



Permanent Mission of Pakistan to the UN Geneva

Statement by Ambassador Khalil Hashmi at the Plenary Meeting of the Conference on Disarmament 21 March 2023

Madam President,

On behalf of Pakistan delegation, I congratulate you on assuming the Presidency of this important Conference and assure you of our full support.

I also commend Ambassador Yanit Abera HABTERMARIAM of Ethiopia for her efforts during the preceding Presidency.

Madam President,

We have taken the floor to comment on a few issues.

As we highlighted previously, the draft proposal relating to the Program of Work circulated under the Egyptian Presidency may not have been perfect or reflective of priorities of many delegations including ours.

However, it attempted to preserve what is realistic and possible given the prevailing external environment and the diversity of positions on agenda items in this body.

It is obvious from the discussions of past few weeks that the space available for creative editing does not exist given the delicate balance of the draft proposal and its evolution. We therefore reiterate not to risk making the perfect the enemy of good.

Instead, we urge the Conference to adopt the draft decision, as presented by the Egyptian Presidency, thereby allowing commencement of substantive work in this body at the earliest.

Re-opening the draft decision at this stage or to table new edits risks unravelling the carefully crafted package.

Madam President,

We would also like to thank you for sharing your plans for the Finnish Presidency and for your commitment to transparency.

We take note of your announcement to organise a panel discussion on nuclear risk reduction and its contribution to nuclear disarmament on 23 March. We look forward to contributing positively to these discussions.

Madam President,

The ultimate objective of nuclear risk reduction efforts is prevention of nuclear war.

Efforts to prevent a nuclear war have ranged from the reduction or elimination of nuclear weapons to preventing their proliferation or their use or threat of use.

There has been an international consensus that the only guarantee against the use or threat of use of nuclear weapons and the prevention of nuclear war lies in the complete elimination of such weapons.

However, until the realization of a world without nuclear weapons, negotiating a legal instrument on Negative Security Assurances (NSAs) remains the most urgent and the next logical step to reduce nuclear risks and promote international security.

With this in mind, my delegation is pleased to submit a Working Paper to this Conference entitled **“International Convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons”**.

The Working Paper has been circulated by the Secretariat. It will be published as an official document of this Conference as CD/2317. Let me take this opportunity to present its rationale, salience and some of its main contents.

Madam President,

The subject of NSAs has been on the international agenda for over five decades; from UN General Assembly resolutions since 1966 to the Final Document of the first Special Session of the UN General Assembly devoted to Disarmament (SSOD-I) in 1978 as well as this Conference since 1979.

The CD began considering the issue of NSAs as an integral part of its agenda as one of the three ‘original nuclear issues’ at its very first session in 1979, the other two being nuclear disarmament and nuclear test ban.

Madam President,

Pakistan has been spearheading efforts on NSAs since the start of discussions on this subject. From the late 1960s onwards, then as a non-nuclear weapon State, Pakistan had sought legally binding assurances to safeguard its security from the use or threat of use of nuclear weapons. These efforts assumed greater urgency after nuclear weapons were inducted in the South Asian region in 1974.

In 1979, Pakistan tabled a draft “International Convention to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons” at the CD, contained in Document CD/10 and a Working Paper contained in Document CD/25.

In 1980 and 1981, two additional Working Papers were submitted by Pakistan as contained in Documents CD/120 and CD/161 respectively to contribute to the discussions on NSAs.

Pakistan has also been tabling an annual resolution on NSAs at the UNGA/First Committee since 1990.

Despite these efforts, the failure of the international community to provide credible, effective and legal assurances against the threat or use of nuclear weapons obliged Pakistan to develop a nuclear deterrent of its own.

Notwithstanding this defensive capability, Pakistan has continued to contribute substantially to the discussions on NSAs in this body including in various working groups and subsidiary bodies.

This Working Paper is yet another contribution to the work of this Conference and a demonstration of our commitment to support a legally binding instrument on NSAs.

We are of the view that the option of using nuclear weapons against non-nuclear weapon States is not only strategically untenable but also ethically unacceptable. We have therefore held out a voluntary pledge not to use or threaten to use nuclear weapons against any State not possessing these weapons. We are committed to transforming this pledge into a multilaterally negotiated legally binding international instrument on NSAs.

Madam President,

Let me now turn to the salience of legally codified NSAs in the contemporary context.

It is evident that the goal of elimination of nuclear weapons has remained elusive for decades. If past track record is any guide and the current trajectories of these weapons and their delivery means are any indicator, such elimination appears unlikely in the foreseeable future.

Therefore, both the hindsight and prognosis of nuclear disarmament makes the case for a legal instrument on NSAs all the more eminent and urgent.

Steps complementary to an international instrument on NSAs have a vital role in fostering a more peaceful and stable security environment globally and regionally.

A legal instrument codifying the existing commitments on NSAs will bridge the security gap between nuclear and non-nuclear weapon States. Legally binding NSAs will also help reduce tensions; avoid costly arms races; and obviate concerns of non-nuclear weapon states on account of new doctrines and technologies germane to the use of nuclear weapons.

Legally binding NSAs can also make a significant contribution to augmenting the global non-proliferation regime. Conversely, their absence would have an opposite effect.

An International Convention on NSAs would have a transformational impact on creating a conducive international and regional security environment; constitute a major Confidence Building Measure between the nuclear and non-nuclear weapon States, thereby facilitating negotiations on other matters related to nuclear disarmament and non-proliferation.

Negotiating and concluding an International Convention on NSAs does not impinge on the national security interests of any state possessing nuclear weapons since the Convention would not entail any elimination, reduction or freeze on nuclear weapons.

Willingness to negotiate such a Convention will be a concrete marker for demonstrating responsible behaviour on the part of nuclear weapon states. The implementation of such a Convention will also not entail any financial burden on States Parties.

Commencing negotiations on an International Convention on NSAs would also end the decades long impasse in the CD.

Madam President,

The Working Paper addresses questions on sufficiency and efficacy of unilateral declarations made by some states; it builds the case for credible and effective NSAs as an obligation under international law; elaborates how such a legally binding instrument will uphold the principles of undiminished and equal security; and proposes a framework for general and specific obligations.

The Working Paper also scrutinizes the case of opposition to legally binding instrument on NSAs. It dissects the arguments that cite existing unilateral declarations, UNSC resolutions, Nuclear Weapon Free Zones (NWFZs) or the lack of verifiability as grounds for opposing negotiations on a legally binding instrument on NSAs.

The Working Paper proposes elements under the following concepts which have often been brought up in this Conference: **(i) by whom; (ii) to who; and (iii) how.**

On the question of **‘by whom’**, the Working Paper proposes that all nuclear weapon states, regardless of being a party to any specific international treaty or otherwise, should give such assurances in order for NSAs to be universal and comprehensive.

On the question of **‘to who’**, the Paper proposes that all non-nuclear weapon states that have renounced the right to develop nuclear weapons under an international treaty and are not parties to the collective or bilateral security arrangements of or alliances with some nuclear-weapon States should receive such guarantees.

Alternatively, an additional protocol to the International Convention on NSAs could be incorporated to cover such non-nuclear weapon states, which are in security arrangements or alliances with some nuclear-weapon States, if they can unconditionally oblige the nuclear weapon states not to threaten to use or use nuclear weapons on their behalf, under any circumstances, against any non-nuclear weapon states.

On the question of **“how”**, the Working Paper calls for an international legally binding instrument negotiated at the Conference on Disarmament while proposing general and specific obligations.

Madam President,

The primary purpose of this Working Paper is to provide a fresh impetus to the emerging consensus on making progress on this vital subject of international security. The growing support for legally binding NSAs was inter alia illustrated last year in the draft report of subsidiary body-4 that recommended establishment of an Ad Hoc Committee on NSAs, to which no CD member had raised objections.

We earnestly hope this Conference charts a concrete path on NSAs this year and this Working Paper helps in building on substantive work done in the past. We invite delegations to contribute with proposals and inputs.

Thank you.
