

Mister President

Like previous speakers, I would like to congratulate you for organizing an outstanding panel to kick-off our discussion and thank the three speakers for their excellent presentations.

This OEWG has received the mandate to address substantively legal measures, legal provisions and norms to achieve and maintain a world free of nuclear weapons. This first session of the group provides an excellent opportunity to map the legal landscape and discuss, in a structured manner, the advantages and disadvantages of the different legal measures and how they could be achieved.

Nuclear weapons remaining the one category of weapons of mass destruction that are not yet comprehensively prohibited, and there is a need to work on effective legal measures to fill this legal gap. In other words, it is timely to discuss the instruments that would lead to a nuclear-weapon-free world, namely instruments to

- a) prohibit nuclear weapons
- b) eliminated them and
- c) maintain a world free of nuclear weapons.

Any development will not happen in a legal vacuum. It is of great importance that any new legal norm builds on and supplements the existing legal frameworks, notably

- The international law governing the interstate use of force (ius ad bellum)
- The international law applicable in armed conflicts (ius in bello)
- the NPT as the corner stone of the nuclear regime
- other pre-existing instruments such as the NWFZ-Treaties or the CTBT

A broad range of options and approaches for new legal measures, legal provisions and norms has been proposed. We have seen the beginning of this important discussion at the CD, in the framework of the NPT and in other relevant meetings. In recent times, this discussion has gained traction. I take the opportunity to note the important contributions made by civil society, in particular academia and research institutes,

The various proposal that have been put forward include (i) a comprehensive convention, (ii) a framework convention, (iii) interlocking and mutually reinforcing legal instruments (aka building blocks) or (iv) a stand-alone ban treaty. Other options may also appear in the course of our discussions.

The OEWG should now undertake to systematically assess the different proposed approaches as a great number of questions still need to be clarified. Our delegation thinks that it could be useful to do this assessment on the basis of objective criteria and with a view to identify advantages and disadvantages of the options and approaches proposed. This will enable us to better understand the potential of each approach on as an objective basis as possible.

Criteria that come to our mind in this respect are related to

- the scope and content of the instrument in question
- the membership that would be required to make such an instrument effective
- the value it adds to existing norms and instruments
- the anticipated degree of universality that may be achieved
- the point in time when a specific instrument may become opportune and realistic,
- the sequencing in the case more than one comprehensive instrument is contemplated,
- the interrelationship between several instruments, for instance in the case of a framework convention,
- the relation an instruments creates between NPT and non-NPT States
- the concrete and measurable contribution to risk reduction
- the verifiability of an instrument
- the potential an instrument has to facilitate further arrangements.

These are some initial thoughts concerning our discussions on legal issues.

Perhaps, Mr. President, we could make use of the presence of this afternoon's panelists, and hear the panelist's views on these considerations, in particular the list of possible criteria which I just laid out.

I thank you Mr. President.