Remarks by

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and Chair of the Open-ended working group taking forward multilateral nuclear disarmament negotiations

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1. It was an honour for me to have chaired the Open-ended working group taking forward multilateral nuclear disarmament negotiations, established by the General Assembly pursuant to resolution 70/33.
2. The Working Group’s mandate is clear: How to take forward multilateral nuclear disarmament negotiations, focusing on how “to substantively address concrete effective legal measures, legal provisions and norms that will need to be concluded to attain and maintain a world without nuclear weapons”.
3. The Working Group was mandated to “also substantively address recommendations on other measures that could contribute to taking forward multilateral nuclear disarmament negotiations, including but not limited to (a) transparency measures related to the risks associated with existing nuclear weapons; (b) measures to reduce and eliminate the risk of accidental, mistaken, unauthorized or intentional nuclear weapon detonations; and (c) additional measures to increase awareness and understanding of the complexity of and interrelationship between the wide range of humanitarian consequences that would result from any nuclear detonation.
4. In looking forward, we need to take a step back and look at the context in which the Working Group was established. The Working Group’s common goal and aspiration is to achieve and maintain a world without nuclear weapons, which remains the universal objective of taking forward multilateral nuclear disarmament negotiations.
5. Its work was underpinned by deep concern over the threat to humanity posed by the existence of nuclear weapons and the catastrophic humanitarian consequences of any detonation. The risk of these catastrophic humanitarian consequences will remain as long as nuclear weapons exist.
6. Against this backdrop, there was a sense of frustration with the lack of any substantive progress in multilateral nuclear disarmament. There was concern regarding the serious challenges faced by the existing United Nations disarmament machinery, including, inter alia, the Conference on Disarmament (CD), which has not been able to carry out negotiations pursuant to an agreed programme of work in two decades and the United Nations Disarmament Commission, which has not produced a substantive outcome since 1999, as well as the review process of the Treaty on the Non-Proliferation of the Nuclear Weapons (NPT), which failed to reach agreement on a substantive final document in 2015.
7. As I mentioned, all States agree on the need to take forward multilateral nuclear disarmament negotiations, whilst reaffirming the importance of the NPT. The question was how bearing in mind the divergence of views.
8. In its deliberations, several key issues were debated, including the issue of the legal gap. While many viewed that there is a legal gap in the current international framework for the prohibition and elimination of nuclear weapons, others felt that the NPT and the outcomes of its review conferences provide an essential framework for the pursuit of nuclear disarmament.
9. Another key issue discussed was that of national and international security and the concept of collective security. Here, a group of States stressed that the international security environment, current geopolitical situation and role of nuclear weapons in existing security doctrines should be taken into account in the pursuit of any effective measures for nuclear disarmament. They argued that approaches that did not take this into account would not achieve participation from nuclear-armed States and other States that rely on nuclear weapons in their security doctrines. On the other hand, many States stressed that collective security should take priority over national interest with respect to the question of nuclear weapons. They argued that there is no contradiction between national security and collective security
10. Bearing all this in mind, several approaches were discussed:
11. A legally-binding instrument to prohibit nuclear weapons, leading towards their total elimination, which would establish general prohibitions and obligations as well as political commitment to achieve and maintain a nuclear-weapon-free world. This would only be an interim or partial step toward nuclear disarmament as it would not include measures for elimination and would instead leave measures for the irreversible, verifiable and transparent destruction of nuclear weapons as a matter for future negotiations.
12. A comprehensive nuclear weapons convention, which would set out general obligations, prohibitions and practical arrangements for time-bound, irreversible and verifiable nuclear disarmament.
13. A framework agreement, which would comprise either a set of mutually reinforcing instruments dealing progressively with various aspects of the nuclear disarmament process, or a chapeau agreement followed by subsidiary agreements or protocols that would lead gradually to a nuclear-weapon-free world.
14. A hybrid approach, which would include the immediate negotiation of a treaty prohibiting nuclear weapons. Such a treaty would be complemented by protocols relating to national declarations, national implementation, verification and phases of destruction, assistance and technical cooperation and a non-discriminatory verification regime to be implemented following the complete elimination of nuclear weapons.
15. A “progressive approach”, focusing on the importance of the existing global regime, in particular the NPT, which already contains treaty-level commitments on the goal of eliminating all nuclear weapons. Within the framework of the treaty, both non-nuclear weapon states and nuclear weapon states needed to work together on building blocks consisting of parallel and simultaneous effective legal and non-legal measures which can be of a multilateral, plurilateral, bilateral or unilateral nature, and are mutually enforcing.
16. An additional protocol to the NPT, which could be negotiated as a separate instrument. Such an approach would keep nuclear disarmament as an integral part of the NPT.
17. There was a long discussion of the merits of each approach, but in the end, it was clear that States were more or less divided into two camps:
18. those who were frustrated with the status quo and wanted to take forward multilateral nuclear disarmament negotiations, and
19. those who preferred the status quo and wanted to take a more progressive approach, pursuing practical steps consisting of parallel and simultaneous effective legal and non-legal measures and taking into account national and international security concerns.
20. The Working Group exerted its best effort to achieve consensus, using creativity and innovative language. We did come tantalizingly close as some said, but could not reach general agreement as one State called for a vote.
21. As a consequence, other countries proposed last minute amendments to the report, strengthening the language. Adopted by a vote, the Working Group’s report recommended with widespread support for the General Assembly to convene a conference in 2017, open to all States, with the participation and contribution of international organizations and civil society, to negotiate a legally-binding instrument to prohibit nuclear weapons, leading towards their total elimination. The report also recognized that other States did not agree with the above recommendation and recommended that any process to take forward multilateral nuclear disarmament negotiations must address national, international and collective security concerns and supported the pursuit of practical steps consisting of parallel and simultaneous effective legal and non-legal measures.
22. It is now up to the United Nations General Assembly to take up the report of the Working Group and decide on the next course of action so as to take forward multilateral nuclear disarmament negotiations.

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