



**PERMANENT MISSION OF JAMAICA
TO THE UNITED NATIONS**

STATEMENT BY

**HIS EXCELLENCY E. COURTENAY RATTRAY
PERMANENT REPRESENTATIVE OF JAMAICA
TO THE UNITED NATIONS**

**GENERAL EXCHANGE OF VIEWS, HIGH-LEVEL SEGMENT,
UNITED NATIONS CONFERENCE TO NEGOTIATE A LEGALLY-BINDING
INSTRUMENT TO PROHIBIT NUCLEAR WEAPONS, LEADING TOWARDS
THEIR TOTAL ELIMINATION**

**UNITED NATIONS, NEW YORK
27 MARCH 2017**



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1. Introduction

Madam President,

My delegation is pleased to see you presiding over our deliberations on such an auspicious and historic occasion. It is reassuring that the process in which we will be engaged during this and coming weeks will be led by someone of your experience and expertise. You have Jamaica's full support.

My delegation aligns itself with the statement delivered by Antigua and Barbuda on behalf of the Caribbean Community (CARICOM).

2. Context

Madam President,

The convening of this historic Conference has proven to be both timely and critical. It comes against a heightened level of global uncertainty and insecurity even as the security policies of some continue to be underpinned by the doctrine of nuclear deterrence.

The cumulative impact is that there has been a growing and palpable sense of dissatisfaction among the majority of non-nuclear weapon States like my own, with the failure of nuclear weapons States to live up to their obligations to implement the nuclear disarmament provisions contained in Article VI of the Treaty on the Non-proliferation of Nuclear Weapons (NPT). Indeed, it is lamentable that forty-seven years after the entry into force of the NPT and twenty-seven years after its indefinite extension, the international community is still unable to undertake negotiations in good faith on nuclear disarmament.

This sense of frustration has been further exacerbated, most notably, by the fact that one of the key demands of non-nuclear-weapon States Parties to the NPT, which is that they will not be the target of the use, or threat of use, of nuclear weapons by nuclear weapon states, is yet to be rendered in a legally binding form. The situation assumes even greater urgency and significance as nuclear weapon states increasingly seek to justify their continued retention of nuclear weapons on security grounds, with the consequence that nuclear modernisation programmes continue apace and the doctrine of nuclear deterrence persists.

Admittedly, important steps have been taken to limit and reduce the size of nuclear arsenals since the Cold War, primarily through bilateral agreements among key nuclear weapon states. The reality, however, is that the situation is still far from acceptable. Multilateral disarmament is best by numerous obstacles and challenges. Not only are fora for multilateral nuclear disarmament largely deadlocked, but agreed steps, including the entry into force of the 1996 Comprehensive Test Ban Treaty (CTBT), have

yet to be completed. The failure to implement the 13 steps from the 2000 NPT Review Conference, the lack of progress on the 2010 Action Plan and the inability to obtain an agreed outcome at the 2015 Review Conference all reinforce the fact that urgent action needs to be taken by the international community.

3. Jamaica's longstanding position on nuclear disarmament

Madam President,

As a State Party to the NPT and the Treaty of Tlatelolco, Jamaica together with its CARICOM partners, has supported calls and initiatives to pursue legal undertakings to advance the effective measures called for in Article VI of the NPT. To this end, we were proud to be among the Member States that co-sponsored GA Resolution 70/33 on the establishment of the Open-Ended Working Group (OEWG), which recommendations for this Conference were overwhelmingly endorsed by the UN General Assembly with the adoption of resolution 71/258 late last year.

Our call for the negotiation and adoption of a universally and legally binding instrument prohibiting the possession, development, production, acquisition, testing, stockpiling, transfer, use and threat of use of nuclear weapons, has consistently been underpinned by our belief that this should take full account of the principles of transparency, irreversibility and verifiability.

As a Small Island Developing State, Jamaica views the prospects of a nuclear detonation, whether by design or accident, as an existential horror that could decimate the entire Caribbean region. We have, therefore, expressed deep concern about the humanitarian impact and the long-term consequences on the public health, food security, social services, infrastructure, environmental assets and psychological well-being of our citizens. We have joined with other CARICOM States to place humanitarian concerns at the forefront of the discourse and action on nuclear weapons, including its inclusion on the agenda of the First Committee. Against this background, Jamaica has supported the Special Declarations on Commitment to advance Multilateral Nuclear Disarmament adopted by Heads of State and Government of Latin America and the Caribbean, as well as the Community's endorsement of the Humanitarian Pledge made at the Vienna Conference in December 2014.

4. The legal case for a treaty

Madam President,

While the obligation under Article VI of the NPT is the only legally binding multilateral nuclear disarmament provision and hence the general basis for multilateral nuclear disarmament efforts, it does not provide specific guidance either on the kind of negotiations that should be pursued in good faith, or on what the effective measures

relating to the cessation of the nuclear arms race should be. For my delegation, therefore, there is a gap in the treaty with respect to the specific legal and non-legal measures that are required for the fulfillment of Article VI.

Additionally and in contrast to the regimes governing other Weapons of Mass Destruction (biological and chemical), as well as those governing conventional weapons such as landmines and cluster munitions, the nuclear regime does not comprehensively or categorically prohibit nuclear weapon-related activities. International Law applicable to nuclear weapons does not include any comparable prohibitions. It is time to correct this unacceptable legal anomaly.

Filling the legal gap requires the negotiation of a legally binding instrument prohibiting nuclear weapons. We see a global prohibition as closing the legal gap and addressing the ambiguity in nuclear governance, as well as strengthening the rule of law in this area. This includes building on the prohibitions in existing instruments such as the NPT, NWFZs and the CTBT. The global prohibition would also establish a universal norm against the possession use and stockpiling of nuclear weapons, thereby stigmatizing such weapons and discouraging horizontal and vertical proliferation.

Weapons that are prohibited are increasingly viewed as illegitimate. They lose their political status and with it, the money and resources for their production, modernisation, proliferation and perpetuation.

Indeed, a legally binding instrument of this nature would remove any doubt regarding the illegality of the use of nuclear weapons. It would render illegal the development, production, testing, possession and use of such weapons.

5. Key elements of a legally binding treaty

Madam President,

The most effective way to ensure that nuclear weapons are never used is to abolish them. Consequently, Jamaica believes that the overarching objective of this treaty must be to achieve and maintain a world free of nuclear weapons. This can best be advanced through a comprehensive, universal prohibition, with an obligation to eliminate nuclear weapons. There must be a single, comprehensive agreement on prohibition that leads towards the elimination of nuclear weapons.

Establishing the elements for an international legally binding instrument will be the first step towards securing an agreement that meets our needs. It is therefore important that we get this first step right, as it will set our course as we navigate our route throughout the remainder of the negotiations.

During this first session we will undertake the important work of determining the principles on which the essential elements must be based and crafting a preamble setting out the goals and objectives of the treaty. We will need to identify the scope of application, the core prohibitions, which we submit should be comprehensive. Other critical components of the treaty are provisions on national implementation measures, international cooperation and assistance, institutional arrangements and compliance. We will also need to determine standard provisions of treaty law, such as signature, ratification, entry into force, duration and withdrawal, depository provisions and procedures for dispute settlement.

My delegation will provide further information as our deliberations progress. However, as it relates to the core prohibitions, we wish to highlight at the very outset that the treaty should have provisions on acquisition, stockpiling, development and testing, transfer, stationing and deployment, assistance, encouragement or inducement to engage in prohibited acts, including the financing of nuclear weapons.

On the matter of institutional arrangements, it is recommended that existing bodies be utilized, in order to avoid duplication of roles and to strengthen the framework, with prospects for regular meetings of States Parties to the Treaty.

6. Conclusion

Madam President,

Jamaica remains committed to its longstanding policy of advancing the goal of general and complete disarmament, in pursuit of international peace, security and sustainable development and to the full and effective implementation of the three pillars of the NPT. We will continue to be strongly supportive of the processes and to the initiatives of the international community to address issues relating to international peace and security.

A treaty prohibiting nuclear weapons would constitute an effective measure towards this end. In fact, far from undermining the NPT, a treaty would strengthen it by contributing to its implementation.

I would like to take this opportunity to acknowledge the dedication and commitment of civil society in this ongoing effort to address this issue. Their resolve, determination and unwavering support have been instrumental in getting us to this stage. It has been an arduous and at times frustrating journey to get to this point and we are conscious that we are only at the beginning of a new phase of our collective endeavor. However, the grave ramifications of the matter we will be considering over the next few days demand that we maintain our resolve to ensure that we protect future generations from the harm caused by these weapons.

In closing Madam President let me note by way of observation that Ronald Reagan, the 40th President of the United States, has been oft quoted by some in this country over

the course of the past year. Allow me to recall, therefore, his words uttered during his 1984 State of the Union address. In speaking directly to the people of the then Soviet Union he said, **“there is only one sane policy, for your country and mine, to preserve our civilization in this modern age: A nuclear war cannot be won and must never be fought. The only value in our two nations possessing nuclear weapons is to make sure they will never be used. But then, would it not be better to do away with them entirely?”**

Let me reiterate and assure you, Madam President, of my delegation's commitment to working constructively with you so that we realize this common objective.

I thank you.