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## 71st Session of the General Assembly

First Committee

Agenda Item 98(kk)

### L.41 Taking forward multilateral disarmament negotiations

New York, 27 October 2016

Explanation of Switzerland

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Mr. Chair,

I am taking the floor to explain our abstention on resolution L.41 entitled "*Taking forward multilateral disarmament negotiations*".

Contrary to biological and chemical weapons, nuclear weapons are not yet prohibited. We acknowledge the existence of a "Legal Gap" and share the view of the sponsors of L.41 that further legal instruments will be required to implement Article VI of the NPT. We are convinced that additional nuclear disarmament instruments are required before the "minimization point", in order to move more resolutely towards a world without nuclear weapons. A process to negotiate a treaty prohibiting nuclear weapons constitutes one possible avenue among several to take multilateral nuclear disarmament negotiations forward.

Switzerland has for quite some time highlighted that any negotiation process and future treaty would benefit from being supported by as many States as possible, including by States whose security strategies rely on nuclear weapons. In view of enabling the broadest possible participation, we suggested to the Sponsors concrete language about the importance of achieving general agreement on issues of substance during the negotiations. We regret that L.41 does not reflect our position in this regard. Switzerland has therefore taken the decision to abstain.

We take note of the decision by a large majority of member states to initiate a process to negotiate a treaty prohibiting nuclear weapons. It will be important to ensure that the forthcoming process and the future instrument will have a positive effect on efforts towards a world without nuclear weapons.

Both in the lead up to and during negotiations, it will be important to take into account the following elements:

- 1) A prohibition treaty should complement and reinforce existing norms and treaties. Any new instrument should be in line with the rights and obligations under the NPT and be designed to support the implementation of NPT Article VI. States engaging in the negotiations, and eventually acceding to a prohibition, still have a legal obligation to fully implement all provisions of the NPT. In this context, we underline that the NPT is the cornerstone of nuclear disarmament and non-proliferation around which a prohibition treaty has to be articulated.

2) To enjoy broad support, and to increase the added value of any future instrument, both disarmament and broader security policy considerations need to be taken into account during the negotiation process.

3) The parameters of these negotiations should ensure as wide a participation as possible, including by States that have outstanding questions regarding a prohibition treaty. We wish to underline again, as stressed in discussions since the beginning of this session of the First Committee, the importance to agree on rules of procedures which reflect the willingness to strive for general agreement and to take all efforts to reach consensus on substantive issues.

We intend to actively promote these and other elements in the negotiation process.

I thank you Mr. Chair.