

Statement by Mr. Kanwal Sibal, Foreign Secretary at the CD Plenary

January 23, 2003

Mr. President,

Thank you for the warm welcome extended to me. It is a special pleasure for me to be here at this time when India holds the Presidency of the Conference on Disarmament, at the beginning of 2003, a critical juncture when new concerns and uncertainties loom large on the international security scene and therefore on your deliberations.

The Conference on Disarmament is a unique institution, evolving during the Cold War, and emerging as the sole multilateral negotiating forum in the field of disarmament. Its origins lie in the Ten-Nation Committee on Disarmament established in the 1950's, with representatives from opposing military blocs. With the early induction of a small number of neutral and non-aligned countries, a more resilient and representative forum emerged that has become progressively multilateral in character in succeeding decades. The ideological conflict of the erstwhile super powers and their allies was a fact of daily life in the Eighteen-Nation Disarmament Committee (ENDC) and its successor bodies. The Cuban missile crisis, war in Afghanistan and deployment of intermediate-range nuclear missiles in Europe, were some of the moments during the Cold War when confrontation levels rose and tensions escalated. And in the Council Chamber, negotiations stalled, replaced by rhetoric. However, the significance of this institution lay in the engagement of key players, reflecting a desire for stability, and this engagement, in the final analysis, strengthened multilateralism.

With the end of the Cold War began a change in which new threats have emerged. After 11 September 2001, the Western countries, led by the US, have become acutely aware of the threat posed by international terrorism, recognition of which was absent earlier. Terrorism itself is not a new phenomenon. In the last century, we have witnessed left-wing and right-wing terrorism as well as terrorism to promote secessionist claims or redress perceived wrongs and injustices by recourse to violence even against the innocent. However, today's terrorism is different in scale, in its targets, in the nature of its cause and the identification of the enemy. Its roots lie in fundamentalism; its target is modern civilization, democracy, pluralism and an individual's basic right to think and act independently. It nourishes its sense of false grievance against the world through intense religious propaganda, fed by a distorted reading of history and an exaggerated sense of its own capacity to resist its course.

Finances are raised globally, as are its recruits. The global terrorist finds refuge not only in places and regions where sovereignty is weak and lacking, in failed States and States that are adrift, where governments are neither legitimate nor effective, but the networks of terrorism exist all over, even in developed countries. Some governments consciously use terrorism as an instrument of State policy. The technical means and sophisticated planning of these networks show that they exploit the inter-connectivity of the globalized world to their advantage. This new terrorism is both a physical phenomenon and a mindset. The physical phenomenon can be dealt with more easily than the mindset, but it is the mindset that continues to provide new recruits to this menace even as elements of it are physically eliminated. In our immediate neighbourhood we have seen this phenomenon grow for many years, spawned in the mujahideen training camps and the madrassas. In early 1990's, the Al Qaeda emerged and in 1998 Osama bin Laden established an international front for terror, with terrorist groups operating out of several countries. Many of these groups are now banned nationally and internationally, but the Western world became aware of the magnitude of the threat only after the 11 September attacks. The large number of innocent victims of the attacks and the undetected meticulous planning in Western countries has forced democracies the world over to re-examine their laws, security doctrines and their

institutions.

How are societies to be protected against such threats, especially against a growing possibility that such attacks in future may also involve use of weapons of mass destruction? How can such attacks be deterred? How can these determined terrorists be disarmed? Faced with threats which are anonymous or non-State, and unpredictable, what is the legitimate action that deters and failing that, what constitutes legitimate force? Who does one coerce and who does one negotiate with? How does the international community prevent failing States from becoming black holes that spread instability and chaos? How does the international community develop a consensus to deal with sovereign States whose policies, social ethos and institutions, breed the mindset that sustains this kind of international terrorism?

It is relevant to recall that for the first time in history, both the UN General Assembly and the Security Council, unanimously recognised the necessity for a military response to the 11 September terrorist attacks. NATO followed by invoking Article V on collective security. The US too declared war against global terror. It was no longer a question of crime prevention or law enforcement. In democratic societies the bar for legitimacy in exercise of force is set high and parliament, judiciary, media and civil society provide restraint and oversight on executive authority. How does this square with pre-emptive exercise of force, especially when it is based on real-time intelligence, which is a highly perishable commodity? Clearly, a decision to treat countering terrorism as 'war' rather than law enforcement changes the paradigm and new questions arise about the nature of the threat as well as the means of dealing with it.

All these questions do not strictly fall within the agenda of the CD but it is time the CD took cognizance of the new security threats that have emerged. There is now a frightening link between these new threats and the old threats that have been the staple of the CD. States that use terrorism as a policy instrument today possess weapons of mass destruction and fears have been expressed about the danger of their weapons falling in the hands of terrorist outfits. Such States are today collaborating in transfers of nuclear and missile technologies, endangering gravely the security of democracies. It is a matter of regret that such serious challenges to international security are not being addressed with the rigour that they demand.

We do not seem to have any viable long-term alternatives for dealing with these new threats. There exists a growing realization that no single country, acting alone, can deal with them. Multilateral action to discern threats before they emerge and united fronts to deter and defend against such threats are required. Moral clarity is necessary. No terrorist can be a freedom fighter. There is no acceptable terrorism – irrespective of whether the terrorist acts are committed in New York or Bali, Jammu & Kashmir or Chechnya. We need to put our heads together and come up with practical measures and necessary legally-binding instruments that will prevent terrorists of all hues from gaining access to weapons of mass destruction. The Indian Resolution on Measures to Prevent Terrorists from Acquiring Weapons of Mass Destruction at the 57th UN General Assembly, which was adopted by consensus, was an initiative to seek collective action. I understand that at a seminar in this room only last month, many of you looked at the FMCT as a possible step that could help prevent fissile materials from falling into the hands of terrorists. This aspect was not in consideration when the concept of an FMCT was originally looked at. However, the CD has the inherent flexibility to adapt to new developments.

India is committed to participating actively in the much awaited FMCT negotiations in this forum, as announced by the Prime Minister of India soon after our nuclear tests in 1998. Our position is based on the fact that India is not seeking a nuclear arms race with any other nuclear power. We exercised our nuclear option, without violating any international obligation, in order to deter any nuclear threats that would have compromised our national security and our strategic autonomy, necessary for pursuing the development goals of our

people. We have a well-defined nuclear doctrine. It reaffirms India's commitment that it will not be the first to use nuclear weapons and would not use these weapons against non-nuclear weapon States. The entirely defensive doctrine is buttressed by a command and control system which is fully under civilian political authority. Regrettably, our own region is confronted with aggressive nuclear posturing and irresponsible threats of use of nuclear weapons by military leadership. Our doctrine also reaffirms India's readiness to join multilateral negotiations for reduction and elimination of nuclear weapons, for an FMCT and for effective export controls. As has been stated before, India is ready to multilateralise its no-first-use commitment so as to reduce the salience of nuclear weapons in the strategic realm. The residual threats of their accidental and unauthorized use can be addressed by moving towards a progressive de-alert of nuclear forces. These measures should be within our grasp given the non-adversarial relations among major powers.

At the 90th session of the Indian Science Congress held in Bangalore earlier this month, the President of India, Dr. A.P.J. Abdul Kalam, a well known space scientist, unveiled a vision for a global space community and the potential that space technology offers in dealing with Man-Planet conflict areas i.e. 'crises in energy, environment, ecology, water and mineral resources', as the world moves to a knowledge based society. In calling for a Common Minimum Global Space Mission, to address these issues, he cautioned that "Above all, we must recognise the necessity for world's space community to avoid terrestrial geo-political conflict to be drawn into outer space, thus threatening the space assets belonging to all mankind".

We would like to see early commencement of negotiations to prevent an arms race in outer space. We would not like to see outer space weaponised as a consequence of the ongoing revolution in military affairs, a development which has then to be chased by follow-on disarmament measures. In the interest of substantive work commencing in this Conference, we are however willing to consider, in a spirit of flexibility, a less than negotiating mandate on this subject without necessarily ruling out the possibility of future negotiations.

India's commitment to global nuclear disarmament within a time bound framework has not diminished because of our pursuit of a minimum credible deterrent. This Conference has to find practical ways to address the issue of nuclear disarmament in a comprehensive and non-discriminatory manner, as it was mandated to do by the Tenth Special Session of the UN General Assembly. In doing so, we need to go beyond the futile exercise of the past century that sought to perpetuate the asymmetric advantage of a handful of countries at the expense of collective global security. We have always held that a discriminatory treaty will not be effective and will collapse due to its own inherent contradictions and flaws. Let us remind ourselves in this context that this is a Conference on Disarmament and not a "Conference on Non-Proliferation".

While finding ways of dealing with new threats, it is important to remember that the old threats have not disappeared – the existential threat posed by nuclear weapons is yet to be dealt with; outer space is yet to be secured as the common heritage of mankind. The threat of radiological weapons seems more real today with the label of "dirty bomb" than it did two decades ago. Moreover, developments in the bio-technology field remind us that Treaties cannot remain static in a world driven by technology. Treaties need to keep pace with changing reality, whether political or technological in order to retain validity. And in all of this, multilateral approaches are the only viable approaches. Even where we perceive inadequacies in multilateral agreements, the answer lies in pursuing solutions through the multilateral route rather than resorting to further ad hoc technology controls. The experience with such ad hoc controls has been that responsible developing countries adhering to the rule of law and transparent policies are then constrained, but not the clandestine proliferators. These become instruments of coercion against societies eager to develop and move up the development ladder but prove ineffective against those who veritably threaten peace and stability.

It is just a decade since the Chemical Weapons Convention was opened for signature in Paris in January 1993. CWC remains the only international instrument to outlaw an entire category of weapons of mass destruction comprehensively, verifiably and without discrimination. This year will be the first Review Conference of the CWC which provides the occasion to ensure that the principal prohibitions and obligations of this Convention are respected and implemented with cooperation of all the States Parties. We should also stand guard against extraneous demands in the course of the Review Conference lest it get into the disarray which befell the Biological Weapons Convention in its review process.

India has consistently advocated that the CD should engage in substantive work. It is for this reason that India expressed support for the Amorim Proposal in 2000, which brought us close to agreeing on a programme of work. In 2002, we were similarly motivated to extend support to the cross-Group initiative of the five ambassadors in the hope that it could bridge the gap between key players to overcome this deadlock.

Despite all the sabre-rattling from different quarters and perhaps because of the very provocative nature of recent events in the international arena, we have every reason to make the CD work. We cannot afford to allow CD to be suspended or atrophy because of the hurdles that exist or because our frustrations tempt us to throw up our hands in an act of resignation. Diplomacy, particularly multilateral diplomacy requires us to keep our faith and patience while seeking solutions. The role of the CD is to negotiate legal instruments that have significant and long-lasting collective security benefits. Any discussion that is undertaken in this body, based on the agreed agenda, has therefore to be with that objective in mind. If there is evidence of necessary political will in the concerned quarters, the CD can resume its intended role.

Mr. President, I am sure that you will spare no efforts during your term, to overcome the prevailing differences among key countries and seeking a positive outcome that will enable the CD to have a productive 2003.
