



MALAYSIA

PERMANENT MISSION TO THE UNITED NATIONS



CANDIDATE
to the
UNITED NATIONS
SECURITY COUNCIL
for the term 2015-2016

(Please check against delivery)

STATEMENT BY
MR. RAJA REZA RAJA ZAIB SHAH, DEPUTY PERMANENT
REPRESENTATIVE AND CHARGE D'AFFAIRES A.I. OF THE PERMANENT
MISSION OF MALAYSIA TO THE UNITED NATIONS

Rev

TO INTRODUCE DRAFT RESOLUTION (A/C.1/68/L.26) ENTITLED
"FOLLOW-UP TO THE ADVISORY OPINION OF THE INTERNATIONAL COURT
OF JUSTICE ON THE LEGALITY OF THE THREAT OR USE OF
NUCLEAR WEAPONS", UNDER AGENDA ITEM 99(k)

AT THE FIRST COMMITTEE
(DISARMAMENT AND INTERNATIONAL SECURITY)
DURING THE 68TH SESSION OF THE GENERAL ASSEMBLY
NEW YORK, 21 OCTOBER 2013

Mr. Chairman,

1. My delegation has the honour to introduce to this Committee the draft resolution A/C.1/68/L.26 entitled "Follow-up to the Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons".

2. This draft resolution has also been co-sponsored by the following 41 delegations: Algeria, Angola, Bangladesh, Belize, Benin, Brunei Darussalam, Cambodia, Chile, Costa Rica, Cuba, Ecuador, Egypt, Guatemala, India, Indonesia, Iran, Iraq, Jamaica, Kenya, Lao PDR, Lesotho, Libya, Madagascar, Mexico, Myanmar, Nepal, Nicaragua, Niger, Paraguay, Peru, the Philippines, Senegal, Sierra Leone, Singapore, Sudan, Syrian Arab Republic, Thailand, Trinidad & Tobago, Venezuela, Vietnam, and Zimbabwe.

3. Malaysia and the co-sponsors of this resolution extend our collective appreciation to the Secretary-General for his report on the Follow-up to the Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons, as contained in document A/68/137. We take note of the observations contained in the report, and also take this opportunity to thank the member States which had submitted the information requested pursuant to resolution 67/33 (2013).

Mr. Chairman,

4. On 15 December 1994, the General Assembly through Resolution 49/45K requested the International Court of Justice (ICJ) to render its opinion on the question:

"Is the threat or use of nuclear weapons in any circumstance permitted under international law?". On 8 July 1996, the ICJ declared unanimously that "there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control".

5. This advisory opinion remains a resolute and authoritative legal call for nuclear disarmament, and is reflected in Operative Paragraph 1 of the draft resolution. This opinion is not only consistent with the solemn obligation of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) under Article VI, but is also significantly a universal declaration which is not confined to NPT States parties.

6. Operative Paragraph 2 of the draft resolution calls once again upon all States to fulfil this obligation by conducting, and successfully concluding negotiations leading to the conclusion of a nuclear weapons convention. The co-sponsors of this resolution consider that the existence of this legal obligation constitutes a clear basis for immediate follow-up actions by the international community to rid the world of nuclear weapons.

Mr. Chairman,

7. With a view to achieving the broadest support possible, the most important decisions of the ICJ have been retained in their existing form in Operative Paragraphs 1 and 2, accompanied by the necessary technical updates. In this regard, my delegation is particularly pleased to note that this resolution has been successful in gaining cross-regional support over the years, including from nuclear armed States.

8. While we recognise that member States may have similar yet distinct positions on certain elements reflected in the draft resolution, we trust that States which support multilateral negotiations will heed the call of the overwhelming majority inside and outside this Assembly in support of the draft resolution.

Mr. Chairman,

9. Support for draft resolution A/C.1/68/L.26 would be a reaffirmation of our shared commitment to the multilateral process of nuclear disarmament. Malaysia thanks the co-sponsors of the draft resolution, and would also like to take this opportunity to invite other delegations to join in co-sponsoring it. My delegation also wishes to express our appreciation to the tireless efforts of civil society in helping us move this resolution forward, since it was first adopted in 1996 up until the current day.

10. Let me conclude by reiterating the call made by The Honourable Prime Minister of Malaysia, Dato' Sri Mohd. Najib Tun Abdul Razak, during the recent High Level Meeting of the General Assembly on Nuclear Disarmament, to invite member States to support the draft resolution in this year's deliberations, both at the First Committee and at the General Assembly.

Thank you Mr. Chairman.