In the Name of God, the Compassionate, the Merciful

Mr. Chairman,

I have taken the floor to explain the position of my delegation on the draft Resolution A/C.1/65/L.45, entitled “the Hague Code of Conduct against Ballistic Missile Proliferation”.

My delegation believes that the Hague Code of Conduct (HCOC) is basically suffers from procedural flaws. It was drafted and endorsed outside the United Nations in a selective, unbalanced and incomprehensive manner. So, the Code does not represent a fully negotiated text. There is lack of transparency between HCOC and its relationship with the non-transparent club of MTCR as well.

HCOC has also several substantive shortcomings including that:

1) The text contains no disarmament perspective and through this discrimination acknowledges possession of ballistic missiles by a few States while aiming to discourage others from obtaining them, irrespective of their reasons for doing so;

2) HCOC has exclusively focused on ballistic missiles and has failed to address other kind of missiles, particularly the cruise missiles, which have been used coincidently by staunch supporters of the HCOC in recent years more than any other type of missiles;

3) It has failed to provide a definition of what constitute “ballistic missiles capable of delivering weapons of mass destruction” leaving it to political considerations of a few countries to arbitrary interpret it.
4) The text does not offer a distinction between Space Launch Vehicles (SLVs) programs and ballistic missiles program. So the SLVs programs are also subject to arbitrary unilateral interpretation;

5) The text has a vague and restrictive language with regard to assistance and cooperation in the area of SLVs;

6) The important issue of the development of ballistic missiles by the already possessors has not been addressed in comparison with proliferation aspect. In fact, HCOC is silent about the vertical proliferation of ballistic as well as cruise missiles.

7) Last, but not the least, the right of all States to peaceful applications of space, including having access to necessary technology for SLVs has been overlooked or neglected.

Regrettably the same approach was governing the discussion on the draft Resolution A/C.1/65/L.45, may be construed as continuation of the intention of co-sponsors based on the “take it or leave it” approach.

There was a promise by the then Chairman of the HCOC in 2005 to have a substantive and positive consideration of the amendments presented by the non-subscribing States. Nevertheless we have not noticed any substantive changes in the draft Resolution comparing the previous ones, and even worse a reference to the UNSC 1887 has been added in the text which the Non-Aligned Movement has strong reservations on that resolution.

Therefore, Mr. Chairman, my delegation, once again, obliged to vote against this draft resolution.