



PERMANENT MISSION OF THE REPUBLIC OF CUBA TO THE UNITED NATIONS

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STATEMENT BY AMBASSADOR RODRIGO MALMIERCA DIAZ, PERMANENT REPRESENTATIVE OF CUBA, AT THE SECURITY COUNCIL OPEN DEBATE ON COOPERATION BETWEEN THE SECURITY COUNCIL AND THE INTERNATIONAL AGENCIES IN THE IMPLEMENTATION OF RESOLUTIONS 1540 (2004) AND 1673 (2006). New York, 23 February 2007.

Mr. President,

Allow me to commend you for your work as President of the Security Council during the month of February.

I also take the opportunity to convey my appreciation to the Under-Secretary-General for Disarmament Affairs, to the Director-General of the Organization for the Prohibition of Chemical Weapons, and to the representatives of the International Atomic Energy Agency and the World Customs Organization, for the valuable information that they have provided today.

Mr. President,

Cuba strongly supports the general and complete disarmament, under strict international control and, in particular, supports the complete elimination of weapons of mass destruction, including nuclear weapons, recognizing the danger that their mere existence pose on humanity. Cuba does not have nor has the intention to have weapons of mass destruction of any kind.

In our country, all programs related to the nuclear, chemical or biological spheres have always had strictly pacific character. They are under permanent and strict control of the national authorities and are subject to the relevant international agencies' monitoring.

We have an effective, predictable and reliable system for the implementation at the national level of our international obligations as State Party to the Biological Weapons Convention, the Chemical Weapons Convention, the Treaty on the Non-Proliferation of Nuclear Weapons, and the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean.

Mr. President,

Cuba has repeatedly expressed several concerns regarding the scope and implications of resolution 1540 and, by derivation, of resolution 1673.

Let us recall that due to the pressure of certain members of the Security Council, resolution 1540 included some deliberately ambiguous provisions so that some States could claim that, with its adoption, the actions promoted within the framework of the so-called "Proliferation Security Initiative" (PSI) were rendered fully legitimate by the Council.

Cuba considers that under the PSI, unilateral actions could be carried out that would clearly contravene key provisions of the UN Convention on the Law of the Sea, of 1982, such as the right of innocent passage of ships and the legal regime of the High Seas contained in said Convention.

We reiterate our rejection of any manipulation or arbitrary interpretation of resolution 1540 aiming to make this text a pre-authorization or justification for unilateral use of force against certain non-State actors or even the very States where they are. This is particularly concerning in the context of the accusations, made by certain permanent members of the Security Council against some countries, for supposedly developing weapons of mass destruction programs.

Mr. President,

While noting the adoption of resolutions 1540 (2004) and 1673 (2006), the Non-Aligned Movement Summit, held in Havana in September of last year, underlined the need to ensure that any action the Security Council does not undermine the UN Charter and existing multilateral agreements on weapons of mass destruction and of international organizations established in this regard, as well as the role of the General Assembly.

Moreover, the Heads of State or Government of the countries that are members of the Movement cautioned against the continuing practice of the Security Council to utilize its authority to define the legislative requirements for Member States in implementing Security Council decisions, as in the case of resolution 1540. The NAM has highlighted the importance of the issue of non-state actors acquiring weapons of mass destruction to be addressed in an inclusive manner by the General Assembly, taking into account the views of all Member States.

Cuba considers that the Security Council is not, by any means, the most suitable body to lead the fight against the proliferation of weapons of mass destruction in all its aspects. Not only from the obvious argument that in this organ, the five nuclear-weapon States that are recognized by the NPT have veto power. Most importantly, certain permanent members of the Council flatly refuse to advance in a multilateral negotiation process to achieve nuclear disarmament.

Mr. President,

Cuba shares the concern for the danger of links between terrorism and weapons of mass destruction, and fully supports all legitimate international efforts to prevent terrorists from acquiring these weapons and their delivery systems.

Cuba strongly condemns all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivations. Our country further condemns all acts and actions, regardless of their promoters or executors that aim to encourage, support and finance or cover up any act, method or practice of terrorism.

Having been direct target of terrorism since the very triumph of the Revolution, the Cuban people has suffered the terrible consequences of terrorist acts in its own flesh.

However, the threat to use weapons of mass destruction by terrorists cannot be tackled through a selective and discriminatory approach limited to combat horizontal proliferation disregarding vertical proliferation and disarmament.

Prohibition and complete elimination of weapons of mass destruction are the only guaranty that they will not proliferate, and *inter alia*, that they will not fall in terrorist hands.

If the Security Council is really willing to contribute to the effective combat against the proliferation of weapons of mass destruction in all its aspects, it could adopt as soon as possible a resolution committing all its members, especially the permanent members, to take immediate steps to advance towards the achievement of nuclear disarmament under strict international control and within a framework period.

To conclude, Mr. President, I would like to stress that our country will continue to strictly abide by resolutions 1540 and 1673, as it has so far done, and notwithstanding the expressed concerns. In fact, Cuba has submitted to the Security Council, within the established period and with a high level of elaboration, the required reports under resolution 1540, and will continue to act in the same manner.

Our country reiterates its willingness to contribute in all possible aspects to the achievement of true international cooperation, within the framework of the United Nations and the relevant international treaties, in order to tackle the proliferation of weapons of mass destruction in all its aspects and achieve the objective of prohibition and complete vanishing of these weapons off the face of the earth.

Thank you very much.