



**PERMANENT MISSION OF JAMAICA
TO THE UNITED NATIONS**

STATEMENT BY

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TO THE UNITED NATIONS**

**UNITED NATIONS CONFERENCE TO NEGOTIATE A LEGALLY-BINDING
INSTRUMENT TO PROHIBIT NUCLEAR WEAPONS, LEADING TOWARDS
THEIR TOTAL ELIMINATION**

TOPIC 1: PRINCIPLES, OBJECTIVES AND PREAMBULAR ELEMENTS

**UNITED NATIONS, NEW YORK
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- I thank you Madam President for providing an opportunity to speak on three critical elements of the Treaty: principles, objectives and preambular elements.
- Jamaica wishes to highlight issues that it believes should be taken into account in our consideration of *Topic 1*.
- It will be essential for the treaty to have as its *overarching objective* the achievement and maintenance of a world free of nuclear weapons. The total elimination of nuclear weapons and their means of delivery is at the very heart of what we are trying to achieve.
- In addition to the fundamental principles of the UN Charter (rule of law, respect for human rights, territorial integrity, and sovereignty), the *guiding principles* to attain and sustain this vision of a world free of nuclear weapons must include humanitarian principles.
- It should therefore reflect that the devastating humanitarian impact of nuclear weapons is of overwhelming and urgent concern to the international community. It should recognise that the intentional or accidental use of nuclear weapons would have catastrophic consequences on mankind, which run contrary to the spirit of the UN Charter.
- Another key principle is that it should establish a clear legal standard for the prohibition of nuclear weapons and their use and/or threat of use that would reflect the ICJ's Advisory Opinion that "the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law". It should also declare that any attempt to use or threaten to use nuclear weapons would constitute a crime against humanity.
- Its preambular section should reaffirm the principles outlined in key nuclear disarmament treaties, notably the NPT and Nuclear Weapon Free Zone Treaties, thereby building on the various norms that already exist and supplementing existing legal instruments.

- Turning to the glaring legal anomaly that is evident in the current nuclear weapons regime, it is important that the preamble reflects the necessity to undertake effective legal measures to close the legal gap for the prohibition and eventual elimination of nuclear weapons.
- The Treaty must highlight the common obligation of both Nuclear Weapon States and Non-Nuclear Weapon States to comply with its provisions for full and effective implementation. It should reiterate the centrality of non-discrimination. **There should be no distinction among state parties.**
- Madame President, this historic treaty must also recognize the gendered dimension of the development, testing and use of nuclear weapons, which disproportionately impact the health and well-being of women.
- As a Small island Developing State it is an imperative for us that the Treaty recognise the benefits to be derived from the reallocation of the vast resources expended on the maintenance and modernisation of nuclear weapons, towards economic and social development. This is particularly so in light of the immense resources that will need to be mobilised to finance the implementation of the 2030 Agenda for Sustainable Development.