The International Committee of the Red Cross (ICRC) has long called for the prohibition and elimination of nuclear weapons. The ICRC first appealed for the elimination of nuclear weapons in 1945 and has repeated this call ever since. In 2011, the International Red Cross and Red Crescent Movement, of which the ICRC is a part, appealed to all States to “pursue in good faith and conclude with urgency and determination negotiations to prohibit the use of and completely eliminate nuclear weapons through a legally binding international agreement, based on existing commitments and international obligations”. The ICRC welcomes that such negotiations are now taking place, through an inclusive process in the framework of the UN General Assembly.

In this session, the ICRC would like to offer its views on the key elements of a treaty to prohibit nuclear weapons that relate to its underlying principles and its object and purpose. We offer these views for States to consider as they develop their views and proposals on the treaty’s core components.

The underlying principles and the object and purpose of a treaty identify the factors that have motivated States to negotiate the instrument and that aid in the subsequent interpretation of the treaty and its provisions.

The ICRC believes that the underlying principles of the treaty to prohibit nuclear weapons should include

- An expression of deep concern about the catastrophic humanitarian consequences of any use nuclear weapons and the lack of adequate humanitarian response capacity to assist the victims of nuclear weapons;

- A recognition of the difficulty to envisage how any use of nuclear weapons could be compatible with the principles and rules of international humanitarian law, in particular the
rules of distinction, the prohibition of indiscriminate attacks, the rules on proportionality and precautions in attack, the prohibition on the use of weapons of a nature to cause unnecessary suffering and the rules for the protection of the natural environment;

- A recognition of the harm suffered by people and communities from nuclear detonations and that, in many instances, their needs have not been adequately addressed;

- A deep concern about the growing risks of intentional, miscalculated or accidental use of nuclear weapons and the imperative to prevent such use;

- A recognition that nuclear weapons are abhorrent to the principles of humanity and the dictates of public conscience;

- A determination to advance towards the total elimination of nuclear weapons.

These principles have, under different formulations, been raised in earlier UN resolutions and reports as well as Resolution 1 of the 2011 Council of Delegates of the Red Cross and Red Crescent Movement. The principles impel the sense of urgency and necessity for action to advance nuclear disarmament and the development of a prohibition treaty.

The treaty should also reinforce the fact that it is part of the broader efforts to advance nuclear disarmament and the elimination of all weapons of mass destruction, a goal set out in the very first resolution adopted by the UNGA over 70 years ago. In this regard, it should reaffirm the importance of the Treaty on the Non-proliferation of Nuclear Weapons (NPT), and recall the commitments in Article VI of the Treaty and the action plans adopted by NPT States Parties. It should also reaffirm the importance of the treaties creating nuclear weapon free zones.

The treaty should also set out its object and purpose. In the view of the ICRC, the object and purpose of a global prohibition on nuclear weapons include: to protect humanity from the catastrophic humanitarian consequences that any use of nuclear weapons would have; to establish a prohibition at the global level; to advance towards the total elimination of nuclear weapons and to help bring the era of nuclear weapons to an end once and for all time.

The principles set out in this statement can be readily included in the preamble of the treaty. Its object and purpose could be part of the preamble or they could be articulated in a specific article. Wherever they are placed the object and purpose, as well as the principles, represent key components of the treaty that will give it a strong foundation and influence its future application and interpretation.

Thank you.