the elimination of all weapons of mass destruction.

A number of initiatives being promoted by groups of countries, including the Proliferation Security Initiative, have never been multilaterally negotiated. Rather than helping to resolve the problem, those



initiatives are weakening the role of the United Nations in the fight against the proliferation of weapons of mass destruction in all its aspects. Cuba stresses the need to ensure that no measure adopted by the Security Council should undermine the United Nations Charter, the General Assembly or the current multilateral treaties on weapons of mass destruction.

Cuba does not possess nor does it intend to possess weapons of mass destruction in any form. It reiterates its firm commitment to the complete and effective implementation of the relevant legal instruments and extends its efforts to attain that objective in the interests of international peace and security. Cuba will remain fully committed to the objective of the complete elimination of weapons of mass destruction and will contribute as much as possible to strengthening the central role played by the United Nations in this regard.

**Mr. Kim Hak-jo** (Republic of Korea): The commitment to the disarmament and non-proliferation of chemical weapons constitutes a solid foundation for international peace and security. The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) has served as a primary multilateral instrument, embodying an unprecedented mechanism. In taking this opportunity, my delegation stresses the importance that the Republic of Korea attaches to the full and effective implementation of the Chemical Weapons Convention, the comprehensive nature of the prohibition of chemical weapons and the obligation to destroy existing stockpiles and production capacities within the agreed time limits.

My delegation believes that the destruction of existing stocks, on the one hand, and the prevention of future development, production and stockpiling, on the other hand, represent not only a multilateral commitment but also a contribution to the fight against terrorism. The Republic of Korea, since its accession to the CWC in 1997, has successfully implemented its obligations under the Convention, while cooperating with the Organization for the Prohibition of Chemical Weapons (OPCW). Considering what we have been able to accomplish, my delegation believes that the establishment of an effective and reliable global verification system is critical at the moment for strengthening the main objective of the Convention, namely, the prevention of the use of chemical weapons.

My delegation recognizes that, with its 184 States parties, the CWC has come close to universal membership and, therefore, I call on those States that have not yet acceded to this instrument to do so without further delay. Universality is one of the main factors that will contribute to the achievement of the worthy objectives of the Convention.

In this regard, the Republic of Korea has fully implemented its obligation under the Convention and supported the activities of the OPCW, having confidence in those activities, which will serve as a vital catalyst for achieving the objectives of the Convention and its universality. The OPCW has succeeded in effectively carrying out the functions entrusted to it under the terms of the Convention. The Republic of Korea has worked for the achievement of the Convention's objectives and will continue to do so in coming years.

Let me now turn to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC). The Review Conference in November 2006 provided us with a solid basis to further pursue our endeavours to strengthen the Convention, not only by adopting a final declaration for the first time in 10 years, but also by agreeing upon measures to strengthen the Convention. The continuation of the intersessional process, the launch of the Implementation Support Unit (ISU) and the adoption of the universalization action plan are some of the main achievements worthy of recognition. The first intersessional work programme, which commenced last year, clearly demonstrated the will of the international community to strengthen the implementation of the Convention. It provided States parties with a valuable opportunity to share their experiences in implementing the Convention at the national level and cooperating at the regional and subregional levels.

My delegation believes that an effective execution of national and subnational legislative measures is the core obligation under the Convention. Indeed, regional and subregional activities also play a significant role in supporting the implementation of the Biological Weapons Convention. This year we are holding the second session of the intersessional work programmes under two separate themes — “biosafety and biosecurity”, and “oversight, education, awareness-raising and code of conduct”. The successful Meeting

of Experts held last August reaffirmed the will of States parties to build further momentum. My delegation believes that the themes were pertinent and closely linked.

The Republic of Korea, since its accession to the Convention in 1987, has attached ever greater importance to enacting effective legislation and establishing a comprehensive national regulatory regime in order to comply with the prohibition and prevention requirements of the BWC. In addition to such governmental endeavours it is worth noting the academic and industrial community's growing awareness of BWC-related self-regulation measures. My delegation expects those concerted efforts from various sectors of Korean society to contribute to a rise in favourable public opinion for the BWC.

The Republic of Korea reconfirms its unwavering commitment to the implementation of its obligations and duties under the Convention. I conclude my statement by expressing my sincere wish to build further momentum towards making further progress at the Seventh Review Conference in 2011 by successfully executing the intersessional work programme.

**The Chairperson** (*spoke in Spanish*): I now call on Mr. Zimonyi, the Deputy Permanent Representative of Hungary, and would ask him to convey to the family of the Permanent Representative of Hungary to the United Nations in Geneva our condolences on the tragic death yesterday of the Ambassador in Geneva.

**Mr. Zimonyi** (Hungary): First of all, I should like to thank you, Sir, for your kind words of sympathy on the occasion of the unexpected demise of our Ambassador and Permanent Representative to the United Nations Office at Geneva. I will convey your words to the relatives and family of our colleague and friend.

Following the practice of recent years, Hungary once again has the honour to submit for the consideration of the First Committee a draft resolution entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction", contained in document A/C.1/63/L.11.

We held several rounds of informal consultations on the new text with the depositary States and the States parties to the Convention in Geneva and all interested States in New York. The text of the draft

resolution is based on resolutions that were adopted in recent years and has been updated in keeping with the latest developments. The draft is shorter and more succinct compared to last year's effort, which reflects the fact that we are in the calm and productive intersessional period of the Biological and Toxin Weapons Convention and our focus is on concrete issues as laid out by the Sixth Review Conference of the States Parties.

In order to facilitate consideration of the draft, I should like to highlight the new elements as compared to last year's text. In the second preambular paragraph the number of States parties to the Convention was updated following the ratification of the Biological Weapons Convention by three more countries, namely, Zambia, Madagascar and the United Arab Emirates. New paragraph 3 of the draft resolution welcomes the launching of the intersessional process and urges States parties to actively participate in it. A new paragraph 6 has been inserted urging States parties to continue to work closely with the Implementation Support Unit. There is also a technical update in the final paragraph, paragraph 8.

Our objective remains to have the draft resolution approved by consensus. I would like to inform members that, while we ask for the support of all United Nations Member States, Hungary wishes to remain the sole sponsor of the draft resolution on the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. In conclusion, let me express my sincere hope that, in keeping with the long-standing tradition, the draft resolution will be adopted without a vote this year as well.

**The Chairperson** (*spoke in Spanish*): We will continue our work on Monday at 10 a.m., a morning session rather than an afternoon one. We will try to finish the work remaining on other weapons of mass destruction. We will then start our discussion on disarmament aspects of outer space and probably also on conventional weapons. We will have an exchange at the start with the Chairman of the Group of Governmental Experts established to examine the feasibility, scope and parameters for a comprehensive, legally binding instrument establishing common standards for the import, export and transfer of conventional arms.

*The meeting rose at 5.10 p.m.*