



**Statement by Jayant Prasad, Ambassador & Permanent Representative of India to the Conference on Disarmament, Geneva, on Introduction of the resolution "Convention on the Prohibition of the Use of Nuclear Weapons" in the First Committee of 59<sup>th</sup> UN General Assembly on October 19, 2004**

Mr. Chairman,

I have the honour to introduce the draft resolution on "Convention on the Prohibition of the Use of Nuclear Weapons," contained in L. 29 and co-sponsored by Bangladesh, Bhutan, Brunei Darussalam, Burkina Faso, Cambodia, Colombia, Congo, Cuba, Democratic Peoples Republic of Korea, Ecuador, Egypt, Fiji, Haiti, Indonesia, Iran, Jordan, Kenya, Lao Peoples Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Myanmar, Namibia, Nepal, Sudan, Vietnam, Zambia, and India.

The resolution underlines that the use of nuclear weapons poses the most serious threat to the survival of mankind.

Non-aligned Movement's Kuala Lumpur Summit held in February last year and the NAM Ministerial Meeting held in Durban in August this year that carried out a mid-term review have both stressed concern at the threat to humanity derived from the continued existence of nuclear weapons and of their possible use or threat of use.

As long as certain States claim an exclusive right to possess nuclear weapons in perpetuity and as long as the use or threat of use of nuclear weapons are justified as a legitimate guarantor of security, the threat of use of nuclear weapons, by States and non-State actors, will remain.

The salience of nuclear weapons will diminish if States reorient their nuclear doctrines through a commitment to no-first-use and non-use of nuclear weapons, backed by a legally binding agreement to that effect. This should be more feasible in the contemporary context, compared to 1982 when this resolution was first presented, with the Cold War having ended and the prevalence of non-adversarial relations among the major powers.

In their historic advisory opinion of 1996, the International Court of Justice made international humanitarian law applicable to the use of nuclear weapons. The ICJ stated that the use or threat of use of nuclear weapons would generally be contrary to the rules of international law applicable to armed conflicts. It also expressed the conviction that a multilateral agreement prohibiting the use of nuclear weapons would strengthen international security and create a climate for negotiations leading to the elimination of nuclear weapons.

The international community evidently needs to take decisive steps to support a legally binding instrument prohibiting the use or threat of use of nuclear weapons as an interim measure until we reach agreement on a step-by-step process for the elimination of nuclear weapons. This will serve to diminish the role of nuclear weapons in maintaining security, if not altogether de-legitimise nuclear weapons, and encapsulate changes in doctrines, policies, attitudes and institutions required to usher in a nuclear weapons free and non-violent world.

The operative part of the resolution reiterates the call to the Conference on Disarmament to commence negotiations to reach agreement on an international convention on prohibiting the use or threat of use of nuclear weapons.

A positive vote for this resolution will be a vote by the international community in favour of a decisive step towards the elimination of nuclear weapons.

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