



Permanent Mission of Costa Rica to the United Nations in Geneva

***Canadian Network to abolish nuclear weapons
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prohibit nuclear weapons, leading toward their total elimination**

Distinguished guests,

It is a great privilege for me to be here today. I thank you for your kind invitation in my capacity as Chair of the United Nations Conference that negotiated the Treaty on the Prohibition on Nuclear Weapons, adopted by a historic vote on July 7th and that was open for signature by the UN Secretary General Antonio Guterres last September 20th.

Allow me to start my address to you with a historical reference.

Three hundred and eighty four year ago, in 1633, the Italian mathematician, physicist, philosopher and astronomer Galileo Galilei, was summoned to Rome by the Inquisition to prosecute him on charges of "grave suspicion of heresy" for his support and advocacy to the "heliocentric theory" of Nicolaus Copernicus which stated that the earth revolved around the sun just like the rest of the planets. As we know, this theory was in opposition to the "geocentric theory" of Claudius Ptolemy that claimed that the Earth was the center of the universe and everything revolved around it. This was the belief accepted by the great majority for many centuries and was the official belief of the Catholic Church as the great power structure of the time, and the one that better fit the Scriptures.

Galileo was forced to abjure his doctrine and he was sentenced to life imprisonment (later commuted to him by house arrest). The copies of his works were burned and the sentence was read publicly in all the universities.

I site this example since throughout human history, there have been many beliefs that have had the category of "unquestionable truths" because they were endorsed either by great teachers or by representatives of power structures, and that later they were rebutted by someone who demonstrated the opposite. Human progress is a result of a constant challenge of ideas and beliefs, scientific observation of reality and problem solving.

In today's world a belief imbedded in international politics power structure is that it is through the strength of weapons that nations find security, therefore the possession of weapons of mass destruction and thus nuclear deterrence is thought of by a group of nations as the main guarantee to protect countries from aggression. Some promote that nuclear weapons and deterrence are protecting global peace and security.

As President Luis Guillermo Solis of Costa Rica mentioned last week at the UN "We know that the premise that security arises from the strength of weapons is false". I add to his assertion that the abhorrent terrorist attacks of 9/11 proved that we had entered a new era in history: the source of power evolved from physical strength to human knowledge and innovation.

Thanks to the struggle of so many organizations throughout the world, 72 years of hard work and the successful movement of the humanitarian impact of nuclear weapons, we arrived at the moment when in December of 2016, the General Assembly decided to take action and to grant a negotiation mandate to prohibit the nuclear weapons, leading toward their total elimination.

Let us look at this mandate in a broader perspective. The international community came from a highly successful year 2015 in which we saw the achievement of the Paris Agreements on climate change and the adoption of the 2030 Development Agenda. It was then vital that the issue of nuclear weapons was not left out of the great political processes of courageous and visionary agreements that are addressing the core problems of humanity, through multilateral negotiation processes. It is part of a series of actions of renewed multilateralism for global governance.

The approval of the negotiating mandate in December 2016 by General Assembly's resolution 71/258, to prohibit nuclear weapons and leading to their total elimination, was the opportunity to bring about a qualitative and profound innovation in the way we approach, discuss and take action on nuclear weapons.

Accordingly, 122 nations had the opportunity to imprint in a legal instrument the whole sentiment, findings, beliefs and ideas that those interested in furthering nuclear disarmament have been pursuing for decades. I highlight the importance not only of the treaty provisions but also its preambular section.

The existence of nuclear weapons poses a threat to humanity and implies risks of use, including any detonation by accident, miscalculation or design.

Furthermore, any single nuclear detonation - let alone nuclear war - would be incompatible with the dictates of public conscience and principles of international humanitarian law and human rights law, would have catastrophic consequences that cannot be adequately addressed by any single entity, would transcend national borders and pose grave implications for human survival, the environment, socioeconomic

development, the global economy, food security and the health of current and future generations, and have a disproportionate impact on women and girls.

Any use of nuclear weapons is also contrary to international law and international human rights law.

To completely eliminate such weapons remains the only way to guarantee that they are never used again under any circumstances.

It is not nuclear weapons but achieving and maintaining a nuclear-weapon-free world that constitutes a global public good of the highest order that serves both national and collective security interests. As formulated by former Secretary General of the UN, Ban Ki Moon, it is nuclear disarmament, not nuclear deterrence what constitutes a global public good.

So, 2017 will be year in which the UN adopted a new norm of international law : Treaty on the Prohibition of nuclear weapons, 72 years after the start of the nuclear age. The Ban treaty is a reality, undoubtedly a huge milestone in diplomatic and multilateral history that takes us to a new phase in global and regional disarmament politics based on the of disarmament as an imperative both political and legal. As we all know this legal imperative is not developed since the first resolution of the UN General Assembly, further developed by Article VI of the NPT as part of the great bargain, later reinforced by the International Court of Justice and now by the Prohibition Treaty.

This new phase that now begins calls for inclusive and constructive dialogue between nuclear and non-nuclear states. Likewise, civil society, international organizations, the scientific community, among others, are called to contribute to the strengthening of this architecture through bridge building among regimes, fora, and initiatives.

We need an articulated approach that virtuously links all the components of the system. We can no longer continue to operate in silos, as new human knowledge proves that it is necessary to seek synergies and promote the articulated functioning of all components of the system. But to achieve the latter, we need innovative and creative thinking.

In this regard, I share the call that the UN High Representative for Disarmament Affairs recently made to all states to overcome the binary dynamics and confrontative discourse in her address to the 9th Conference on the Mayors for Peace last august in Nagasaki, when she expressed:

« I appeal to governments to stop looking at the nuclear disarmament agenda in a dichotomy of the NPT versus the Ban Treaty, but rather from a perspective of the entire framework of treaties, which are all politically and mutually reinforcing of each other. Long before the ban treaty, the nuclear disarmament and non- proliferation regime was already an intricate web of multilateral, plurilateral, regional, bilateral and even unilateral treaties, agreements, instruments, regimes and commitments. These are various legally binding, politically binding or purely voluntary instruments ... And the

need to focus on encouraging States to re-engage in the dialogue necessary to bridge the political divide. »

In this new phase, the role of the UN is fundamental, as the house where nuclear disarmament should be promoted and advanced, in keeping with its mandate to maintain international peace and security.

The narrative both the UN Secretary-General and the High Representative of Disarmament Affairs denotes a constructive attitude that is central in this new phase. The Secretary General expressed his hope that the Treaty will reinvigorate efforts for the achievement of a world free of nuclear weapons, for which enhanced dialogue and bridge building are necessary to promote practical steps to eliminate nuclear arsenals.

The High Representative Isumi Nakamitsu's commitment to exert and further sharpen the roles of moral authority and thought-leadership of the Secretary-General in the disarmament field, in support of member states efforts, will be vital for this renewed dialogue and is also a factor that we should all take into account.

Let me refer to several topics I believe are central for the way forward :

First of all, we need to reinvigorate the multi-stakeholder community. The current international situation and the threat of use of nuclear weapons make renewed action towards nuclear disarmament more pertinent than ever.

Of course, we have to work with a realistic commitment. As we are dealing with a source of power in international affairs in times of profound and structural change in the international system. We are dealing with power, huge resource allocations and real politics.

Second, the work towards the entry into force as soon as possible and in the meantime help build term of reference of future engagement. For this component of the road map there are two interconnected events : to debate and to build a shared vision of the treaty.

Of course we all know that opposition to the treaty has taken many forms, among them, sharp criticism of its content. So prepare to engage and debate. The geocentric theory back in the XII century was only overcome by debate and scientific research and knowledge. The I invite you all to write, organize events and use mass media to spread the knowledge and understanding of the treaty. Engaging new opinion leaders will be an important step in this process.

In order to engage and advocate, it is important to make sure we have a shared vision of the treaty and its impact. For this endeavor, eight points are central :

1. The distinct nature of this treaty as a prohibition norm, not as a disarmament agreement.

2. The categorical and comprehensive prohibition, including its possession, use and threat of use.
3. The pathway to respond to the overwhelming political will of the conference to allow nuclear states to become state parties from day one and undertake their disarmament efforts bound by the treaty provisions.
4. Based on a realistic and flexible approach, it laid the foundations for the Meeting of states parties to further develop necessary measure, which include the possibility to develop instruments or protocols on measures for the verified, time-bound and irreversible elimination of nuclear weapon programmes, including additional protocols to the treaty. And to continue making decisions on aspects of the regimen that will need future development, such as the definition of a Secretariat or treaty bodies to help with implementation and the identification or creation of the competent international authority.
5. It complements and strengthens the rest of the architecture, and strengthens the already existing norms of non proliferation and prohibition of nuclear testing. Negotiations took great care and succeeded to ensure that not a single word in the new treaty contradicts but complements the provisions of the NPT and the CTBT.
6. The innovative provisions for victim assistance and environmental remediation.
7. The fact that the Treaty is embedded in the institutional, legal and political structure of the United Nations and its legitimacy, adds to the legitimacy and strength of the norm.
8. Doctrinary innovation developed in the preamble of the treaty provide Guidance for political discourse and policies. Countries will need to adjust their discourse and political action and harmonize it with the content of the treaty, which profoundly challenges the nuclear orthodox, links the prohibition norm to other bodies of law dealing with other relevant issues of the international community such as environmental law, human rights law, international humanitarian law, among others and moves the impact on the set of norms, rules, policies and discourse that shape the way the international community addresses nuclear weapons.
9. Bring nuclear disarmament also within the framework of development, peace and security. Furthermore, nuclear disarmament is also an integral part of the universal ethos of sustainable development imprinted in Agenda 2030 and the Sustainable Development Goals, that were adopted in 2015, as a comprehensive framework for global governance. As Geoffrey Sachs has rightly put it in his book « To Move the World », sustainable development can alleviate global tensions and solve global problems, it is therefore the new clear objective around which we all converge.
10. Finally, we need to put appropriate emphasis on the role of norms to bring about social and structural change. As collective expectations for the proper behavior of actors, we all understand that an important feature of norms is that, in contrast to treaties and other legal obligations, they do not require that a State explicitly adhere to them in order to have an effect. Neither do norms require universal support in order to be established. Indeed, norms can and do affect the behavior of a State even

in cases where the State explicitly rejects the norm, or denies its existence or applicability.

With a shared vision of the treaty and its impact you should be able to strengthen advocacy and negotiation for its universalization, an action that is reinforced by Article 12 of the treaty which will require all states parties to undertake actions to encourage non states parties to abide by its provisions. This is why I mention that shared vision and understanding of the treaty content and implications is vital to strengthen this endeavor of universalization, for we should have a solid discourse and idea.

In this line, I applaud your commitment to building bridges and engaging in dialogue with your own government, which is as member of NATO, and your efforts to identify clear objectives for that dialogue to further influence reliance on nuclear deterrence.

Effective leadership requires the definition of clearly stated goals and proposed actions for the achievement of such goals and it is therefore the stepping stone toward successful engagement.

The adoption of the Treaty of the Prohibition of nuclear weapons is indeed a game changer not only in terms of thought but in terms of political action within the formal institutional setting of the UN. It is the result of fine strategic thinking and action undertaken by deep conviction. We can say there is a new way of doing things in which multi-stakeholder articulation has been the centerpiece of this success story and it should continue to be so.

To conclude

For me personally and for my country Costa Rica it was a true privilege to facilitate an institutional mandate of the United Nations that seeks to address one of the most important challenges that humanity has faced for the last 100 years.

Articulating a clear goal and practical steps to achieve it, human knowledge and intellect are the most powerful weapons.

Build bridges. Engage. Debate. Build a shared vision of the main features of the treaty and its impact and work to build the new terms of reference of the political dialogue in the disarmament community. Choose the partners and find the actors that can help in bridging thinking, analysis and political dialogue, for the ban treaty has been born and its strength should provide the platform for the renewed action towards nuclear disarmament.

You can count on me and on my country to continue along this journey.

THANK YOU