

76th Session of the UNGA, First Committee, New York
Explanation of Vote of India
on Draft Resolutions under “Nuclear Weapons” Cluster
- Delivered by Ms. Subhashini Narayanan, Counsellor (Disarmament)

L.11: Humanitarian Consequences of Nuclear Weapons

India is voting in favor of resolution L.11 Humanitarian Consequences of Nuclear Weapons consistent with its participation in the three meetings in Oslo, Nayarit and Vienna on the humanitarian impact of nuclear weapons. Our participation in these meetings was premised on the shared concern on the serious threat to the survival of humankind that could be posed by the use of nuclear weapons.

L.19: African Nuclear Weapon Free Zone Treaty

India is voting in favor of L.19 African Nuclear Weapon Free Zone Treaty. India respects the sovereign choice of non-nuclear weapon states to establish nuclear-weapon-free-zones on the basis of arrangements freely arrived at among the States of the region concerned. This principle is consistent with the provisions of SSOD-I and the UNDC Guidelines.

India enjoys friendly and mutually beneficial relations with countries of the African continent. India shares and supports their aspirations for enhancing the region’s well-being and security. We respect the sovereign choice of States Parties to the Pelindaba Treaty and welcome the successful entry into force of the Treaty. As a Nuclear Weapon State, India conveys its unambiguous assurance that it will respect the status of the African Nuclear Weapon Free Zone.

L.39: Nuclear Disarmament

On L.39 Nuclear Disarmament, We share the main objective of the draft resolution L.39, which is the complete elimination of nuclear weapons within a specified framework of time. Let me reiterate that India attaches a high priority to nuclear disarmament.

However, we have abstained because of certain references to the NPT as well as the TPNW, on which India's position is well known.

We support other provisions of the resolution, which we believe are consistent with India's positions on nuclear disarmament and non-proliferation. We compliment Myanmar for retaining vital principled paragraphs in this resolution which are supported by a vast majority of member States.

L.56 Brazilian-Argentine Agency for Accounting Control of Nuclear Materials (ABACC)

India has voted in favor of L.56. India respects the sovereign choice of States to establish bilateral agreements or arrangements freely arrived at. However, agreements such as ABACC may not be applicable to other countries or other regions. As to the OP3 regarding ABACC having proven itself as an innovative and effective bilateral confidence-building mechanism, with positive effects for peace and security at the subregional and regional levels, and as a reference of best practice in nuclear safeguards and non-proliferation verification, we would note that the conducive environment and conditions which were present at the time of establishment of ABACC may not be present in the case of other countries or regions, and therefore such an Agreement may not be replicable for other countries.

L.59: Joint courses of action and future-oriented dialogue towards a world without nuclear weapons

We acknowledge that Japan, the lead sponsor, is the only country to have suffered a nuclear weapons attack. We share the resolution's aspiration on nuclear disarmament.

India remains committed to a nuclear weapon free world and to maintaining a unilateral and voluntary moratorium on nuclear explosive testing.

India supports the commencement of negotiations on an FMCT in the CD on the basis of CD/1299 and the mandate contained therein, which has now been included in

OP3(c). However, the question of a moratorium, even if voluntary, on the production of fissile material for nuclear weapons does not arise and hence our abstention on OP3(c).

Our views on the CTBT are well known and in view of these, we have voted against OP 3(d).

L.51: Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

Without prejudice to the priority we attach to nuclear disarmament, India has expressed its readiness to support the immediate commencement of negotiations on a Fissile Material Cut-off Treaty (FMCT) in the Conference on Disarmament on the basis of the CD/1299 and the mandate contained therein. In this context, India has also participated in the work of the Group of Governmental Experts (GGE) on FMCT and the High-level Preparatory Group (HLEPG) on FMCT established pursuant to the UNGA resolutions 67/53 and 71/259.

India, has therefore welcomed and voted in favour of the Resolution L.51 which shares the same objective of immediate commencement of negotiations on an FMCT in the CD on the basis of the document CD/1299 and the mandate contained therein.

As regards OP2, India does not object to member States engaging in discussions in any forum to facilitate negotiations in the Conference on Disarmament of an FMCT. However, India would like to reiterate its position that the only appropriate and formal forum for negotiations of an FMCT is the Conference on Disarmament. As to the reference to NPT, India is not a State Party to the Treaty, and therefore this particular reference is not applicable to India and may be kept in perspective by the Member States.

L.44: Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments

We have voted against L.44 as well as its OP15 & PP28 since India cannot accept the call to accede to the NPT as a non-nuclear-weapon State. In urging India to accede to NPT “promptly and without conditions,” the draft resolution negates the rules of customary international law, as enshrined in the Vienna Law of Treaties, which

provides that a State's acceptance, ratification or accession to a treaty is based on the principle of free consent. India is a responsible Nuclear Weapon State and therefore, there is no question of India joining the NPT as a non-nuclear weapon state.

**L.58: Follow-up to the advisory opinion of the International Court of Justice on the
Legality of the Threat or Use of Nuclear Weapons**

India has been the only State possessing nuclear weapons to have traditionally co-sponsored this resolution in the past. We were disappointed that substantive changes were made to the traditional text of the resolution in 2017. In particular, we were disappointed that references to the early conclusion of a Nuclear Weapons Convention, based on the Model Nuclear Weapons Convention co-submitted by the lead sponsors themselves, had been dropped. Further, the objective of this resolution, as reflected in OP2, is ambiguous. Therefore, my delegation had to withdraw its co-sponsorship and had to abstain on the resolution.

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