



STATEMENT

by

Ambassador Prasad Kariyawasam

**Head of Delegation of Sri Lanka to the
Conference on Disarmament**

at

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(check against delivery)

It is a privilege to take the floor on behalf of my country at a time when Japan presides over this important forum. We in Sri Lanka, have always enjoyed a close and abiding friendship with the people of the land of the rising sun. For the people of Sri Lanka, the East symbolises light. Madam Chair, you personally has brought new light and spirit into this forum with a fresh, enthusiastic and determined approach and we are confident that under your energetic leadership, this forum will once again move towards seeing light. You can be assured of the fullest cooperation of my delegation in all your endeavours.

May I also take this opportunity to pay tribute to your predecessor Ambassador Carlo Trezza for his efforts to get this forum moving from its impasse.

Due to the current predicament at this forum, it appears timely to take a bird's eye view of where we are with respect to past, present and future of our work.

The Conference on Disarmament as this forum is called now, is primarily a product of the landmark UN meeting that took place in 1978, exactly a quarter century ago. The UN General Assembly, at this Tenth Special Session, devoted for the first time to disarmament matters, adopted a final document by consensus which created several machineries for action on disarmament issues, and set up this body stating that, I **quote** :

"The Assembly is deeply aware of the continuing requirement for a single multilateral disarmament negotiating forum of limited size taking decisions on the basis of consensus".

end of quote

I request the indulgence of this audience to quote the first paragraph of the Final Document of this special session due to its continuing importance. I **quote** -

"The attainment of the objective of security, which is an inseparable element of peace, has always been one of the most profound aspirations of humanity. States have for a long time sought to maintain their security through the possession of arms. Admittedly, their survival has, in certain cases, effectively depended on whether they could count on appropriate means of defence. Yet the accumulation of weapons, particularly, nuclear weapons, today constitutes much more a threat than a protection for the future of mankind. The time has therefore come to put an end to this situation, to abandon the use of force in international relations and to seek security in disarmament, that is to say, through a gradual but effective process beginning with a reduction in the present level of armaments. The ending of the arms race and the achievement of real disarmament are tasks of primary importance and urgency. To meet this historic challenge is in the political and economic interests of all the

nations and peoples of the world as well as in the interests of ensuring their genuine security and peaceful future”.

End of Quote

Despite having adopted these words unanimously a quarter century ago under a different international and security order prevailing at that time, from our perspective, even now, every word still remains valid and relevant.

Following the SSOD I, the Committee on Disarmament, the previous name of this forum, was established as a direct descendent of Eighteen Nations Disarmament Commission (ENDC) and commenced its work with a five point agenda in 1979. Today, the CD focuses on a seven point agenda. Two issues, namely ; Nuclear Test Ban and Chemical Weapons that were in the 1979 agenda are no more with us, since, we have completed work on these issues as aspired by the international community. We have in the meantime added several new issues, namely; Prevention of Nuclear War including all related matters, Prevention of an Arms Race in Outer Space, Comprehensive Programme of Disarmament and Transparency in Arms. It is clear that some agenda items have remained unattended for too long, despite the continuing threat to humankind by issues that need to be addressed under those items. The item on the Cessation of the Nuclear Arms Race and Nuclear Disarmament requires, no doubt, our urgent attention to remove apprehensions about both vertical and horizontal proliferation of nuclear weapons. Several other items, although in the realm of an impending or perceived threat, also require our attention, since prevention is better than cure. In this category, Prevention of An Arms Race in Outer Space and New Types of Weapons of Mass Destruction beg our continuing attention.

Some would question as to how well the CD has borne its responsibility assigned to it by the international community a quarter century ago. It is our view that this Conference has been successful in its task, if we take a long term perspective of its achievements. The Comprehensive Test Ban Treaty (CTBT) and the Chemical Weapons Convention (CWC) were landmark achievements that enabled us to write off these two agenda items, for good. Surely, a multilateral forum that has been decreed to work by consensus will not and cannot produce an agreement every year. But we agree that the CD simply cannot sit on past laurels.

Some would argue that the CD was set up in its present form twenty five years ago, and therefore its role needs to be reassessed and reconfigured to suit our times. Yes, we agree that some aspects in this forum are anachronistic. The ever increasing role of the civil society and the results of global socio-political liberalization with attendant political re-alignment of States that has engulfed the world during the last quarter century do not appear to have been reflected adequately in this forum. For instance, Non-Governmental Organizations are

not yet allowed any meaningful participation in the CD. Moreover, some wonder about the efficacy of the current political groupings observed by the CD. In addition, we are also of the view that issues of current concern to the international community should have a place for discussion in this forum, not necessarily to negotiate immediate agreements or conventions but at least to understand and delineate those issues to ascertain as to how such matters may be relevant to our work.

My work as the special coordinator on the Improved and Effective Functioning of the CD, the tenure of which spanned almost four sessions of the CD commencing with the last session in 2001, provided me an excellent opportunity to study and reflect on the current procedures in the CD. It was clear that most delegations were keen to reform the functioning of the CD, including the methods of decision-making and procedures for the establishment of subsidiary bodies. However, there was reluctance on the part of others who wish to continue with the status quo. Reform of procedures of the CD was not seen as a panacea for substantive ills of the CD. It is obvious that procedural innovations are not welcome as means to muster "political will" to effectively address substantive issues some of which are connected with strategic balance and larger security interests of States or groups of States. Such substantive issues in the first instance, we agree, would require discussion, analysis and exchange of views followed by negotiations for possible agreements. In our view, inability to commence work on any subject at this forum lies in the perception or rather misperception about the nature and scope of our work and misplaced reluctance to make use of available procedural means.

This forum derives its mandate from the UN General Assembly to negotiate on disarmament issues to enhance international peace and security. In this context, our work is predicated on the assumption that international security and internal security of States cannot be built upon military hardware only. It requires "soft power" that has national and international legitimacy and should enjoy widespread international respect. Hence, our efforts can also be directed towards creating normative ethics on disarmament and arms control. Such ethics do not require intrusive verification mechanisms that are generally built on suspicion and apprehension that someone will cheat. Instead such ethics are built on confidence and cooperation as well as respect and concern for one another. In multilateral diplomacy, there is always room to develop widely accepted norms that will enjoy the force of international legitimacy even to reach the level of customary international law. After all, civilised world base its actions on law and reason while those who perpetrate indiscriminate violence base their actions on the premise that the end justifies the means. Our role therefore could be to work for the international community to create not only verifiable and legally binding disarmament agreements but also norms and ethics for disarmament and arms control which will enhance international security and

peace. The Ottawa Convention on Anti-Personnel Mines has no doubt created such a norm. The Biological Weapons Convention (BWC) is yet another example. Admittedly such normative instruments are not perfect, may not be universally accepted yet and therefore require further improvements. But it is our expectation that there will be "political will" one day to improve and universalize such normative ethics as a result of "public will". We are fully aware of the potential of the "public will" to turn around "political will".

There is another important aspect that this Conference must take into account. The world, whether we like it or not, is inexorably globalising with profound impact on means of communication, transportation and economic inter-dependence. Isolationism or creating fortress communities are not options any more. In such a climate of transformation in all aspects of our lives, peace and security have also come to depend more and more on cooperation and accommodation. No country, however overwhelmingly powerful, may be able to achieve a state of perfect security by going it alone. Concepts of common security that were enunciated long years ago seem more relevant now to achieve security for all in our inter-dependant world. It is clear that multilateralism and multilateral approaches are the best means for solutions to multifaceted problems, including international peace and security as well as other threats of tomorrow like international terrorism, in particular, WMD and terrorism.

We reckon the impact that the issues contained in the agenda of the CD would have upon strategic balance and fundamental security concerns of nations. Therefore, a work programme acceptable to all, no doubt, requires a balance in terms of some specific issues. However, such linkages may not necessarily lead to "catch all" prescriptions, that are not practical and even tenable. There have been many efforts by several eminent CD members and groups of members to propose work programmes with a view to commencing work in the CD. Sri Lanka, in principle, stands by the proposal for a Work Programme by the Group of 21 as contained in CD/1570, CD/1571. However, we welcome all other proposals and my country is flexible in our position on a Work Programme and stands ready to start work in the CD on the basis of any proposal that would enjoy consensus. In our view, the mandate of a subsidiary body on a subject is less important than the direction and the substance of our deliberations. It is our view that discussions in a subsidiary body will determine the form of an instrument that we can agree upon on a particular subject. Such an instrument can take, on the one hand, a form of an agreement with intrusive verification mechanisms, at the top end, or a normative ethic that may not have similar force of international law such as a Code of Conduct or even Code of Ethics, on the other. From our perspective, an instrument that is only a normative ethic at one stage could be a sound basis to develop legally binding verifiable agreements at a later stage. We recognize that some issues require a step by step approach. In

our work, we need to be ready to accept outcomes that signify the lowest common denominator at least on some issues, for the time being.

We, representing the international community, cannot, and shall not await political circumstances to become more propitious to start work in the CD. We have waited for far too long. Let's turn a corner now and agree on a balanced programme with a realistic ambition and answer the call of our conscience. For this purpose, my delegation would urge this forum to give you, Madam Chair, a specific mandate to continue to conduct consultations during the inter-sessional period to build consensus on a work programme for the CD to start working in the year 2004. We have full confidence in your ability to forge an acceptable compromise and would appreciate if you could keep the membership of CD informed, as appropriate, of the outcome of your efforts.

CD, like many other aspects in life, will have to be dynamic and should not standstill either in its approach or in substance. Therefore, we should individually and collectively look at all possible avenues and proposals to kick start the work in this forum. There have been sufficient background work done and material available for this purpose. What we need now is the general understanding that it is possible to serve security concerns of every country as long as there is a will to accommodate others' concerns. Madam Chair, civilized people work for common good, primarily on the basis of trust and good will. We are confident that all States around this table in fact inherit such qualities.

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