



United Nations Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons

Explanation of Vote

New York, 7 July 2017

H. E. Ms. Sabrina Dallafior
Permanent Representative of Switzerland to the Conference on Disarmament

Madam President,

First and foremost, I would like to thank you and your team for your efforts throughout the negotiating process, and for having guided us to a successful conclusion of our work. You accepted to assume what is undoubtedly a difficult task and we are grateful to you for it. My thanks extend obviously also to the different facilitators and the secretariat.

Madam President,

Switzerland voted yes on the adoption of the prohibition treaty because we share the goal of a world free of nuclear weapons.

We see the pressing necessity to take steps in this direction, an imperative that has been reinforced by the process on the humanitarian consequences of nuclear weapons that unfolded over the past few years.

Switzerland has taken the decision to take part in this negotiating conference, convinced that a nuclear prohibition treaty can contribute to reaching the goal of a world without nuclear weapons. It has sought to contribute to negotiations in order to achieve a treaty that is effective and has the potential to gain universal adherence over time.

A central element that has guided our participation in the negotiating process is the fact that the prohibition treaty should complement and reinforce existing norms and treaties forming the international nuclear disarmament and non-proliferation regime and in no way undermine it. This condition is essential for the prohibition treaty to effectively meet its objective and is an integral part of the mandate adopted by the UN General Assembly.

While we supported the adoption of the nuclear prohibition treaty in principle, we believe that the text should have been more affirmative with regard to our commitment to the NPT as the cornerstone of nuclear disarmament and non-proliferation.

We have substantial concerns in particular regarding the three following aspects.

First, the treaty is deficient in the sense that some of its provisions are not effectively verifiable. This constitutes a departure from the principle that we have all agreed to in the NPT framework that nuclear disarmament should be both irreversible and verifiable.

Secondly, some of its provisions bear risks for existing norms, instruments and fora. For instance, the generic reference to nuclear testing could undermine the CTBT norm as well as efforts for its early entry into force. Provisions related to IAEA safeguards might erode efforts to strengthen standards in this domain. Besides, tasks given to the Meeting of States Parties could duplicate or even contradict efforts undertaken in other fora. Finally, treaty provisions could also challenge the centrality of the NPT and it being the cornerstone of the nuclear disarmament and non-proliferation regime.

Thirdly, we regret that it hasn't been possible to have a more inclusive negotiation process. Key concerns of States who had question marks about this negotiating process, whether they finally took part in it or not, were for the most part not taken into account. In addition, a number of treaty provisions lack clarity, may give rise to different legal interpretations and therefore create some confusion and uncertainties. These elements combined are likely to have an impact on the effectiveness of the treaty as well as on efforts towards its universalization.

In sum, Switzerland is committed to the goal of a world free of nuclear weapons, but also sees risks that this treaty may weaken existing norms and agreements and create parallel processes and structures which may further contribute to polarization rather than reduce it.

It will thus be incumbent on the States Parties to ensure as they implement the prohibition treaty that these risks are fully taken into account and adequately addressed. The States Parties will have the responsibility to respect the mandate adopted by the UN General Assembly according to which the prohibition treaty should complement and strengthen the nuclear disarmament and non-proliferation regime.

For its part, Switzerland will make a careful assessment of the prohibition treaty to fully comprehend the impact and consequences of its provisions. It will follow closely the manner in which the treaty is interpreted and implemented, as well as assess if it effectively complements and strengthens the nuclear disarmament and nonproliferation regime.

I thank you for your attention.