

Conference on Disarmament
Plenary Meeting, 8 August 2019

Statement by Pakistan

Mr. President,

I would also like to begin by thanking you for organizing this meeting on agenda item 2 of the CD. We note the introductory remarks and contributions by the four distinguished panellists.

My statement is divided in two parts, first on the topic under consideration – prevention of nuclear war, including all related matters – and second on the issue of fissile material.

Prevention of nuclear war, including all related matters

The SSOD I in 1978 declared by consensus that “all States, in particular nuclear-weapon States, should consider as soon as possible various proposals designed to secure the avoidance of the use of nuclear weapons, the prevention of nuclear war and related objectives, where possible through international agreement, and thereby ensure that the survival of mankind is not endangered.”

Although the relevance of this issue seemed to have receded in the post-Cold War period, it is again starting to gain prominence in the contemporary strategic setting. With the deteriorating international and regional security environment, a renewed focus on the prevention of nuclear war would contribute to building confidence between states and enhancing regional and global strategic stability.

The prevention of nuclear war and nuclear risk reduction measures need to be considered in a broad perspective, in terms of how to prevent war in general, also taking into account the threats emanating from conventional armed forces and doctrines, as well as from new types of destabilizing weapons systems.

Pakistan views nuclear weapons strictly in the context of deterring all forms of aggression, in order to ensure its security. Pakistan remains open towards any bilateral or multilateral initiative on arms control, non-proliferation and disarmament that is equitable and results in equal and undiminished security for all the concerned states. We have consistently affirmed our willingness to consider further measures for confidence building, risk reduction and the avoidance of an arms race in our region, and made several concrete proposals in that regard.

Several regions of the world have benefitted from the application of certain principles and guidelines in the area of arms control and evolved appropriate TCBMs. As the UN General Assembly resolutions and UN Disarmament Commission Guidelines have affirmed, CBMs at the regional level have to be tailored to the specifics of the region and should begin with simpler arrangements on transparency and risk reduction, enabling the concerned States to eventually pursue more substantive arms control and disarmament measures.

Fissile Material

Pakistan's consistent position on a Fissile Material Treaty, or FMT, is well known and remains unchanged. It is based on the following overarching principles:

First, the treaty should provide equal and undiminished security for all States, a principle recognized by SSOD-I.

Second, the treaty should contribute both to the objectives of nuclear disarmament as well as non-proliferation in all its aspects.

Third, in addition to a ban on future production, the treaty must also cover the past production of fissile materials, in order to address the asymmetries in fissile material holdings at the regional and global levels.

Fourth, the treaty should neither discriminate between the different nuclear-weapon states, nor between the nuclear-weapon and non-nuclear weapon states. All States Parties should assume equal obligations without any preferential treatment for any category of States.

Fifth, the treaty should be free of any loopholes by encompassing all types of fissile materials usable in nuclear weapons including their potential transfers to other States Parties.

Sixth, the treaty should include a robust verification mechanism implemented by a representative and independent body under adequate oversight of States parties.

Seventh, the treaty should promote both regional and global stability and enhance confidence among all States Parties.

Eighth, the treaty should not affect the inalienable right of all States to use nuclear energy for peaceful purposes under effective safeguards preventing diversion to prohibited purposes.

Lastly, the treaty should be negotiated in the Conference on Disarmament, the single multilateral disarmament negotiating forum. The CD includes all the relevant stakeholders and strictly operates under the consensus rule allowing each Member State to safeguard its vital interests. A treaty negotiated outside the CD will lack legitimacy and ownership, similar to the pseudo progress sought through UNGA-led divisive processes like GGEs and High Level Expert Groups.

Mr. President,

Any arms control, non-proliferation or disarmament treaty that diminishes the security of any State would be a non-starter, as evidenced by the failure of FMCT negotiations to kick off. No country can be expected to enter into negotiations on a treaty that would be detrimental to its national security, as was the case when a large group of countries refused to engage with the TPNW negotiations outside the CD and on many issues inside the CD including nuclear disarmament, PAROS, NSAs, chem-bio terrorism, etc.

Pakistan believes that a treaty which only results in a cut-off in the production of fissile material, as interpreted under the Shannon Mandate by the nuclear weapons possessors, would contribute little to nuclear disarmament. It would jeopardize Pakistan's security unless it addresses the vast asymmetries in existing stocks of fissile material. The situation has been further compounded by a blatant disregard for non-proliferation norms and the exercise of double standards for achieving short-sighted political objectives and economic benefits. It is manifest in the grant of inequitable waivers, the conclusion of bilateral civil nuclear cooperation agreements, and the continued pursuit of the creation of additional country-specific exceptions in the non-proliferation and multilateral export control regimes. These discriminatory measures endanger regional strategic stability in South Asia.

Among the states that possess nuclear weapons, most have either announced unilateral moratorium on the production of fissile material or attained a level of comfort through continued national production and the conclusion of special arrangements. It is only after amassing tons of fissile material, far in excess of any foreseeable defence need, that they were converted to the cause of FMCT. Unlike Pakistan, FMCT is a completely cost-free exercise for them. A cut-off treaty would not entail any significant obligation for these States. Also, for the non-nuclear weapon States parties to the NPT, many of which enjoy a nuclear umbrella under extended nuclear deterrence arrangements, an FMCT would not entail any new obligation.

Mr. President,

Pakistan stands ready to consider a treaty on fissile material that covers existing stocks. In 2015, we put forward a detailed Working Paper in the CD on capturing the existing stocks in the treaty's scope in a practical and meaningful manner. It would ensure that, in addition to a ban on future production, the existing fissile material stocks would not be used for manufacturing additional nuclear weapons. It also calls for mutual and balanced reduction of stocks on a regional or global basis to address their existing asymmetries. Such a treaty would genuinely promote nuclear disarmament, arrest vertical proliferation, and contribute to regional and global security and stability.

The Shannon Mandate does not guarantee the inclusion of existing stocks in the treaty's scope. And from what we have repeatedly heard from the other nuclear weapons possessing states, this is precisely their preference in order to perpetuate their strategic advantage. These states clearly prefer a treaty that only prohibits future production – and not just as a matter of their national preference, but based on their interpretation of what in their view is a multilaterally agreed upon negotiating mandate. Pakistan, therefore, cannot join any discussion, pre-negotiation, negotiation or preparatory work on the basis of the Shannon Mandate. The Shannon Mandate has clearly outlived its utility and validity as the basis for substantive work on a treaty. Major divergences continue to persist on the most fundamental aspects of the treaty's objective and scope, which need to be resolved before the commencement of negotiations to the satisfaction of all parties.

Mr. President,

Since many speakers including the panellists referred to the so-called High Level FMCT Expert Preparatory Group, I would like to put on record our position on this matter.

Pakistan voted against UNGA resolution 71/259 in 2016 that established this expert group. We had earnestly engaged with the three lead sponsors to arrive at a consensus text, but regrettably our key concerns were not addressed. Accordingly, similar to the previous GGE on FMCT that worked in 2014-15, Pakistan decided not to participate in this Group. I would like to briefly elaborate on the three overriding considerations that guided Pakistan's decision.

First, was the issue of its mandate. The Group had been mandated to, I quote, “consider and make recommendations on substantial elements of a future non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, on the basis of CD/1299 and the mandate contained therein”, unquote. Document CD/1299, also known as the Shannon Mandate, has outlived its utility and validity. It would only skew the negotiations towards an outcome that would contribute little to nuclear disarmament or to regional and international stability. It is ambiguous on addressing the issue of fissile material stockpiles and their asymmetries – that is not acceptable to us because of our regional security situation, which is being exacerbated by the discriminatory policies of certain countries.

Second was the issue of composition. All States possessing nuclear weapon are direct stakeholders, facing the biggest impact from a treaty dealing with fissile material. Their participation in any international effort dealing with the issue of fissile materials is indispensable and imperative. While Pakistan had chosen not to be a part of this Expert Preparatory Group, there are several other CD members with significant nuclear capabilities that were also not represented in it. We feel that only the CD has the ideal composition for considering the issue of fissile material on a consensus basis. The two rounds of open-ended informal consultations convened in New York in 2017 and 2018 could not be a substitute for the full and substantive engagement by all the major stakeholders. Pakistan participated in those informal consultations in good faith, but found them limited to an exchange of views of a general nature. Not all our views expressed during those consultations on critical aspects of the treaty were incorporated in the eventual report produced by the EPG.

Third was the question of repeating a tried and tested failed approach. The report of the previous GGE revealed the vastly divergent positions on each and every aspect of the treaty, but most importantly on its objectives and scope. Without resolving these two fundamentally critical issues, there can be no forward movement on other closely inter-linked elements, as became evident once again in the final report of the Expert Preparatory Group. Without any change for the better in the ground realities or any change in the strongly held positions of the major stakeholders, the Group was always bound to meet the same fate as the previous GGE. Its terms of reference did not allow it to address the underlying fundamental concerns that are actually preventing the start of treaty negotiations in the CD, and hence failed to contribute in that regard.

Mr. President,

Based on these considerations, Pakistan is not in a position to accept any conclusions or recommendations produced by the Expert Preparatory Group. We reject its final report. It can in no way constitute the basis for further consideration of the fissile material issue by the international community, whether inside or outside the CD. We regret that this Group was established by a vote. A deliberate decision was taken to

persist with a divisive approach aimed at seeking pseudo progress towards a contentious treaty with unclear objectives and a contested scope. Progress on FMT can neither be achieved by changing the format or forum, nor by imposing solutions that exclude the views of major stakeholders. We also need to seriously consider the negative effects on the treaty's prospects generated by misguided policies of selectivity, discrimination and double standards. The issue needs to be viewed in the broader security and strategic context.
