

Mister President,

Some of the statements made so far during this Session of the Conference on Disarmament repeated, in a not very convincing tone, the lamentations on the “paralysis” of this body and the vows that it go “back to work”. I understand these considerations as healthy signs of modesty in the sense that we have not concluded in this Conference any new legal instrument since 1996. Indeed, we have had no reasons for celebration but the Conference, on trying to achieve consensus, has been working. At least as far as my Delegation is concerned, I would not consider as leisure our assembling here this morning however pleasant it may be.

In fact, we have been negotiating without success. We have been trying to achieve the necessary consensus on how we are going to transform into legal commitments the political principles embodied in so many resolutions of the General Assembly and other multilateral fora concerning disarmament and peace.

Why can't we agree? Basically because the nuclear weapon States and allied States want to limit the work of the CD to negotiations on the prohibition of production of fissile material for nuclear weapons or other nuclear explosive devices. Those States cannot accept the inclusion in the negotiating mandate of any mention to other aspects involving those fissile material.

Moreover not all those same States admit the negotiation of a treaty guaranteeing non nuclear weapon States against the use or the threat of use of nuclear weapons upon them as well as the negotiation of a treaty banning the placement of any weapons on outer space. Finally – and far more important – there is no movement whatsoever towards a treaty on the prohibition of nuclear weapons as human conscience requires concerning any weapons of mass destruction.

World public opinion opposes weapons of mass destruction, like chemical weapons, biological (toxin) weapons or nuclear weapons. All of them are abhorrent and their use, as mentioned here by one of our colleagues, would be a crime against humanity. To develop, improve, stock these weapons, have them deployed on alert for prompt use, all this amounts to prepare for such crime.

States possessing nuclear arsenals often refer to their need for deterrence. We all know that the term “deterrence” applied in a strategic meaning made sense in the east-west context of the cold war. Deterrence in that context meant to achieve a balance between the contenders so that the opposing arsenals would be neutralized, mutually immobilized.

Nuclear weapons States usually add the adjective “credible” to the term “deterrence”, meaning that their arsenals must be sizeable.

In the present actual political and strategic configuration of the world, nuclear weapons do not aim at balancing potentially opposing powers. They are rather intended to express sheer power of intimidation in an extremely archaic fashion. As you said, Mister President, we should try “to think outside the cold war box”. I should add to think “outside the colonialist box”, in which a group of States consider themselves above all the others and immune to humanitarian considerations and international legal principles. As one member State expressed here, nuclear weapons are immoral and illegal. Hence the possession of nuclear weapons is immoral and illegal.

Since the Cold War is deemed to be ended, the justification for keeping the arsenals is presented as essential for security. In fact, any State is responsible for guaranteeing the security of its citizens, territory and natural resources. Besides by means of friendly relations with neighbors and the international community in general, States ensure national security by maintaining armed forces for defense purposes, not for menacing other States.

In any case, one can ask the question if for its defense needs a State is politically, legally and morally entitled to possess and deploy arms of mass destruction.

It is also to be deplored that a number of other States, for different reasons, but in any case not believing in the possibility or desirability of a democratic international system, accept to place themselves under the protection of nuclear arsenals, thereby renouncing to employ their influence in the service of building a more peaceful world.

Many Delegations seemed to rejoice at recent positive trends and facts. No doubt the NPT Review Conference adopted without dissent a concrete plan of action. However, not being a standing organization, the NPT by itself cannot produce the fulfillment of those decisions. It rests on States party the duty to carry out the action plan.

What we have seen in subsequent months do not necessarily point to that direction.

A most powerful alliance proclaimed its renewed strategic doctrine expressly based on nuclear weapons. It is consequently difficult to grant credibility to any nuclear disarmament intention coming from any member of that alliance.

Two States possessing the largest arsenals reached a positive bilateral treaty aimed at reducing the number of warheads and other measures, including reciprocal verification. It is however an arms reduction instrument which conduces to an improvement of the relations between the Parties and thereby of the international political climate but does not mean abolition of nuclear arsenals and their underlying logic.

Two other nuclear powers concluded a bilateral arrangement that seems much more directed to make more economic and practical the management of their respective arsenals.

The President of the Federative Republic of Brazil, Dilma Rouseff, in her inaugural speech, on the 1st of January, stated and I quote: “Our tradition in the defense of peace does not allow us any indifference towards the existence of enormous atomic arsenals, nuclear proliferation, terrorism and transnational organized crime” (end of quotation).

As we know the language of such kind of statement is carefully crafted. For Brazil, nuclear weapons and the other mentioned evils belong to the same basket.

Mister President,

Given this state of affairs, it is saddening to hear from some Delegations that the problems lie on the machinery.

In the last two years, two formal proposals for a program of work were tabled. Document CD/1864 was adopted by consensus, hence it has the support of Brazil. Document CD/1889 was proposed in order to circumvent the obstacles that prevented the implementation of CD/1864. It provided a somewhat clearer opening to the treatment of aspects concerning fissile material other than the ban on new production. I say clearer opening because, in my view, the so-called "Shannon mandate" does not limit the scope of negotiations to future production of fissile material.

The Delegation that seemed most concerned preferred not to take advantage of that opening. However I must say that one of the regional groups let the presidency know that the proposal could not receive its support, even though a number of individual member delegations of that group expressed their willingness to adopt the document.

In the course of these first two weeks of our Session, we heard from some delegations that they remain opposed to negotiations of legal instruments on negative security assurances, on the banning of weapons in outer space. Those delegations did not even bother to mention their opposition to the very idea of a treaty banning nuclear weapons.

Those delegations are taking advantage of their right to block consensus granted by the Rules of Procedure. Does it make sense to argue that consensus is being abused? Does it make sense to try to undertake negotiations on any of the core issues of our Agenda by means of parallel processes that could produce quick but not very effective results? Does it make sense to pose a deadline to the CD until the end of this Session to achieve results? Does it make sense to address an ultimatum to ourselves?

Of course it would be healthy to re-examine the set of mechanisms established in 1978. A new Special Session of the General Assembly devoted to disarmament is long overdue, not necessarily, and at any rate, not exclusively to deal with institution engineering. Much more important, a SSOD IV should provide ample space open to all for a thorough debate on all aspects of disarmament. It would take advantage of the new trend and realities in international relations so well brought forth by the Prague Speech of 2009.

Unfortunately, there again we cannot find the necessary support.

Some of my colleagues have been saying that they (or their governments) are running out of patience. No one can offer any specific for that ailment. The metabolism of international politics, especially in the thin air of nuclear strategy, is slow, requires perseverance, cool minds.

Mister President,

We are thankful to your efforts in trying to organize debates during your tenure. Being our duty to listen to each other and to react to ideas and positions put forward, we naturally are brought to expose our countries' perceptions. Ours is a *métier* of words that may produce results in the form of multilateral undertakings. Success is however unpredictable both in terms of time and contents.

I understand that you have not sensed a propensity to consensus on a program of work under the form of CD/1864. It is not for my Delegation to intervene in your conduct of business. But I cannot refrain from saying that nothing prevents you from proposing a program of work.

In any way, my Delegation would applaud an initiative by the Presidency to convene a subsidiary body to discuss the question of nuclear disarmament, in particular a treaty banning nuclear weapons.

Since this is the highest aim we can reach and given the wide support for it, attested by the final document of the NPT Review Conference, such initiative would mark your presidency. It would constitute a framework of confidence building that would strengthen the advance on other issues like the negotiation of a legal instrument on fissile material for nuclear weapons or other nuclear explosive devices.

A considerable number of Delegations have clearly stated that a negotiation on fissile material should not only provide a ban on future production upon entry into force of the instrument but also consider all other aspects including pre-existing material. This would ensure that the result fulfill expectations regarding disarmament as well as non-proliferation.

During last year's Session, Brazil offered a contribution to this debate contained in document CD/1888 on a possible structure of a treaty. A framework or umbrella treaty would establish the general clauses such as objectives, definitions, scope as well as final clauses. Appended to it there would be a protocol basically on the banning of production and a second protocol on other aspects including pre-existing material. Both protocols should contain their own appropriate clauses on verification. That structure was intended to bring flexibility to the negotiation. As we have noticed, opposing views concerning the matter of fissile material have to do with the insistence on tying down beforehand not only results of the negotiation but also its modalities.

Mister President,

More than one hundred years ago, in the Second Hague Peace Conference, Brazil defended the equal participation of all States in the decisions. The American historian Barbara Tuchman, in her "The Proud Tower", mentions that fact, adding that the Brazilian delegate was particularly boring (a characteristic that seems to persist in my case but I assure you it is not necessarily national).

The subsequent wars, the somewhat failed experience of the organization that left us this building, the persistence of colonialism prevented significant progress in the democratic conduct of multilateral relations.

The United Nations radically changed the basis of international relations. Unfortunately especially in what concerns the urgent matters of life and death which are within our purview, the long period of the Cold War was a retrogression, bringing the notion that achievements in disarmament are to be granted by the main powers rather than negotiated by all concerned.

Two decades after the end of that period, the same old powers and some new candidates try to re-enact that top down approach.

For example, there is an expectation that the international community including public opinion will radiantly receive from the heights a limited treaty, restricted to non-proliferation aspects. Meanwhile the forges of Vulcan will go on stockpiling the instruments of oppression and destruction of humankind.

I thank you.