

**Views of Canada on how to take forward multilateral nuclear disarmament negotiations, pursuant to UNGA resolution 68/46 entitled "Taking forward multilateral nuclear disarmament negotiations.**

**11 June 2014**

**EXECUTIVE SUMMARY:**

Canada is deeply concerned by the devastating humanitarian consequences of a potential nuclear weapons detonation. It is this concern that underpins the work that Canada, and the international community, has done, and must continue to do, to stop the proliferation of nuclear weapons and to take forward multilateral nuclear disarmament negotiations.

In this spirit, Canada continues to support a pragmatic and progressive step-by-step approach to nuclear disarmament that halts the spread of nuclear weapons, draws down existing stockpiles, and irreversibly eliminates them. The three core components of this approach are a universalized Nuclear Non-Proliferation Treaty (NPT) coupled with full compliance with IAEA safeguards and verification to prevent the spread of nuclear weapon components and technology, a fully in force Comprehensive Nuclear Test Ban Treaty (CTBT) to verifiably ban all nuclear testing, and a Fissile Material Cut-off Treaty (FMCT) to verifiably ban the production of fissile material. Such an approach provides the most practical and feasible path to realize the commitments enshrined in Article VI of the NPT.

While these steps remain the cornerstones of the nuclear non-proliferation and disarmament regime, they need not, and should not, occur in isolation. They should be pursued simultaneously and further steps aimed at reducing the risk of use of nuclear weapons should be taken in parallel. With its partners in the Non-Proliferation and Disarmament Initiative (NPDI), Canada has advocated for a number of such initiatives, notably as they relate to transparency on nuclear weapons and reducing the role of nuclear weapons in military doctrines.

Finally, it is important to recognize the security dimensions of nuclear weapons. Disarmament must be advanced in a way that does not jeopardize international stability, and is based on the principle of undiminished security for all. It does not and cannot take place in a vacuum and must be accompanied by strict adherence by all States Parties to their non-proliferation obligations, including those under the NPT. As such, the continued non-compliance by Iran and North Korea with these obligations undermines overall efforts to advance multilateral nuclear disarmament.

**Views of Canada on how to take forward multilateral nuclear disarmament negotiations, pursuant to UNGA resolution 68/46 entitled “Taking forward multilateral nuclear disarmament negotiations.**

Further to the request of the United Nations (UN) Office of Disarmament Affairs of February 20, 2014 and pursuant to UN General Assembly Resolution 68/46 entitled “Taking forward multilateral nuclear disarmament negotiations”, please find below the views of the Government of Canada on how to take forward multilateral nuclear disarmament negotiations, including on steps that have already been taken to that end.

Canada is deeply concerned by the devastating humanitarian consequences of a potential nuclear weapons detonation. It is this concern that underpins the work that Canada, and the international community, has done and must continue to do to stop the proliferation of nuclear weapons and to take forward multilateral nuclear disarmament negotiations. As such, Canada continues to support a pragmatic, progressive, step-by-step process for nuclear disarmament that halts the spread of nuclear weapons, draws down existing stockpiles, and irreversibly eliminates them. We continue to believe that such an approach provides the most practical and feasible path to realize the commitments enshrined in Article VI of the Nuclear Non-Proliferation Treaty (NPT) and the commitment to nuclear disarmament agreed by all states in the First Special Session of the UN General Assembly on Disarmament (SSOD I) .

**Moving towards Nuclear Disarmament**

As early as SSOD I states recognized that for disarmament to become a reality, it was essential that the international community agree upon a series of specific disarmament measures whose subsequent realization appeared to be feasible in the short-term. In this regard, the authors of SSOD 1 identified the importance of both multilateral disarmament steps as well as those taken on an unilateral and bilateral basis.

In this spirit, Canada continues to support a step by step approach to nuclear disarmament, three core components of which are a universalized NPT coupled with full compliance with IAEA safeguards and verification to prevent the spread of nuclear weapon components and technology, a fully in force Comprehensive Nuclear Test Ban Treaty (CTBT) to verifiably ban all nuclear testing, and a Treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices to verifiably ban the production of fissile material. These steps constitute essential components that must be achieved to reach the ultimate goal of a world free of nuclear weapons.

While these steps remain the most urgent steps needed to ensure the nuclear non-proliferation and disarmament, they need not, and should not, occur in isolation. As outlined in the building blocks paper put forward by Japan, Canada and 10 other countries, they should be pursued simultaneously and reinforced by parallel multilateral, plurilateral, bilateral and unilateral steps aimed at reducing the number of nuclear weapons and the risk of their use. With its partners in the Non-Proliferation and Disarmament Initiative (NPDI), Canada has advocated for a number of such initiatives, notably as they relate to transparency on nuclear weapons, reducing the role of

nuclear weapons in military doctrines and non-proliferation measures aimed at creating a more stable international security environment that is conducive to more progress on disarmament.

### **Building Blocks for Nuclear Disarmament**

While it is important to address the process leading to nuclear disarmament negotiations, it is crucial to maintain a focus on the ultimate objective. Indeed, regardless of the order or venue chosen to advance them, some elements represent key building blocks to the achievement of a world without nuclear weapons.

#### **Fissile Material Cut-off Treaty**

A treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices would be a significant and positive step towards both nuclear disarmament and non-proliferation and is, in Canada's view, an essential contribution to creating the conditions for a world without nuclear weapons. The disarmament machinery has long supported a treaty on fissile materials, including as on the NPT's thirteen practical steps towards disarmament in 2000 and reaffirmed in 2010 as an urgent necessity. Such a treaty was also one measure that SSOD I agreed as necessary for disarmament to become a reality.

Producing fissile material remains the critical enabler for any new nuclear program and any country seeking to expand its nuclear arsenal. In addition to limiting horizontal and vertical proliferation and enhancing nuclear security, a treaty banning the production of fissile material would further disarmament by improving transparency on the size and nature of fissile material stockpiles held by nuclear weapon-possessing states as well as by establishing effective verification measures to support future nuclear disarmament. Canada believes that a future FMCT could prevent the diversion of material declared excess weapons needs back to weapons use (in line with the principle of irreversibility). It will also strengthen the principle of non-discrimination by ensuring that a prohibition on the production of fissile materials for nuclear weapons or other nuclear explosive devices is applicable to nuclear weapon states, non-nuclear weapon states, and non-NPT states alike.

Given the value associated with a treaty banning the production of fissile material for use in nuclear weapons and other nuclear explosive devices, it is deeply regrettable that negotiations on a treaty have yet to begin. We believe that the Shannon Mandate continues to hold the prospect for consensus for the immediate commencement for negotiations in the CD. It is time to start seeking efforts to resolving our differences through negotiations, with full regard for national security concerns. This will not be an easy process but it holds the hope of real, concrete progress for international security.

Absent progress in the CD on the negotiation of a FMCT, the international community, in 2012, expressed a shared commitment to advance efforts in this direction through a Canadian-led UNGA Resolution entitled "Treaty Banning the Production of Fissile Material for Nuclear Weapons and other explosive devices". This resolution was adopted by 166 UN member states and established a group of governmental experts to make recommendations on the possible aspects that could contribute to a future Treaty.

Canada believes that the GGE represents a modest and practical step in the context of the current deadlock. The GGE will not negotiate a Treaty. Through a fact-based and technical discussion, we believe that the GGE can provide a helpful roadmap to future negotiators of a Treaty. As Chair, Canada looks forward to the ongoing deliberations of the GGE and its final report to the UN Secretary General and UN General Assembly in 2015.

### **Comprehensive Nuclear Test Ban Treaty**

Canada strongly supports the entry into force of the CTBT and the completion of its verification regime. In our view, this would mark a vital step towards the reduction and eventual elimination of nuclear weapons by constraining their development and qualitative improvement. As such, the entry into force of the CTBT would undoubtedly strengthen the international nuclear disarmament and non-proliferation regime. However, more than 15 years have now passed since the CTBT was open for signature. Canada calls on states that have yet to sign and ratify the Treaty to do so at the earliest opportunity so that this instrument can come into force and formalize the voluntary nuclear test moratorium that has become a de facto norm of the 21<sup>st</sup> century.

Despite this and the fact that the Treaty has been signed by 183 States and ratified by 157, one state repeatedly chooses to ignore the global will and continues to threaten international stability and security through the conduct of nuclear tests. Canada strongly condemned North Korea's most recent nuclear test on 12 February 2013 and continues to support swift and effective action in response to this aggression.

Pending its entry into force, Canada is pleased to contribute to the efforts of the CTBT Organization (CTBTO) to establish the Treaty's verification regime, including the International Monitoring System (IMS). Canada hosts 16 monitoring stations and laboratories and, in September 2013, contributed C\$750,000 of state-of-the-art radiation detection equipment and training to strengthen the CTBTO's on-site inspection capabilities.

### **Negative Security Assurances and Nuclear Weapon Free Zones**

As we strive for a world without nuclear weapons, we should further encourage the development of new, and strengthening of existing Nuclear Weapon Free Zones. These represent an important regional approach to nuclear disarmament and non-proliferation and a confidence building measures to this end. Action 9 of the 2010 NPT Action Plan encourages the development of further nuclear weapon free Zones, where appropriate, on the basis of arrangements freely arrived at by states in the region.

These zones not only contribute to limiting the proliferation of nuclear weapons, but when the treaties that govern them are appropriately ratified by the Nuclear Weapons States, they provide non-nuclear weapons states with valuable negative security assurances and contribute to reducing the inherent value of nuclear weapons possession. They, therefore, serve important disarmament and non-proliferation objectives.

Canada welcomes the recent announcement by the five Nuclear Weapon States that they will ratify the relevant protocols to the Treaty of Semipalatinsk which established the Central-Asian Nuclear Weapon Free Zone.

Canada also continues to support the outcomes of the 2010 NPT Review Conference, including a conference on the creation of a Weapons of Mass Destruction Free Zone in the Middle East, to be attended by all states in the region. We fully support the ongoing efforts of the Facilitator and the three depository States to consult broadly with all relevant stakeholders, including through multilateral consultations. To be successful, it is important that the conference be attended by all states in the region on the basis of agreements freely arrived at.

### **Transparency in Nuclear Armaments**

Increased transparency of information related to nuclear weapons is an important precondition for further progress in nuclear disarmament and verification. This notion was reflected in the 13 practical steps for the systematic and progressive efforts to achieve complete disarmament adopted by the 2000 Review Conference of the Parties to the NPT. In its Final Document, the 2010 Review Conference also recognized that nuclear disarmament and achieving the peace and security of a world without nuclear weapons would require openness and cooperation, and affirmed the importance of enhanced confidence through increased transparency and effective verification.

In 2013, with our partners in the NPDI, Canada was pleased to provide Nuclear Weapons States with a draft reporting form that aims to provide details regarding their efforts to fulfill their disarmament commitments under NPT Article VI. We also welcome the reports on this issue submitted by the NWS to the 2014 NPT Preparatory Committee meeting.

Canada invites NWS to also place more of their civilian stocks of fissile material as well as materials declared excess for military purposes under IAEA voluntary safeguards. This would create additional confidence that this material is not and cannot be transferred or returned to use in nuclear weapons programs.

Finally, disarmament and transparency is not only the responsibility of the five Nuclear Weapon States. Canada has again submitted two national reports to the NPT which highlight, among others, our efforts to promote disarmament. Reporting is something all States Parties, both Nuclear- and Non-Nuclear Weapon States, can and should do to indicate that NPT commitments are being implemented.

### **Reducing the Role of Nuclear Weapons in Military Doctrines and De-Alerting Nuclear Weapons**

A key element to further non-proliferation and disarmament objectives involves reducing the role and significance of nuclear weapons in declaratory policies. Such reductions translate into a reduced role for nuclear weapons in military doctrines, and consequently a modified force posture. This will have the effect of disincentivising further proliferation efforts and will contribute to lowering the risk of inadvertent use.

Canada was pleased to work with partners in the NPDI to submit working papers on a reduced role for nuclear weapons and de-alerting to the NPT Preparatory Committee meetings of 2013 and 2014 respectively, and continues to call on states to take steps towards implementing the relevant actions of the 2010 NPT Review Conference Action Plan.

### **Nuclear Non-Proliferation**

Disarmament does not and cannot take place in a vacuum. It must be accompanied by strict adherence by all States Parties to their non-proliferation obligations under the NPT. Indeed, stopping any further proliferation of nuclear weapons is not only an international security imperative, it also represents a key building block to the achievement of a world without nuclear weapons. As such, the continued non-compliance by Iran and North Korea with these obligations significantly undermines overall efforts to advance multilateral nuclear disarmament.

#### *Iran*

Canada shares the international community's serious concerns about the scope and nature of Iran's nuclear program and Tehran's ongoing failure to meet its IAEA safeguards obligations. A nuclear armed Iran would be a threat to Canada and its allies and seriously damage the integrity of the global nuclear non-proliferation regime.

Although Canada recognizes that, like all NPT State Parties, Iran has a right to the use of nuclear energy for peaceful purposes, this right comes with obligations with which all States, including Iran, must comply. Iran has lost the confidence of the IAEA Board of Governors and the UN Security Council through its two-decade-long history of concealing nuclear activities. Canada fully supports UN Security Council Resolutions 1696, 1737, 1747, 1803, 1835, 1929 and IAEA Board of Governors Resolutions GOV/2009/82, GOV/2011/65, and GOV/2012/50. These resolutions express the international community's desire for a negotiated diplomatic solution which respects Iran's right to peaceful uses of nuclear energy while ensuring the exclusively peaceful nature of Iran's nuclear program.

Iran is in non-compliance with its Comprehensive Safeguards Agreement (CSA) and is in violation of six UN Security Council resolutions and twelve IAEA Board of Governors resolutions. While Canada notes the IAEA's confirmation that Iran has so far implemented all of its required actions under the November 2013 Joint Plan of Action, this agreement is only a short-term measure intended to facilitate a comprehensive solution. Canada firmly believes that any such comprehensive solution will require additional safeguards verification authorities and that all outstanding issues be resolved, notably the possible military dimensions (PMDs) of Iran's nuclear program. To date, Iran has been unable or unwilling to seriously address PMDs highlighted in the November 2011 IAEA Director General's report. Iran is also required by binding Board of Governors and UNSC resolutions to take steps towards the full implementation of its Safeguards Agreement and other related obligations, including implementation of an Additional Protocol. The IAEA states clearly that without implementation of the Additional Protocol, it "will not be in a position to provide credible assurance about the absence of undeclared nuclear material and activities". In order for the IAEA to be able to provide that assurance as soon as possible, Canada calls upon Iran to implement the Additional Protocol in

short order. Canada believes that the pace of cooperation is too slow and that Iran must fully address all of IAEA's past and present concerns about the PMDs of Iran's nuclear program in order for the international community to have confidence in the exclusively peaceful nature of their program.

### *North Korea*

Recent tests of missiles and a nuclear device, and ongoing provocations by the regime in North Korea constitute clear and alarming threats to international peace and security, increasing the overall risk of a nuclear weapons detonation and further challenging efforts to strengthen regional and global nuclear disarmament and non-proliferation. Canada demands that North Korea abandon its nuclear and ballistic missile programs and refrain from further provocations including nuclear and missile tests. We strongly urge North Korea to adhere to its international non-proliferation obligations, including under relevant successive UN Security Council Resolutions, by resuming compliance with the Nuclear Non-Proliferation Treaty, and complying fully with its Comprehensive Nuclear Safeguards Agreement with the International Atomic Energy Agency (IAEA). Until that time and in the face of the regime's wilful defiance of its international obligations, Canada will continue to implement all UN sanctions against North Korea, and maintain its robust domestic sanctions which include a ban on all imports from and exports to North Korea, with certain humanitarian exemptions. Canada will also continue to work with its international partners to pursue further appropriate actions.

### *Multilateral Counter-Proliferation Efforts*

In order to limit nuclear proliferation of nuclear weapons and create the conditions for a world without nuclear weapons, Canada is actively working with partners to reduce the spread of nuclear materials and technology. In this regard, Canada fully supports counter-proliferation initiatives including the full and universal implementation of UN Security Council Resolution (UNSCR) 1540, improved Weapons of Mass Destruction interdiction authorities and capabilities under the Proliferation Security Initiative (PSI) and the Global Initiative to Combat Nuclear Terrorism (GICNT).

In March 2012, at the Nuclear Security Summit in Seoul, Prime Minister Stephen Harper announced the renewal of Canada's Global Partnership Program (GPP) with \$367 million in funding for the 2013 to 2018 period. This was a clear demonstration of Canada's ongoing commitment to strengthening global security by combatting the threat of nuclear, radiological, biological and chemical terrorism. As a part of the global effort to halt the illicit spread of nuclear materials and technology, Canada has spent approximately \$26 million since the 2012 Summit through the GPP to improve global nuclear security. On March 25, 2014, on the margins of the Nuclear Security Summit in The Hague, Prime Minister Harper announced more than \$28 million in nuclear and radiological security programming through the GPP. This support will facilitate projects that will enhance the physical security of nuclear facilities and radioactive sources, and combat illicit trafficking in countries in Africa, the Americas, the Middle East and Southeast Asia.

## **A Nuclear Weapons Convention or Ban on Nuclear Weapons**

Canada supports a nuclear weapons convention as one of the last steps towards a world free of nuclear weapons. It will be the last piece which rests upon the solid foundations made of, inter alia, the various building blocks listed previously. These foundations will give all states the confidence needed to realize the achievement and ensure the maintenance of a world without nuclear weapons, codified in a universal and verifiable Nuclear Weapons Convention.

However, we believe that seeking to negotiate such a convention now would be premature and ineffective. Entering directly into negotiation of a Nuclear Weapons Convention would result in a lengthy process that would distract states from making progress on more timely, achievable and concrete steps towards nuclear disarmament.

Canada does not support a declaratory ban the possession and use of nuclear weapons, particularly absent the participation of those states possessing nuclear weapons. We do not believe that this would have a practical effect on the actual elimination of nuclear weapons and could leave critical issues including ensuring universalization, non-discrimination and effective verification out of any multilateral negotiations. Furthermore, a treaty banning nuclear weapons, without the endorsement of the main stakeholders, risks undermining the Nuclear Non-Proliferation Treaty (NPT) and the delicate balance between its three pillars of disarmament, non-proliferation and the peaceful uses of nuclear energy.

## **Revitalizing the Disarmament Machinery**

Of particular importance to advancing multi-faceted multilateral disarmament negotiations is the need to revitalize the machinery mandated to host them, as it has not evolved since 1978. Canada is proud to have been a full party to the landmark successes which represented the negotiations of the NPT, the Biological Weapons Convention, the Chemical Weapons Convention and indeed the CTBT. However, since the negotiation of the CTBT, our traditional disarmament machinery has effectively stalled.

Canada continues to view the Conference on Disarmament as the body best placed, theoretically, for our collective efforts to take forward multilateral disarmament negotiations. We must work to find ways to reform and modernize the CD so that it can once again fulfill its intended function. However, if the CD is unable to return to its mandated role, Canada is prepared to consider options outside the Conference to advance our goals.

To start, CD members must closely examine the need to modernize the rules of procedure for the CD to better suit today's political context and objectives. To do so, and since 2012, Canada has supported the proposal for a Special Coordinator to be appointed to examine the rules of procedure. Other constructive proposals have been made by others, seeking to advance this issue. In this regard, we have taken note of the recommendation of the UN Secretary General's Advisory Board on Disarmament that the Secretary General consider the establishment of a high-level panel of eminent persons to address the revitalisation of the UN disarmament machinery, with a particular focus on the CD; as well as the Acting Secretary General of the

CD's recent calls for the body to consider ways to overcome its impasse. Regardless of the vehicle chosen to do so, a full review of the rules of procedure is required.

First, the Conference's rule of consensus should be examined. Increasingly, the use of consensus in the CD has shifted from its original intent to protect the core national security interests of states to a tool used to block both substantive and procedural progress. It is the latter that threatens the ability of this body to ever operate effectively again. Canada believes that the use of consensus should be reviewed for procedural versus substantive decisions in the CD.

Second, we are of the view that the current CD rotating Presidency limits the Conference's potential for in-depth work by failing to give a President sufficient time to provide direction to and build consensus around the CD's work. It is Canada's view that a consideration to lengthen the Presidency or change how a President is chosen would have benefits for the function of the CD. There is also a continued need to consider the credentials of the position holder. Canada strongly believes that the credibility of the Conference is severely damaged when the Presidency is assumed by those found by the UN Security Council to be in non-compliance with their non-proliferation obligations.

Finally, in the absence of a broader reform and of a consensus Program of Work, Canada welcomes the ongoing discussions that are taking place pursuant to the agreed upon Schedule of Activities in the CD. We hope that, like the Open Ended Working Group on Nuclear Disarmament of 2013, these discussions can serve to increase trust amongst parties and seek innovative ways to break the current deadlock. However, these discussions cannot become a replacement for the CD's core mandate of negotiation and work must continue towards that end. The Informal Working Group has been tasked with developing a Program of Work and Canada hopes that states will demonstrate the flexibility necessary to ensure that it can complete its mandate.