

India's Explanation of Vote (PRE-VOTING)
Regional Disarmament Cluster
79th UNGA First Committee, UNHQ, New York, November 2024

L.9: Conventional arms control at the regional and sub regional levels

India will vote against the resolution on L.9, as well as its OP2 which requests the Conference on Disarmament to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control.

The Conference, as the world's single multilateral disarmament negotiating forum, has a vocation of negotiating disarmament instruments of global application.

In 1993, the UNDC had, by consensus, adopted guidelines and recommendations on regional disarmament. There is no need, therefore, for the Conference on Disarmament to engage itself in formulating principles on the same subject at a time when it has several other priority issues on its agenda.

Further, we believe that the security concerns of States extend beyond narrowly defined regions. Consequently, the notion of preservation of a balance in defence capabilities in the regional or sub-regional context, is both unrealistic and unacceptable. We are, therefore, not convinced that conventional arms control, which is a global issue, needs to be pursued primarily in the regional and sub-regional contexts. Due to this reason, India will vote against PP7.

India's Explanation of Vote (PRE-VOTING)
NUCLEAR WEAPONS Cluster
79 UNGA First Committee, UNHQ, New York, November 2024

L.2: The risk of nuclear proliferation in the Middle East

On L.2 - India believes that the focus of this resolution should be limited to the region that it intends to address.

The 1969 Vienna Convention on the Law of Treaties, provides that States are bound by a treaty based on the principle of free consent. The call to those States outside the NPT to accede to it and to accept IAEA safeguards on all their nuclear facilities is at variance with this principle.

India is not a Party to the NPT and is not bound by its outcome documents. This applies also to certain operative paragraphs contained in the resolution.

L.17 and 18: Mongolia's international security and nuclear-weapon-free status & African Nuclear Weapon Free Zone Treaty

On L.17 and L.18, India respects the sovereign choice of non-nuclear weapon states to establish nuclear-weapon-free-zones on the basis of arrangements freely arrived at among the States of the region concerned. This principle is consistent with the provisions of SSOD-I and the UNDC Guidelines.

We respect the sovereign choice of Mongolia, and States Parties to the African Nuclear Weapon Free Zone Treaty.

India has friendly ties with Mongolia and countries of Africa. As a nuclear-weapon State, India conveys its unambiguous assurance that it will respect Mongolia's nuclear weapon free status and that of African Nuclear-Weapon Free Zone.

L.25: Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons

On L.25 - India has been the only State possessing nuclear weapons to have traditionally co-sponsored this resolution in the past.

We were disappointed with the substantive changes made to the traditional text of the resolution in the past. In particular, we were disappointed that references to the early conclusion of a Nuclear Weapons Convention, based on the Model Nuclear Weapons Convention, co-submitted by the lead sponsors themselves, had been dropped.

Further, the objective of this resolution, as reflected in OP2, is ambiguous. Therefore, India will abstain on the resolution.

L.35: Ethical Imperatives for a Nuclear Weapon Free World

On L.35, India agrees with several provisions of this resolution, in particular its acknowledgment that nuclear disarmament is a global public good of the highest order.

We support the ICJ Advisory Opinion, that there exists a legal obligation to pursue in good faith and bring to conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. In this regard, India has supported the NAM proposal for the commencement of negotiations in the Conference on Disarmament on a Comprehensive Nuclear Weapons Convention.

The global elimination of nuclear weapons will require progressive steps aimed at reduction in their military utility, reduction in their role in security policies and a universal commitment, with a global and non-discriminatory multilateral framework for nuclear disarmament. Until that goal is accomplished, reflected in specific international legal instruments, questions relating to the immorality of nuclear weapons have to be examined in the framework of the sovereign responsibility of states to protect their security in a nuclearized global order put together on the pillars of nuclear deterrence.

India's nuclear doctrine of credible minimum deterrence, with the posture of no-first use and non-use against non-nuclear weapons States achieves this very balance

L.36: Humanitarian Consequences of Nuclear Weapons

India is voting in favor of resolution L.36 consistent with its participation in the four meetings in Oslo, Nayarit and Vienna on the humanitarian impact of nuclear weapons.

Our participation in these meetings was premised on the shared concern of the serious threat to the survival of humankind that could be posed by the use of nuclear weapons.

L.37: Treaty on the Prohibition of Nuclear Weapons

India did not participate in the negotiations on the TPNW. Therefore, it is not bound by obligations that arise from it.

India believes that this Treaty does not constitute or contribute to the development of customary international law.

However, India reiterates its commitment to the goal of a nuclear weapon free world. India believes that this goal can be achieved through a step-by-step process underwritten by a universal commitment and an agreed global and non-discriminatory multilateral framework, as outlined in India's Working Paper titled "Nuclear Disarmament", submitted to the UNGA in 2006.

In this regard, India supports the commencement of negotiations on a Comprehensive Nuclear Weapons Convention in the Conference on Disarmament.

L.56: Nuclear Disarmament

On L.56, We compliment Myanmar for retaining vital principled paragraphs in this resolution which are supported by a vast majority of member States. India shares the main objective of the resolution, which is the complete elimination of nuclear weapons within a specified framework of time. India attaches a high priority to nuclear disarmament.

However, we have abstained on the resolution because of certain references to the NPT, CTBT as well as the TPNW, on which India's position is well known. We support other provisions of the resolution, which we believe are consistent with India's positions on nuclear disarmament and non-proliferation.

India's Explanations of Vote (POST VOTING) Other Disarmament Measures 79 UNGA First Committee, UNHQ, New York, November 2024

L.53: Promoting international cooperation on peaceful uses in the context of international security

India has abstained on L.53 Rev.1.

India acknowledges the critical role of international cooperation in advancing science and technology for peaceful purposes, which contributes significantly to the economic and social development of Member States, particularly developing countries.

We recognize that the link between disarmament and development is well established, and India has consistently co-sponsored the annual resolution titled "Relationship between Disarmament and Development," introduced by the Non-Aligned Movement.

At the same time, we acknowledge the provisions of various international treaties, multilateral mechanisms, and mandatory obligations related to the non-proliferation of weapons of mass destruction, including those addressing non-State actors, which necessitate the regulation of relevant transfers.

Member States, including the sponsors of this resolution, already implement such export controls at the national level.

Given these established frameworks and their objectives, it is essential to approach any revisions to them in a careful manner. Undue tinkering of the existing balance may be fraught with risks.

L.43: AI in the Military Domain and implication for international peace and security

On L.43, India has voted in favour of the resolution. However, India has abstained on its preambular paragraph 1 and operative paragraph 1.

India would like to record its view that armed conflict is governed by international humanitarian law. India does not accept obligations arising out of international human rights law in armed conflicts, including the use of emerging technologies, such as the use of AI in the military domain.

Further, the application of International Human Rights Law does not fall under the subject matter of this Committee.

India's Explanation of Vote (POST-VOTING) Outer Space Cluster 79th UNGA First Committee, UNHQ, New York, November 2024

L.75: Reducing space threats through norms, rules and principles of responsible behaviors

On L.75, India continues to abstain on the resolution.

India participated constructively and substantively in the work of the OEWG on "Reducing Space Threats", established pursuant to Resolution 76/231 and recognizes the value of its work.

As a major space-faring nation, India has vital developmental and security interests in outer space.

India supports the substantive consideration of the prevention of an arms race in outer space in the Conference on Disarmament, and remains committed to a legally-binding instrument which is universally acceptable, verifiable and multilaterally negotiated in the Conference.

India is also open to the development of universal and non-discriminatory non-binding norms and transparency and confidence building measures, as they can be complementary to a legally binding instrument.

However, India believes that a selective focus on certain space threats over others will be counterproductive. We believe that threats to safety, security and sustainability of outer space; considerations relating to misunderstandings, miscalculations and misperceptions; as well as thresholds for what may constitute a use of force in Outer Space; must be considered comprehensively.

L.7: WMDs in Outer Space

On L.7: India has voted in favor of the resolution because it believes that Outer Space should be kept free from Weapons of Mass Destruction, including nuclear weapons.

India believes that the objective of Prevention of an Arms Race in Outer Space should be addressed through a legally binding instrument negotiated in the Conference on Disarmament which is the single multilateral disarmament negotiating forum.

As a party to the Outer Space Treaty, India adheres to and is committed to the obligations contained in the treaty including Article IV.

India also believes that amendments or modifications of the obligations that arise from the Outer Space Treaty should be addressed within the framework of the Treaty.

L.59: No first placement of weapons in outer space

On L.59: India has voted in favour of the resolution. The resolution underlines that the legal regime applicable to outer space needs to be consolidated and reinforced.

India supports this objective as well as strengthening of the international legal regime to protect and preserve access to space for all and to prevent, without exceptions, the weaponization of outer space. India supports the substantive consideration of PAROS in the Conference on Disarmament.

Although the “No First Placement of weapons in outer space” is not a substitute for substantive legal measures to ensure the prevention of an arms race in outer space in a comprehensive manner, we view it as a useful initial step.

India has voted against PP5 of this resolution due to the inclusion of non-consensual language.

L.6: Further practical measures for the prevention of an arms race in outer space

On L.6: India has traditionally supported the resolution on further practical measures for the prevention of an arms race in outer space.

India continues to support substantive consideration of the prevention of an arms race in outer space and we remain committed to legally binding instrument on PAROS - which is universally acceptable, verifiable and multilaterally negotiated in the CD.

India has voted against PP5 of the resolution like our position on a similar paragraph in L.59.

India’s Explanation of Vote (POST VOTING)
OTHER WMD Cluster
79th UNGA First Committee, UNHQ, New York, November 2024

L.65: Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

India has been supporting the resolution on “Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction”.

India attaches importance to the CWC and all its provisions. India is against the use of chemical weapons anywhere, at any time, by anybody, and under any circumstances.

India underlines the need for upholding the integrity of the CWC and to avoiding politicization of the issues.

We reiterate the importance of impartial & objective investigation process into any alleged use, to establish facts and reach evidence-based conclusions, which should be done consistent with the provisions of the Convention, respecting the delicate balance of power & responsibilities enshrined, and addressing the concerns on the basis of cooperation among all relevant parties.

This resolution traditionally used to receive consensus support. However, the consensus nature appears to have been affected due to inclusion of some contentious issues in its operative part on which India has abstained.

**India’s Explanation of Vote (POST-VOTING)
Conventional Weapons Cluster
79 UNGA First Committee, UNHQ, New York, November 2024**

L.77- Resolution on Lethal Autonomous Weapon Systems

India has abstained on the resolution L.77.

India believes that the GGE on LAWS of the Convention on Certain Conventional Weapons (CCW) is addressing the full range of challenges and concerns relating to LAWS in a comprehensive and inclusive manner. The CCW is the appropriate forum to discuss issues relating to lethal autonomous weapons systems with a view to striking a balance between military necessity and humanitarian imperatives.

Parallel mandates and processes on lethal autonomous weapons systems also amount to a duplication of efforts and resources. India has therefore abstained on OP7 and OP9.

A substantial body of work has been done and continues to be done by the GGE of the CCW on Emerging Technologies in the area of LAWS. This work needs to be built upon in the direction of developing common understandings, particularly on definitions and on the characterization of lethal autonomous weapons systems.

Broadening the scope of possible understandings, beyond emerging technologies in the area of lethal autonomous weapons, including by referencing contentious concepts on which there is no agreement, will be counterproductive. India has therefore voted against PP4.

India has also voted against PP2 because the application of International Human Rights Law and International Criminal Law do not fall under the subject matter of this Committee.

L.30: Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

India has abstained on L.30.

India supports the vision of a world free of anti-personnel landmines and is committed to their eventual elimination. The availability of militarily effective alternative technologies that can perform, cost effectively, the legitimate defensive role of anti-personnel landmines will considerably facilitate the goal of the complete elimination of anti-personnel mines. India is a High Contracting Party to AP-II of the CCW which enshrines the approach of taking into account the legitimate defense requirements of States, especially those with long borders.

India has fulfilled its obligations under AP-II including inter alia stopping the production of non-detectable mines as well as rendering all our anti-personnel mines detectable. India is observing a moratorium on the export and transfer of anti-personnel landmines.

We have taken a number of measures to address humanitarian concerns arising from the use of anti-personnel landmines, in accordance with International Humanitarian Law.

India remains committed to increased international cooperation and assistance for mine clearance as well as rehabilitation of mine-victims and has been contributing technical assistance and expertise to this end.

India also regularly participates as an Observer at the Meetings of States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.

L.60: The Arms Trade Treaty

India has abstained on the resolution L.60.

India has established strong and effective national export controls with respect to export of defense items. India subscribes to the objective of the ATT and our export control system meets those objectives.

As part of our commitment to international transparency measures, India submits an annual report under the United Nations Register on Conventional Arms for the same categories of conventional arms that are regulated under the ATT. Our commitment is also reflected in India's participation in Wassenaar Arrangement.

India continues to keep the ATT under review from the perspective of our defense, security and foreign policy interests.

India has abstained on the Preambular Para 11, because the extract drawn from A/Res/79/1 deals with matters which do not strictly fall within the purview of this Committee.

**India's Explanation of Vote (POST-VOTING)
Nuclear Weapons Cluster
79th UNGA First Committee, UNHQ, New York, November 2024**

L.41 Steps to building a common road map towards a world without nuclear weapons

India has abstained on the resolution L.41.

We acknowledge that Japan, the lead sponsor, is the only country to have suffered a nuclear weapons attack. We share the resolution's aspiration of nuclear disarmament. India remains committed to a nuclear-weapon-free world and to maintaining a unilateral and voluntary moratorium on nuclear explosive testing.

India has abstained on OP5 and OP6. India supports the commencement of negotiations on FMCT in the CD on the basis of CD/1299 and the mandate contained therein. However, India believes that the moratoria on the production of fissile materials for nuclear weapons or nuclear explosive devices, is by its very nature voluntary, reversible and not verifiable, unlike an FMCT which will impose a treaty obligation and will be verifiable and irreversible.

India has not joined INFCIRC/549. India's obligations in respect of IAEA safeguards of fissile material are contained in India's specific Safeguards Agreement with the IAEA contained in INFCIRC/754 and an additional protocol contained in INFCIRC/754/Add 6. While India remains committed to fully implementing these agreements, it does not recognize additional obligations or commitments in respect of safeguards or management of fissile material beyond the scope of the two documents.

Our views on the CTBT are well known and in view of these we have voted against OP7.

L.39: Nuclear War Effects and Scientific Research

India has abstained on the resolution on L.39, as a whole and its PP11.

India believes that the over-riding priority of the international community, in accordance with the outcome document SSOD-1, should be the total elimination of nuclear weapons.

As a nuclear weapon state, India's commitment to universal, non-discriminatory and verifiable nuclear disarmament remains undiminished. This goal can be achieved by a step-by-step process underwritten by a universal commitment and an agreed multilateral framework that is global and non-discriminatory.

Pending the global elimination of nuclear weapons, India has put forward a number of proposals for reducing, in all its aspects, nuclear risks and dangers in the document CD/1816, submitted to the Conference on Disarmament in 2007.

India shares the deep concern about the catastrophic humanitarian consequences of any use of nuclear weapons. India's resolutions in the First Committee reflect this concern and have inter alia emphasised the need to take effective legal measures to prohibit the use of nuclear weapons.

At this stage, India remains to be fully convinced of the value of an additional study on the consequences of a nuclear war. In addition, India has concerns about the methods of work of the proposed group and emphasizes the importance of consensus on matters of substance and procedure in its working.

L.68: Comprehensive Study of the Question of NWFZ in all its aspects

India has voted in favour of L.68.

India believes that nuclear weapon free zones should be established on the basis of arrangements freely arrived at among the States of the region concerned. The initiative to establish a nuclear-weapon-free zone should emanate exclusively from States within the region concerned and be pursued by all the States of that region. This position is consistent with the Final Document of SSOD-1 as well as the guidelines and principles on establishment of nuclear-weapon-free zones adopted by consensus by the Disarmament Commission in 1999

It needs be to be fully examined whether the proposed study will add value to these conclusions agreed by all member states. India abstained on its PP7, given our position on NPT. We are also not convinced that there have been developments in international law that are relevant to the establishment of nuclear weapons free-zones.

India has abstained on OP1, because we have concerns about the methods of work of the proposed group and believes that the issue should be studied by either GGEs or OEWGs, operating according to the established practice and on the basis of consensus.

L.67: GSTE on NDV

India has voted in favour of L.67. However, India abstained on its PP12. India is not a party to the NPT and is not bound by any outcomes arising from it or its terminologies, including classification of states contained in the treaty.

India is a nuclear-weapon state. This is a reality that cannot be denied. It is not a conferment that we seek; nor is it a status for others to grant.

L.74: Addressing the legacy of nuclear weapons: providing victim assistance and environmental remediation to member States affected by the use or testing of nuclear weapons

India shares the sentiment of the sponsors embodied in L.74

We have participated in the four meetings on the humanitarian impact of nuclear weapons and supported relevant resolutions on the issue in multilateral forums. Our approach is premised on the shared notion of the serious threat to survival of humankind that could be posed by the use of nuclear weapons.

India's positions on NPT, CTBT and TPNW, referred to in the resolution, are well known.

The resolution also does not sufficiently differentiate between the impacts of the use and testing of nuclear weapons, nor between the different kinds of tests that have been conducted.

Therefore, we have been constrained to abstain on the resolution.

L.34 Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments

India has voted against the resolution L.34. This resolution is embedded in the NPT context. India's views on the NPT are well known.

We have voted against OP25, since India cannot accept the call to accede to the NPT as a non-nuclear-weapon State. In urging India to accede to NPT “promptly and without conditions,” the draft resolution negates the rules of customary international law, as enshrined in the Vienna Convention on the Law of Treaties, which provides that a State’s acceptance, ratification or accession to a treaty is based on the principle of free consent.

India is a responsible Nuclear Weapon State and therefore there is no question of India joining the NPT as a non-nuclear weapon state.

The resolution also contains references to the CTBT and the TPNW. India’s position on these treaties too is well known.
