

# Conference on Disarmament

25 February 2013

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## Final record of the one thousand two hundred and seventy-eighth plenary meeting

Held at the Palais des Nations, Geneva, on Monday, 25 February 2013, at 10.05 a.m.

*President:* Ms. Sujata Mehta ..... (India)

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**The President:** I call to order the 1278th plenary meeting of the Conference on Disarmament. I would like to extend a warm welcome to our distinguished guest, Mr. Eduardo Antonio Zuaín, Deputy Foreign Minister of Argentina. His presence here testifies to the importance Argentina attaches to the work of this body.

**Mr. Zuaín** (Argentina) (*spoke in Spanish*): Madam President of the Conference on Disarmament, Ambassador Sujata Mehta, distinguished Ambassadors, delegates.

My presence today at the Conference on Disarmament is designed to renew the commitment of the Argentine Republic to this forum, which is unique in its field and which we continue to view as the fundamental setting for negotiations on disarmament, and in particular nuclear disarmament.

This common space cannot, however, become merely a space for dialogue. Its usefulness depends on the results it achieves.

We understand the limitations preventing us from finding common ground in order to resume negotiations in this forum. At the same time, it cannot be denied that, while this forum has failed to act substantively over almost the past decade and a half, threats and challenges to peace persist, and there are urgent matters that the Conference should tackle.

We do not believe that we have the right to judge the vital interests of any State member of the Conference on Disarmament. Nor do we believe that there is only one way to resolve this deadlock. However, the risk of marginalization in the field of disarmament hangs over the Conference in particular, and the United Nations in general.

Argentina hopes above all that the Conference on Disarmament will begin negotiations as soon as possible on instruments intended to achieve a world free of nuclear weapons, including a treaty on the prohibition of fissile material for nuclear weapons and an international instrument on the subject of negative security assurances.

This forum is of vital importance for countries like mine that have rejected the nuclear option from a military standpoint. As a country with significant levels of nuclear activity for peaceful use, it is of particular interest to us to share a space with those countries that, regrettably, continue to believe that nuclear weapons are a legitimate tool.

Bilateral and regional action cannot replace universal action in terms of reach and impact. This responsibility belongs to the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons and cannot be reinterpreted by some countries as the situation changes. The nuclear Powers should take on a clear leading role in this matter.

Doublespeak is unsustainable in this area; it is not possible to extol the virtues of non-proliferation while more sophisticated nuclear weapons are being developed and the destruction of existing arsenals is delayed.

The matter of negative security assurances may no longer appear to be an issue for the countries of Latin America and the Caribbean given that, with the signing of the Treaty of Tlatelolco, there is a total prohibition of that type of weapon in the region. However, we are still at a very precarious stage in its implementation if we consider the interpretative declarations made by the nuclear-weapon countries when signing Additional Protocol II, under which they undertake not to bring such weapons into the area covered by the Treaty.

This problematic implementation is also under challenge as a result the disproportionate and unjustified military presence of the United Kingdom of Great Britain and Northern Ireland in the South Atlantic, which includes the mobilization of nuclear submarines capable of transporting nuclear weapons within the nuclear-free-zone established by the Treaty of Tlatelolco. This zone, which has been recognized by the United Kingdom, encompasses a large part of the South Atlantic and includes areas involved in a dispute over sovereignty acknowledged by the United Nations.

In order to provide some background, allow me to recall that in December 2003, the British Government publicly recognized that the “task force” formed to sail to the South Atlantic during the 1982 conflict included ships with nuclear weapons and that, furthermore, incidents occurred during their handling.

As a result, the Argentine Republic, on several occasions and in various international forums, expressed its concern at the possibility that the United Kingdom may have transported nuclear weapons to the South Atlantic.

The Argentine Government deeply regrets that the United Kingdom has ignored these calls and has so far failed to provide any information corroborating or ruling out recent movements of nuclear submarines capable of carrying nuclear weapons.

Today, the Malvinas Islands are among the most militarized territories in the world, with the presence of a powerful naval group, state-of-the-art jet fighters, a large command and control centre and an electronic intelligence base that allows air and marine traffic in the region to be monitored.

It should be borne in mind that this large-scale British military deployment in disputed areas of the South Atlantic — which involves periodic military exercises — is of concern not only to Argentina, but also to countries inside and outside the region, as demonstrated by the various declarations of the Ibero-American Summit, the Union of South American Nations, MERCOSUR, the Rio Group, the South American and Arab Countries Summit and the zone of peace and cooperation of the South Atlantic.

Given these issues, we see that much work remains to be done by this Conference, regarding both item 4 of the agenda, on negative security assurances, and item 7, on transparency in armaments.

Firstly, the uncertainty surrounding the nature of the material that is transported on British vessels and vehicles runs counter to the spirit of the negative security assurances that were given when the Additional Protocols to the Treaty of Tlatelolco were drawn up. Therefore, proceeding with the conclusion of an international instrument on this matter is a priority for the Argentine Republic and, under item 4 of the agenda, for the Conference on Disarmament, which is the natural forum for conducting these negotiations.

Secondly, it is our opinion that this forum should make greater progress with regard to item 7 so as to identify mechanisms allowing States to be more transparent about their arsenals, given that, as is widely recognized, the level of accumulation of weapons itself creates an atmosphere of insecurity and destabilization.

Treaties are not intended to resolve disputes between States that stem from reasons they consider legitimate, but they adopt and regulate the measures for settling such disputes. We therefore call on the Conference on Disarmament to resume its substantive work, taking into account the dangers connected to the deregulation of certain behaviour at the global level.

Until the issue of the security assurances to be provided by the nuclear Powers is dealt with substantively, countries like my own that have given up their nuclear weapons and denuclearized their regions will be at the mercy of the arbitrary behaviour of some countries.

I cannot conclude these remarks on nuclear disarmament without reiterating our request that the countries that have not already done so should ratify the Comprehensive Nuclear-Test-Ban Treaty so that it can enter into force. In particular, I wish to highlight the work carried out in various areas by the detection mechanisms set up under that Treaty, which are now partially operative, especially in relation to the recent nuclear test carried out by the Democratic People’s Republic of Korea, which my country condemns.

With these remarks, the Argentine Republic seeks to indicate its priorities regarding this forum's agenda in the light of its national interests, which cannot but include the particular situation of the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which are integral parts of the Argentine national territory.

This priority does not prevent my country from demonstrating the greatest flexibility when formulating a programme of work for the Conference on Disarmament that allows us to turn the lowest common denominator into true negotiations, in pursuit of a world free of nuclear weapons.

As I have mentioned, the global security situation proves that much work remains to be done on the subject. My region, Latin America, has taken sufficient action to demonstrate its commitment to nuclear disarmament and non-proliferation.

It is now time for those who still believe that nuclear weapons have a major role to play at the global level to make the necessary effort to guarantee that we can aspire to a safer world for all our citizens.

**The President:** Allow me now to suspend this meeting for a moment to escort Mr. Zuaín from the chamber.

*The meeting was suspended at 10.21 a.m. and resumed at 10.22 a.m.*

**The President:** The plenary meeting is now resumed. Would any other delegation like to take the floor?

**Ms. Adamson** (United Kingdom of Great Britain and Northern Ireland): I am taking the floor to make a right of reply in response to the speech we just heard from Argentina. The United Kingdom has no doubt about its sovereignty over the Falkland Islands and South Georgia and the South Sandwich Islands and the surrounding maritime areas.

The British Government attaches great importance to the principle of self-determination as set out in Article 1.2 of the Charter of the United Nations and article 1 of the International Covenant on Civil and Political Rights. That principle underlies our position on the Falkland Islands. There can be no negotiations on the sovereignty of the Falkland Islands unless and until such time as the islanders so wish.

The United Kingdom Government categorically denies that any reinforcement of military assets in the region has taken place. The defensive posture on the Falkland Islands has not changed in many years. We have had defensive military assets stationed there since the 1982 conflict. The United Kingdom's defensive military presence in the Falkland Islands exists only in order to defend the rights and freedoms of the people of the Falkland Islands to determine their own political, social and economic futures. References to aggression and claims of reinforcements, therefore, are wholly false. They only serve to raise tensions in the region and do nothing to help develop more constructive relationships in the South Atlantic, including on issues where there are mutual benefits to be gained, such as on fisheries conservation.

All United Nations resolutions are underpinned by the United Nations Charter, which clearly expresses the principle of self-determination in Article 1.2. The United Nations has never said that Argentina should not talk to the Falkland islanders in addition to the United Kingdom. The Falkland islanders were represented by their politicians during negotiations and the signing of the joint statement between the United Kingdom and Argentina in July 1999. The Falkland islanders also regularly participated in meetings between the United Kingdom and Argentine Governments in the South Atlantic Fisheries Commission, which met during the 1990s and 2000s. Unfortunately, it is only this Argentine Government that chooses not to speak with the Falkland Islands directly.

Reference was made to the United Kingdom naval forces, and in particular nuclear submarines. The United Kingdom ratified the Protocols to the Treaty of Tlatelolco in 1969, which guarantees a nuclear-weapons-free zone in the South Atlantic, and we will continue to honour that agreement.

**The President:** I thank the delegate of the United Kingdom for her statement. Would any other delegation wish to take the floor? I recognize the delegate of Argentina.

**Ms. Fogante** (Argentina) (*spoke in Spanish*): The Argentine delegation wishes to exercise its right of reply to the statement made by the British delegation, in order to reiterate the Argentine Government's position that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas are an integral part of the Argentine territory, and are the subject of a dispute over sovereignty recognized by various resolutions of the General Assembly and annually by the Special Committee on decolonization.

My delegation is especially keen to reply to the comments made by the delegation of the United Kingdom on the right to self-determination, particularly bearing in mind that in 1965 the General Assembly established that this was a special and particular colonial situation involving a dispute over sovereignty between Argentina and the United Kingdom that should be resolved by the two parties, taking the interests of the islands' population into consideration.

In 1985 the Assembly expressly ruled that the principle of self-determination did not apply to the situation in the Malvinas Islands. This inapplicability of the principle of self-determination stems from the fact that part of the territory of an independent State, as the Argentine Republic was, was seized by force by the United Kingdom in 1833, at which time the population and legitimate authorities were expelled.

This case relates to a colonial situation, but not a colonized population; therefore, the inhabitants of the Islands cannot become the arbiters of a territorial dispute to which their own country is party.

For Argentina, the holding of the upcoming referendum in the Malvinas Islands does nothing to alter the essence of the Malvinas Islands issue, and its result will not bring an end to the dispute over sovereignty or the unquestionable rights of Argentina.

Allowing the British population of the Islands to be an arbiter in the dispute to which their own country is party distorts the right to self-determination of peoples.

The United Nations has clearly established the means of resolving the dispute, that is to say between the two countries. The Argentine Republic reasserts its rights of sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which form part of its national territory, and expresses its firm will to resume negotiations with a view to finding a solution to the dispute.

Lastly, we note the comments made by the British delegation regarding militarization in the South Atlantic, and we repeat our calls for increased transparency with respect to those activities.

**The President:** I thank the delegate of Argentina. The delegation of the United Kingdom has requested the floor. You have the floor, Madam.

**Ms. Adamson** (United Kingdom of Great Britain and Northern Ireland): I don't have too much to add, since I set out quite a lengthy reply earlier. I would just underline two points, namely, that the United Kingdom has no doubt about its sovereignty over the Falkland Islands and South Georgia and the South Sandwich Islands and the surrounding maritime areas, and to reiterate that we attach great importance to the principle of self-determination, with an emphasis on "self" in determination. There can be no negotiations

on the sovereignty of the Falkland Islands unless, and until such time as, the islanders so wish.

**The President:** I thank the Ambassador of the United Kingdom for her statement. Are there any other requests for the floor? The delegate of the Democratic People's Republic of Korea has asked for the floor.

**Mr. Ri** (Democratic People's Republic of Korea): I just wish to make a very brief intervention regarding recent legitimate countermeasures. If someone wants to say something about the legitimate countermeasures, he should talk about the motive — why we did it — and, regarding that one, we reserve the right to speak at a later stage.

**The President:** I see no other requests for the floor. This concludes our business for today. The next plenary meeting of the Conference will be held tomorrow, Tuesday, 26 February, at 10 a.m.

*The meeting rose at 10.30 a.m.*