



PERMANENT MISSION OF THE REPUBLIC OF CUBA TO THE UNITED NATIONS  
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**STATEMENT BY THE PERMANENT REPRESENTATIVE OF CUBA, AMBASSADOR ORLANDO REQUEIJO GUAL, HEAD OF THE CUBAN DELEGATION TO THE THIRD SESSION OF THE PREPARATORY COMMITTEE OF THE 2005 REVIEW CONFERENCE OF THE PARTIES ON THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS (NPT). NEW YORK, 27 APRIL 2004.**

Mr. Chairman,

We commend you on your well-deserved election and wish you great success in your work.

Cuba fully supports yesterday's statement by the distinguished Ambassador of Malaysia on behalf of the Movement of Non-Aligned Countries.

Mr. Chairman,

Despite all the years since the NPT entered into force, the main objective of the total elimination of nuclear weapons has not only not been reached but also some very worrisome steps back are taking place.

It is unacceptable the absence of any progress in the fulfillment of the unequivocal commitment given by the Nuclear Weapon States at the 2000 Review Conference, regarding the achievement of the total elimination of nuclear weapons.

The resulting document from the 7<sup>th</sup> Review Conference should contain practical commitments in which the responsibility and the role entitled to Nuclear Weapon States in the process towards nuclear disarmament are clearly stated, which should be undertaken in a transparent, verifiable and irreversible manner.

It is evident that some Nuclear Weapon States do not have the political will required to achieve the objective to prohibit and eliminate nuclear weapons forever. Cuba reiterates that the military doctrines based upon the possession of nuclear weapons are unsustainable and unacceptable.

The NPT rests on three main pillars: non-proliferation, disarmament and cooperation for the peaceful use of nuclear energy. Cuba rejects the selective implementation of the NPT. The issues related to nuclear disarmament and the peaceful use of nuclear energy cannot continue to be pushed aside, while the horizontal non-proliferation is privileged.

Our country will continue to strictly fulfill all its obligations as a State Party to the NPT. Last year, on 18 September, Cuba signed a comprehensive safeguards agreement with the International Atomic Energy Agency (IAEA). On the same date, Cuba signed the Additional Protocol to this Safeguard Agreement.

The national constitutional procedures to ratify both instruments are way advanced and they will be concluded within the period of time established by the NPT.

We consider that this PREPCOM session should be mainly focused on issues related to nuclear disarmament, security assurances and the Middle East.

The adoption of an unconditional and legally binding universal instrument on security assurances for those States that do not possess nuclear weapons, cannot be any longer delayed.

We firmly support the creation of a new subsidiary body of the corresponding Main Committee during the 2005 Review Conference, to examine the issue on security assurances.

Mr. Chairman,

The situation of the disarmament and arms control multilateral machinery is an ever-increasing concern. The Conference on Disarmament continues at a stalemate. The UN Disarmament Commission was not even able to begin considering substantive issues this year. The First Committee still adopts resolutions that, on many occasions, are not implemented, particularly the ones related to nuclear disarmament.

There is an attempt to substitute disarmament with non-horizontal proliferation issues. It is about imposing the approach of non-proliferation as an objective itself, when it should actually be viewed as a contribution in the efforts to achieve the final objective of disarmament.

In the meantime, outside the traditional disarmament machinery, initiatives with dangerous consequences are moving forward without the possibility for the great majority of States to participate in their drafting.

We are concerned by the fact that the Security Council, a body that is not at all representative of the UN membership and where the veto power prevails, is negotiating a draft resolution on weapons of mass destruction. The main author and promoter of such draft resolution is a State possessing nuclear weapons, that actually has not shown any interest in progressing towards the objective of nuclear disarmament.

The draft resolution considered within the Security Council broadly exceeds the mandate of this body. It is attempted to grant the Council functions in the drafting of international treaties that do not correspond to it.

This draft resolution aims at the horizontal proliferation and it only makes an irrelevant mention to vertical proliferation and to the issue of nuclear disarmament.

The adoption of such text under Chapter VII of the UN Charter, as being attempted, could easily facilitate its use by some power as a "pre-authorization or justification" for the unilateral and abusive use of force against some specific States, resulting from alleged suspicions of proliferation of weapons of mass destruction or their components.

In the case of Cuba this is of particular concern, if it is taken into account the reiterative false and groundless accusations against our country by high-ranking US Government Officials, alleging -with no evidence whatsoever- that Cuba possesses a limited capacity for researching on and developing biological weapons, something we firmly reject.

Currently the draft resolution is ambiguous enough so that some States may proclaim that with its adoption, the so-called Proliferation Security Initiative (PSI) would be legitimized, created nearly one year ago by a group of States, without UN mandate or any other broadly accepted multilateral treaty.

Mr. Chairman,

As it occurs with the Security Council draft resolution, PSI promoters explain that the Initiative is aimed at struggling efficiently against the threat of terrorism with weapons of mass destruction.

Cuba shares the concerns about the risk of links between terrorism and weapons of mass destruction, including their delivery systems, and fully supports legitimate international efforts to deter their acquisition by terrorists.

The coincidental interest of the international community favors the creation and strengthening of an international coalition of all States against the use of weapons of mass destruction by terrorists.

But PSI, instead of contributing to international unity towards this issue and to the strengthening of the role of the United Nations and relevant international treaties, as TNP, weakens it.

Why is it attempted to impose a non-transparent mechanism of selective composition and that acts on the fringes of the United Nations and international treaties, instead of examining the concerns in terms of proliferation using the multilateral legal framework of the treaties and the mandate of the relevant international organizations? Why are the United Nations General Assembly, the UN Disarmament Commission, the Conference on Disarmament, the International Atomic Energy Agency, and the Treaty on Non Proliferation (TNP), the Chemical Weapons Convention and the Biological Weapons Convention ignored?

Under the PSI, even opposite actions to key provisions established by the 1982 UN Convention on the Law of the Sea could be carried out, as those referring to the right of innocent passage of vessels in territorial waters of States and the jurisdictional regime for the High Seas enshrined in the already mentioned Convention.

There would be no guaranties at all, that the prerogatives self-granted by the participants in the PSI may not be manipulated, particularly by the States with greater military power to abusively act against vessels and aircrafts of other States, under different motivations.

The possibility of terrorist attacks with weapons of mass destruction cannot be eliminated by means of a selective approach, as the one promoted by PSI, limited to struggle against horizontal proliferation and basically paying no attention to vertical proliferation and disarmament.

A multilateral and non-discriminatory approach is the only effective way to fight against the possible use of weapons of mass destruction by terrorists and by States. Their total prohibition and elimination, including nuclear weapons, would be the only guarantee for such weapons not to fall in hands of terrorists.

The Cuban delegation will circulate within this session of the PREPCOM a working document containing more detailed considerations on the Proliferation Security Initiative and its implications on the Treaty on Non Proliferation of Nuclear Weapons.

*"The Havana Declaration"*, adopted at the XVIII session of the General Conference of The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), successfully celebrated in Cuba last year in November, will also be circulated as an official document of this meeting due to its high relevance for the review process of TNP.

Thank you very much.