STATEMENT

by

H.E. Ms. Eva Walder
Ambassador for Disarmament, Ministry for Foreign Affairs of Sweden

at the

United Nations Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons, Leading Toward Their Total Elimination

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Madame Chairperson,

The issue of the scope of the treaty, that is what will be prohibited, is a challenging one that demands careful consideration. For our part we have come to the conclusion that we would like to see a treaty of a reasonable scope. We should not, at this stage, put too many new obligations on non-nuclear weapon states. As non-nuclear weapon states, we have already committed to forego nuclear weapons through the NPT, and fulfilled our obligations in that treaty.

Our preliminary view is that the prohibition of nuclear weapons should include possession, use, acquisition, transfer, stockpiling and deployment.

If development of nuclear weapons is to be included in the treaty it must be made crystal clear that the right of states to develop, research, produce and use nuclear energy in accordance with the NPT and other relevant international agreements will not be affected.

Furthermore, the treaty must not have an adverse impact on industry, energy extraction, finance as well as defense and security cooperation with states that will not become parties to the treaty.

If the treaty is to be credible and compatible with other international treaties, it should contain provisions on verification. A comprehensive verification mechanism is, however, not necessary as long as the states possessing nuclear weapons are not party to the treaty. A credible and sufficient verification mechanism would be if all parties to the treaty were required to enter into legally binding commitments with the IAEA based on the model protocol provided in the Infirc/540, the Additional Protocol. That would also be a cost effective and non-duplicating form of verification. It would also establish a clear link to the NPT. The parties to the treaty should also have an obligation to report with a regular interval to future meetings of state parties or review conferences.

To ensure common understanding on what is to be prohibited it would be desirable for the treaty to contain a definition of nuclear weapons.

The treaty should contain a chapter or a protocol envisaging the future participation of nuclear weapon states. It should be indicated that certain obligations then would occur immediately while others for pure physical reasons would take longer. It should also be indicated that the verification system would have to be comprehensive and designed in a manner that make the nuclear weapon states trust each other’s commitments. The NNWS must also be included in the design process. When the nuclear weapon states become parties, the obligations of the non-nuclear weapon states would probably also have to be more comprehensive.

We could also foresee provisions on assistance to future victims of nuclear detonations.
Thank you, Madam Chairperson.