STATEMENT

HON. BAYANI S. MERCADO
Assistant Secretary
Office of the United Nations and Other International Organizations
Department of Foreign Affairs
Head of the Philippine Delegation
on behalf of

THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS
(ASEAN)

UN Conference to Negotiate a Legally Binding Instrument
to Prohibit Nuclear Weapons, Leading Towards Their Total Elimination
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Madame President,

I have the honor to deliver this statement on behalf of the Member States of the
Association of Southeast Asian Nations or ASEAN, namely Brunei Darussalam,
Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar,
Thailand, Singapore, Vietnam and my own country, the Philippines.

ASEAN congratulates you on your election as President of this important conference,
and thank you for accepting the responsibility of shepherding this exercise to what we
trust will be a fruitful conclusion. You can be assured of our support and constructive
participation.

Madame President,

The universal goal of a nuclear zero has never seemed so unreachable. In spite of
standing commitments towards total nuclear disarmament, we see today states who are
increasing their nuclear weapons arsenals, who are developing new technologies that
make it even easier to transport them, and who have not lived up to their commitments
and their obligations under international law. The multilateral disarmament machinery
has yet to produce any meaningful progress in the non-proliferation and disarmament arena in more than a decade.

It is against this backdrop that we must reaffirm our commitment to realize the goal of the total elimination of nuclear weapons. Nuclear weapons pose the greatest threat to humankind. Their presence provides a false sense of security that in reality threatens international peace, stability and prosperity. As long as nuclear weapons exist, there still remains the risk of accidental, mistaken, unauthorized or intentional nuclear weapon detonations, exposing humanity and the environment to their catastrophic effects, as well as the increasing danger of nuclear weapons falling into the wrong hands of non-state actors. We are convinced that ultimately, the total elimination of nuclear weapons is the only absolute guarantee against their use or threat of use.

This belief underpins ASEAN's commitment to preserving our region as a nuclear weapons-free zone as enshrined in the Bangkok treaty. The same belief inspired us to align ourselves with the Humanitarian Pledge that recognizes the catastrophic humanitarian consequences of nuclear weapons, and to vote in favor of General Assembly resolution 71/258 that mandated the holding of this conference. The same belief is the driver in our unwavering commitment to the Treaty on the Non-proliferation of Nuclear Weapons or the NPT, which we recognize remains the cornerstone in the non-proliferation regime. And this same belief is what brings ASEAN here today, as a group, to contribute to the vital work of negotiating a legally binding instrument to prohibit nuclear weapons, leading to their total elimination.

Madame President,

ASEAN's view is that this conference is a vital step in the path toward nuclear disarmament. The NPT itself calls on States, as part of their legal obligation, to pursue in good faith effective measures to fill the legal gap for the prohibition and elimination of nuclear weapons, which are aimed at contributing to the full implementation of Article VI, and achieving and sustaining a world without nuclear weapons. This conference therefore does not aim to supplant the NPT, but complements and reinforces that treaty's goals and objectives.

ASEAN would also like to recall the advisory opinion of the International Court of Justice on the legality on the threat or use of nuclear weapons "that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all aspects under strict and effective international control."

Madame President,

ASEAN has always upheld and attached great importance to the respect to and compliance with the fundamental objectives and principles of the UN Charter in the maintenance of international peace and security, including non-use or threat to use of force, respect for sovereignty and territorial integrity, and settlement of disputes by peaceful means in accordance with international law.
ASEAN approaches this conference guided by the Southeast Asia Nuclear-Weapon-Free Zone (SEANWFZ) Treaty, which we consider to be ASEAN's most important contribution to the global aspiration of a nuclear-weapons-free world, and the NPT, to which we reaffirm our unwavering commitment. Allow me, Madame President, to proffer a few reflections on the legally binding instrument that we hope to produce at the end of this exercise:

At the heart of the instrument should be the express prohibition of possession, test or use, production or manufacture, acquisition, development, stockpiling, and transfer of nuclear weapons, and assistance and encouragement in any form to anyone, in particular non-state actors, to engage in the above activities.

The instrument should not impinge on the inalienable right of Member States to the peaceful use of nuclear energy, in particular for their economic and social development. State Parties should therefore undertake to use exclusively for peaceful purposes nuclear material and facilities under international standards of safeguards without discrimination.

The instrument should not stigmatize countries, but nuclear weapons.

The instrument agreed to should be inclusive and allow for other states possessing nuclear weapons and those with defense arrangements with them to become parties in the future.

We encourage discussion that would lead to a system to verify State Parties' compliance with their obligations under the instrument. In this matter, transparency is key, and the instrument should provide for mechanisms for reporting, verifying and exchange of information, as well as for clarifying and resolving cases of non-compliance.

At the appropriate time in the future, there may be a need to establish and maintain a body that would oversee the implementation of the instrument and ensure compliance with its provisions.

Finally, the instrument must have the necessary provisions allowing for amendments, periodic review of its implementation, settlement of disputes, duration and withdrawal.

Madame President, through this conference, we have the opportunity to change the course of the disarmament process and achieve meaningful progress towards achieving our universal goal of a world without nuclear weapons. ASEAN calls on the participating states to keep our focus on this goal, and work together in the spirit of mutual understanding, solidarity and transparency.

Thank you.