

76th Session of the UNGA
First Committee
Explanation of Vote of India
on Draft Resolutions under “Nuclear Weapons” Cluster

Written Submissions of Explanations of Vote

L.2: The risk of nuclear proliferation in the Middle East

India believes that the focus of this resolution should be limited to the region that it intends to address.

The 1969 Vienna Convention on the Law of Treaties, provides that States are bound by a treaty based on the principle of free consent. The call to those States remaining outside the NPT to accede to it and to accept IAEA safeguards on all their nuclear facilities is at variance with this principle. India is not a Party to the NPT and is not bound by its outcome documents. This applies also to certain operative paragraphs contained in L.2.

L.4: Ethical Imperatives for a Nuclear Weapon Free World

On L.4, India agrees with several provisions of this resolution, in particular its acknowledgment that nuclear disarmament is a global public good of the highest order. We support the ICJ Advisory Opinion, that there exists a legal obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. In this regard, India has supported the NAM proposal for the commencement of negotiations in the Conference on Disarmament on a Comprehensive Nuclear Weapons Convention.

The global elimination of nuclear weapons will require progressive steps aimed at reduction in their military utility, reduction in their role in security policies and a universal commitment, with a global and non-discriminatory

multilateral framework for nuclear disarmament. Until that goal is accomplished, reflected in specific international legal instruments, questions relating to the immorality of nuclear weapons have to be examined in the framework of the sovereign responsibility of states to protect their security in a nuclearized global order put together on the pillars of nuclear deterrence. India's nuclear doctrine of credible minimum deterrence, with the posture of no-first use and non-use against non-nuclear weapons States achieves this very balance.

L.17: Treaty on the Prohibition of Nuclear Weapons

India would like to state that it did not participate in the negotiations on the TPNW, therefore, will not become a party to the Treaty, and shall not be bound by any of the obligations that may arise from it. India believes that this Treaty does not constitute or contribute to the development of any customary international law.

India reiterates its commitment to the goal of a nuclear weapon free world. India believes that this goal can be achieved through a step-by-step process underwritten by a universal commitment and an agreed global and non-discriminatory multilateral framework, as outlined in our Working Paper titled "Nuclear Disarmament", submitted to the UNGA in 2006. In this regard, India supports the commencement of negotiations on a comprehensive Nuclear Weapons Convention in the CD.

L.42: Universal Declaration on the Achievement of a Nuclear-Weapon-Free-World

We have voted in favour of L.42. India attaches high priority to and remains committed to universal, non-discriminatory and verifiable nuclear disarmament. We stand ready to work with all UN Member States towards the objective of a world free of nuclear weapons.

As regards PP8, India has made it clear that it does not support the Treaty on the Prohibition of Nuclear Weapons and shall not be bound by any of the obligations that may arise from it. India believes that this Treaty does not constitute or contribute to the development of customary international law, nor does it set any new standards or norms.

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