

**PLEASE CHECK AGAINST DELIVERY**



**PERMANENT REPRESENTATION OF BRAZIL TO THE CONFERENCE  
ON DISARMAMENT**

**Statement by**

**Ambassador Luiz Filipe de Macedo Soares**

**Geneva, 10 March 2011**

**Agenda Items:**

- 1. Cessation of the nuclear arms race and nuclear disarmament.**
- 2. Prevention of nuclear war, including all related matters.**
- 4. Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.**

The expression **weapons of mass destruction**, according to current definitions (official, non-official, academic), encompasses nuclear, chemical, biological (toxic) and radiological weapons. Apart from being excessively injurious and having indiscriminate effects, weapons of mass destruction are designed to cause widespread material damage and kill large numbers of humans in one single attack. The generalized condemnation of all these weapons is thus not surprising.

Those conventional weapons that cause indiscriminate effects and are excessively injurious, which are not covered by the definition of weapons of mass destruction, have been the object of prohibitions since 1980.

Biological weapons were banned in 1975 and chemical weapons, in 1997. Both clearly correspond to what is defined as weapons of mass destruction. However, in strategic terms, they are of limited value for defense purposes or as deterrents. During the more than four decades of Cold War, the superpowers, while amassing considerable quantities of both kinds of weapons, based their deterrence on nuclear warheads and their vectors.

That preference for nuclear weapons can be explained by the word "annihilation". Nuclear weapons provide that effect instantly and thoroughly, something the other weapons of mass destruction cannot offer. A country disposing of nuclear weapons has the power of annihilation, in brief: has **power**. As we all know – and I am not saying anything new – from Hans Morgenthau to Raymond Aron many scholars explained the matter - nuclear weapons became the base of power politics. An evidence is in the fact that nothing fundamentally changed after the Cold War was declared ended. The dissolution of the Soviet Union and the consequent disbandment of the Pact of Warsaw did not lead to the extinction of the North Atlantic Pact, which, on the contrary, has been strengthened and broadened in scope.

Nuclear weapons lost their function as east-west deterrent. They now respond to specific needs of each State possessing them. The world we live in has become less strategically organized and more dangerous. We have to strive to change the present situation, being it a realistic goal or not. The first step in that direction is to formally take the decision to work for the abolition of nuclear weapons. This means to start discussing the basis for the negotiation of an instrument that will produce the desired aim. Much toil and time will be needed but, without that first step, if there happens any change in international security, it will be in the direction of annihilation. Concerted action, be it in modest steps, is essential. A vision is not enough.

The mention to international security brings me to another aspect of our discussions here in the Conference. I understand that States possessing nuclear arsenals do not wish any change in the present situation of international security except in the sense of increasing their own security. There lies the root of the arms race, which, in spite of reduction in numbers, may take the form of increased efficiency and power of destruction.

This doctrine, duly carved in marble, is presented as the "principle of undiminished security for all". It is often invoked here by States possessing nuclear weapons and, sometimes, by other States that belong to strategic alliances based on nuclear weapons. However, it is not commonly used by other States which neither possess nuclear weapons nor belong to alliances based on them. The word "for all" in that principle seems to apply solely to States possessing or protected by nuclear weapons. In fact the security of the other non-nuclear weapon States cannot be diminished since it is simply non-existent.

Noting this absurdity, the VIII Review Conference of the NPT, in its Final Document, amended the wording of that principle by adding the term "increased" so that we say from then on "the principle of **increased** and undiminished security for all". The principle now caters for the haves and the have-nots. The States possessing nuclear weapons and States that place themselves under their protection will have their security undiminished while the remaining non-nuclear weapon States will have their security increased. I will come back later to the specific issue of security of non-nuclear weapon States since it depends first and foremost on the undertaking of eliminating nuclear weapons.

For that purpose, the practical step to be taken is to establish a subsidiary body with a view to discuss the question of how to achieve the banning of nuclear weapons. Such measure would unblock the Conference on Disarmament, a kind of refoundation, and create an atmosphere of confidence injecting fresh oxygen in the somewhat stale air in this Chamber.

Those opposing the creation of a subsidiary body on nuclear disarmament fear that engaging in focused discussions on the elements of a treaty banning nuclear weapons would sap their power of menace and unleash a stream of hope on a democratic international system. Tactical arguments of different sorts are brought forward. It is said that a treaty on fissile material is the next logical step and an issue ripe for negotiation.

Brazil, on proposing a framework for the structure of a treaty on fissile material, contained in document CD/1888, and including the negotiation of it in its proposal of a program of work, contained in document CD/1889, showed its willingness to pursue that objective. Yet we are not blind to the fact that the "ripeness" of the issue for negotiation merely stems from the willingness of some States to negotiate solely on that matter and not on any other matter. We ought to recognize that this step, be it logical or not, will not mean a significant progress toward the elimination of nuclear weapons. The champions of an FMCT have in mind a reinforcement of the non-proliferation regime, an objective that does not necessarily purport nuclear disarmament.

On the other hand, a real progress in the direction of a world free of nuclear weapons would be in the form of guarantees contractually given by nuclear weapon States to non-nuclear weapon States of not using or threatening to use nuclear weapons against them. This would not equate to a decision to dismantle the nuclear arsenals but would confine their use to their possessors among themselves.

At least some of the nuclear weapon States resist the idea of signing a legally binding instrument containing those negative security assurances with the argument that a political declaration would bring the same effect. Among others, three reasons could be invoked to expose the fallacy of such position.

First: a declaration, even if it is confirmed by a resolution, does not create an obligation under International Law duly contracted among Parties according to their own legislation. Only through due process can a State confirm its consent to limit its own sovereignty by means of a negotiated international legal instrument.

Second: the refusal to work on a treaty is equivalent to the denial of undertaking an obligation and indicates the intention of keeping the possibility of employing nuclear weapons against any perceived enemy.

Third: some nuclear-weapon States, while declaring that they will not use or threaten to use nuclear weapons against unarmed States, establish exceptions either based on their judgment on compliance of the NPT by non-nuclear weapon States or, more generally, on their own vital interests.

Non-nuclear weapon States that received the so-called positive security assurances by placing themselves under nuclear umbrellas are not ipso facto beneficiary of negative security assurances.

The state of the debate on this question indicates that some States do not want to relinquish the possibility of attacking with nuclear weapons States that do not have them. This also shows that they intend to keep nuclear weapons deployed and ready for use.

The question of negative security assurances seems to be a dead-end, but at least it can serve as a thermometer, a gauge measuring the risk of utter destruction.

Discussions under this item of the Agenda usually encompass the question of nuclear-weapon-free zones, their reinforcement by means of cancelling reservations made by nuclear weapon States and also the establishment of new nuclear-weapon-free zones, beginning with the Middle East. However, the importance of this question and the upcoming conference planned to be held in 2012 require a more focused attention. In this regard it would be advisable to devote a separate meeting of the CD to a debate on different aspects of nuclear-weapon-free zones.

Mister President,

The existence of this Conference on Disarmament, our presence here today have no other aim than the search for ways to ensure peace and security. Our basic tool for achieving this end is the constant effort, through our words and ideas to create a political awareness and a movement that will bring about decisions. And I come back to the essential decision: to initiate actions that will lead to the ban on nuclear weapons.

Some may smile at such an unrealistic objective. At least I am in the good company of the United Nations Secretary General who included in his five point proposal the consideration of negotiations on a nuclear weapons convention or agreement on a framework of separate mutually reinforcing instruments, backed by a strong system of verification, as reminded in paragraph 81 of the Final Document of the VIII NPT Review Conference. Action 3 contained in the Conclusions and Recommendations for Follow-on Actions is still more explicit, taking as a basis the “unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals”.

It is difficult to accept the argument according to which constraints imposed by institutions and legislation proper to democratic regimes would impede decisions on nuclear disarmament. Democracy is a basic value for the Brazilian nation. It cannot be invoked as an excuse for not taking decisions in compliance with International Law, including International Humanitarian Law.

While insisting on the need for action, I am not unaware of the complexities and heavy burden that would impose the elimination of nuclear weapons. In a recent speech in the context of the United Nations University, the High Representative for Disarmament affairs, Mr. Sergio Duarte referred to the need of a “disarmament infrastructure” on both national and international levels. According to him, “nationally, this would include the establishment of governmental agencies with specific mandates to implement disarmament policies. It would also include the enactment of relevant legislation and regulations, as well as funds from national budgets to support disarmament activities such as the verification of destruction of nuclear weapons, the disposition of fissile materials, and the destruction of delivery systems.

“Globally – continues the High Representative - this infrastructure would include new mandates for international organizations – including the International Atomic Energy Agency and the United Nations – to assist the achievement of nuclear disarmament on a truly global scale”.

We have been witnessing the difficulties involving the implementation of the prohibition of other weapons of mass destruction. Yet no one regrets having undertaken those commitments.

Brazil understands all difficulties before us. On the same time, it is important to point out that Brazil does not use the existence of obstacles or arguments of any nature to block progress in any item of our agenda. The evidence is in the proposal my delegation made last year of a program of work that sought to attend to every sensibility and, in addition, provided movement in all the core items.

Let me finally quote from the Communiqué issued by the Foreign Ministers of Brazil, India and South Africa, two days ago, on the 8<sup>th</sup> of March, in New Delhi, at the closure of the VII IBSA Trilateral Ministerial Commission:

“The Ministers renewed their support for global nuclear disarmament and nuclear non-proliferation and for the complete non-discriminatory and verifiable elimination of all weapons of mass destruction, including nuclear weapons, within a specified timeframe. They committed to work in close cooperation in order to help the international community to expedite the achievement of this goal globally”.

I thank you.