



Sri Lanka Statement at the Thematic Session on Negative Security Assurance Conference on Disarmament

09 February 2023

Mr. President,

Let me thank you and your team for convening this meeting [thank the panelists] on this very important topic on negative security assurances.

Mr. President, let reiterate at the outset that total elimination of nuclear weapons is the only guarantee against the use or threat of use of nuclear weapons. As stated in our previous statement to this Conference in January this year, we attach utmost priority to the goal of complete and verifiable elimination of nuclear weapons. Negative Security Assurances (NSAs), while it is commonly agreed as an essential legitimate interest of non-nuclear weapon states, is only an interim measure pending the achievement of a world free of nuclear weapons.

Final document of the 1978 First Special Session on Disarmament obliges nuclear-weapon states to "pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". The topic of NSAs has been in the agenda of the CD since its inception of 1979. We also note the UN Security Council resolution 984 adopted unanimously in 1995 providing pledges on NSAs to nonnuclear-weapon States parties of the NPT in the context of obtaining an indefinite extension of the NPT. Furthermore, the consensus Action Plan of the 2010 NPT Review Conference refers to action points 8 and 9 on NSAs. However, despite discussions that have been continuing in the CD in various forms over the years, we have not been able to conclude a legally binding instrument to effectively assure non-nuclear-weapon States (NNWS) against the use or threat of use of nuclear weapons.

Considering that non-nuclear-weapon States haven undertaken a legal obligation under the NPT to never produce nuclear weapons, it is only logical and legitimate for those states to expect that nuclear weapons would never be or threatened to be used against such states and that such expectation be enshrined in a binding legal instrument. The existing declaratory assurances do not contain a binding value nor do they provide a comprehensive unconditional guarantee. Moreover, issues such as ambiguity, geographical limitations, non enforceability as well as the conditions attached make the existing unilateral declarations an inadequate response, particularly given the current growing climate of nuclear risks and increasing militarization. While we welcome the NSAs established within regional nuclear weapon free zones, which are currently the only internationally legally-binding NSAs, it is noted yet again that ratification of the protocols on regional nuclear weapon free zones by nuclear weapon states accompany various reservations. Our collective failure to adopt a consensus outcome document for the second consecutive time, at the 10th NPT Review Conference held last year is yet again a missed opportunity to address the issue of NSAs in a more comprehensive manner.

During the deliberations we had over the years on this subject in the CD in the form of ad hoc committees, thematic debates and subsidiary bodies we note that while there is general agreement on the importance of NSAs for non-nuclear weapon states the scope of the assurance and the beneficiaries of those assurances, the place for negotiations have been the topics for debate. Different positions taken by states include unconditional NSAs extended to all non-nuclear weapon states, NSAs provided only to states who have renounced the production and acquisition of nuclear weapons and NSAs extended to states who are not under the protection of any nuclear power. While we note these various positions of states on NSAs, my delegation considers that the actual negotiation of a treaty on NSAs could in fact be quite straight forward. Given the position of some delegations that NSAs have been already granted under nuclear weapon free zones, translating those assurances into a binding legal instrument should not in fact be an issue.

While my delegation views NSAs only as an intermediary step we wish to highlight its overall importance and contribution to nuclear disarmament and non-proliferation regime, as a confidence building measure for more certainty and reliability.

Mr. President, in conclusion we join the collective voice to reiterate the important and urgent need to commence negotiations on an unconditional, non-discriminatory and irrevocable legally binding instrument on NSAs, for as long as nuclear weapons remain in existence the legitimacy of the call for such assurances by states remains valid. (ends)