“**Nuclear Threats and Canada’s Disarmament Diplomacy”**

Paul Meyer, CIPS/CNWC event, University of Ottawa, November 28, 2022

In reflecting on the troubling times we are experiencing, I am reminded of an anecdote about two men having a conversation - one a pessimist and the other an optimist. The pessimist is lamenting the impact of global warming, persistent pandemics, famine and pervasive conflict and he finally says “things are so bad they can’t get worse”. And the optimist responds “Sure they can!”.

Nuclear weapons and the existential threat they pose to humanity have assumed a new and disturbing saliency in the last few months. Russia’s aggression against Ukraine, accompanied as it is by persistent nuclear “sabre-rattling” and the blatant use of these weapons as instruments of intimidation and coercion has rudely reminded global society that huge arsenals of these weapons of mass destruction remain. But it could be worse. Humankind could be faced with the actual detonation of a nuclear weapon, demolishing a 77 year long taboo against their use. As four generations have come and gone since the atomic bombing of Hiroshima and Nagasaki and the mass slaughter they caused, the horrific reality of a nuclear weapon detonation has faded from public consciousness. It helps explain the all too casual manner in which some are speculating about scenarios for the use of a tactical nuclear weapon in Ukraine, as if this was just another explosive weapon. Many in society seem to have assumed that with the end of the Cold War nuclear weapons disappeared, whereas some 12,000 of these warheads are extant, thousands of which are being maintained on a high-alert status allowing their launch in a matter of minutes. This year the keepers of the so-called “Doomsday Clock” at the *Bulletin of the Atomic Scientists* have set it at 100 seconds before midnight on the basis of nuclear and climate risks– and that determination was done in January before the Russian invasion of Ukraine. I will let you guess where the hands of the clock will be set in the new year.

In this lecture I would like to describe the current state of nuclear weapons as a factor in international relations, explain how we got to this point, review efforts made to agree on arms control and disarmament measures and conclude with some thoughts on what diplomatic role Canada could play in reducing nuclear dangers.

The very first resolution ever adopted by the UN General Assembly in January 1946 was devoted to the establishment of an Atomic Energy Commission that was to seek the elimination of atomic weapons from the world’s arsenals while channeling atomic energy for peaceful purposes. High-minded as this effort was, it soon fell victim to the growing divide between the West and the Soviet Union. The scheme championed by the US, named after its chief delegate to the new Commission, was the Baruch Plan, which envisaged all UN member states signing a treaty providing for international control of the atomic bomb after which the US would agree to eliminate its arsenal. The USSR countered that the US should destroy its bombs first and then one could develop a treaty regime. A further sticking point was the US insistence that no permanent member of the Security Council could use its veto on an atomic issue, a constraint that Moscow was not prepared to accept in a Council in which the US and allies held a majority.

Thus, the small window of opportunity to eliminate nuclear weapons when they numbered no more than the fingers on one hand was missed, never to reappear. The Soviet Union soon broke the US monopoly of the bomb and a frenzied arms race ensued with the two camps amassing tens of thousands of these weapons, representing an overkill of immense proportions.

Last month we marked the 60th anniversary of the Cuban Missile Crisis, the closest we have come to peering into the abyss of nuclear war. The more that crisis is studied the clearer have become the risks, some unknown at the time, that nuclear weapons would have been used. The respective leaders were simply unable to control every aspect of developments and the fact that nuclear war was averted may have relied as much on luck as it did on diplomacy. Clearly the "near death experience" of the Cuban missile crisis left its mark on both Khrushchev and Kennedy. It provided the impetus for the first post-war arms control measure, the 1963 Partial Test Ban Treaty that prohibited all but underground testing of nuclear weapons.

A few years later the most important nuclear-related agreement was concluded. The (Nuclear) Non-proliferation Treaty (NPT) which entered into force in 1970 and currently has 191 states parties is often referred to as "the cornerstone" of the global nuclear edifice. It enshrines a "tripartite bargain". First, all but the five nuclear weapon states at the time the treaty was negotiated (NWS -the US, USSR, UK, France and China) foreswear acquiring nuclear weapons. Second, under Article VI of the treaty, the five NWS commit to negotiations to end the arms race at an early date and effect nuclear disarmament and third, all parties will cooperate on the use of nuclear energy for peaceful purposes. This framework has largely governed global nuclear affairs ever since, but its discriminatory nature in creating two categories of nuclear weapon "haves" and "have-nots" has generated ongoing problems. Three nuclear-armed states: India, Pakistan and Israel never joined the treaty and another, North Korea joined but then withdrew in 2003 to openly pursue a nuclear weapons program.

The <u>non-proliferation</u> obligations under the NPT were strictly enforced with a dedicated organization, the International Atomic Energy Agency delegated to monitor implementation through a series of bilateral safeguard agreements. However, there was no corresponding organization to monitor compliance with the <u>disarmament</u> obligations and this aspect was essentially left to the NWS themselves to determine. Not surprisingly, these states claimed they were <u>fulfilling</u> their disarmament obligations at the NPT's Review Conferences held every five years. The NPT had an original term of 25 years which meant that in 1995 the Review Conference had to make a decision on the treaty's extension. In the event a decision was made to extend the treaty indefinitely. This formed part of a package of decisions that also included outlining a set of disarmament objectives, plus specifying a strengthened review process and a resolution promoting a NWFZ for the Middle East. Suffice it to say that implementation of these commitments has proved inadequate and many NPT members are suffering "buyer's remorse" for having agreed to give up the leverage that fixed extension terms might have provided them.

Although the NPT envisaged the five NWS negotiating nuclear disarmament, the reality is that <u>not a single nuclear weapon has been eliminated</u> pursuant to the NPT and multilateral

negotiations. The only reduction of nuclear forces has occurred via bilateral talks between the US and the Soviet Union/Russia. Three of the five NWS have not participated in any collective reduction process, nor have the four non-NPT states possessing nuclear weapons. The positive momentum for arms control in the late 1980s and early 1990s – that produced the Intermediate Nuclear Forces Treaty, the Chemical Weapons Convention and the Comprehensive Test Ban Treaty has effectively petered out and gone into reverse. Twenty-six years after its conclusion in 1996, the CTBT has not entered into force as eight states required for this to happen (including the US and China) have refused to take the necessary steps. The Soviet-US 1972 Anti-Ballistic Missile Treaty for thirty years had underpinned strategic stability between the nuclear superpowers. It did this by sharply restricting ballistic missile defences and hence acting as a disincentive for these states to increase their arsenal of offensive missiles to overcome the defences. In 2002 the George W. Bush Administration abrogated the ABM Treaty in order to pursue national missile defences, thus prompting Russia and China to increase their own offensive strategic forces in order to sustain their capacity to retaliate if attacked. This factor has bedevilled negotiations between Russia and the US ever since. It has been exacerbated in recent years by the termination of the INF Treaty with accusations of Russian cheating and the suspension of the bilateral strategic dialogue in the wake of Russia's invasion of Ukraine. The sole remaining bilateral nuclear restraint treaty – the New START accord, is set to expire in February 2026 and no talks are currently active to develop a successor agreement despite both sides saying that this is their intention.

The current geo-political tensions and the return of military aggression against a sovereign state in Europe, has led the US and its nuclear dependent allies to stress nuclear deterrence rather than nuclear disarmament as the path forward. China and India, alone of the nuclear armed states have declared a "No First Use" doctrine – i.e. that they would only resort to using nuclear weapons if they were attacked by nuclear weapons. The others have opted for "strategic ambiguity" suggesting that nuclear weapons could be employed first and against a variety of non-nuclear strategic attacks. These could cover almost anything from cyber attacks to destructive acts against critical infrastructure. If some of the most powerful states in the world still cling to nuclear weapons for a broad range of scenarios, is it any wonder that other states may wish to acquire these same weapons and avail themselves of the supposed security "benefits" ascribed to nuclear weapons by those possessing them? We could be facing a new era of nuclear proliferation.

The doctrine of nuclear deterrence essentially rests on the capacity to deter hostile actions on the part of an adversary by threatening retaliation via the aptly named acronym- MAD for Mutually Assured Destruction. The effectiveness of nuclear deterrence cannot be empirically determined nor is it possible to demonstrate all the risks inherent in the existence of nuclear forces. There is however ample evidence of close calls and nuclear weapon-related accidents as a result of human and/or technical errors. Some have suggested that the reason we have not experienced a nuclear weapon detonation to date has to do more with "sheer, dumb luck" than with human ingenuity.

The irresponsible nuclear rhetoric recently voiced by President Putin is “playing with fire” and underlines the danger of nuclear armed autocracies where no checks on the dictator exist. Putin’s cynical rhetoric should not blind us to the nuclear threats issued by other leaders in recent years. Remember the “Fire and Fury like the world has never seen” that former President Donald Trump directed against North Korea, followed by his boast that his nuclear button was bigger than that of the North Korean leader. And just reflect on the following leaders of nuclear armed states, several of whom are still in power: Vladimir Putin, Xi Jinping, Narendra Modi, Boris Johnson, Bibi Netanyahu, Imran Kahn and Kim Jung Un - hardly paragons of sobriety and prudence. What would be their reactions in a crisis situation? What certainty can we have that under pressure, whether real or perceived, a leader might not have recourse to the nuclear weapons they possess? There is greater certainty that once a nuclear weapon has been used, subsequent escalation will elude efforts to control it. As President Biden has warned, the situation once the nuclear weapon threshold has been crossed, could quickly rise to “Armageddon” levels.

Dissatisfaction with the NPT-centred regime for global nuclear non-proliferation and disarmament has been growing for some time on the part of the non-nuclear weapon states (NNWS). Not only had the five NWS made scant progress on their nuclear disarmament obligations, they are all engaged in multi-year, multi-billion dollar modernization programmes indicating their intention to retain their nuclear forces for decades to come. When pressed on their disarmament commitments, the NWS and those sheltering under the nuclear umbrella, respond that the international security environment precludes making progress on arms control as if there is ever a right time to negotiate. Let us recall that most of the major arms control agreements were concluded during the intense ideological and armed confrontation of the Cold War. Will rather than timing is the crucial factor.

In the agreed outcome document of the 2010 NPT Review Conference (the last such conference to produce an outcome as the 2015 and 2022 review conferences failed to do so), a single sentence heralded a new approach to the problem posed by nuclear weapons. The sentence expressed the conference’s deep concern over the catastrophic humanitarian consequences of any use of nuclear weapon and the need to prevent such a devastating act. This acknowledgement gave rise to what became known as the “Humanitarian Initiative” which framed the risks posed by nuclear weapons as a humanitarian and environmental issue and not simply a security one. The International Committee of the Red Cross was an early champion, stressing that no adequate humanitarian response was possible in the wake of a nuclear weapon detonation with its horrific combination of blast, heat and radioactivity and the prohibition of these weapons was the only sure way to ensure they were not used.

The “Humanitarian Initiative” also highlighted the grave environmental damage of even a limited nuclear war. Scientists projected that a nuclear war in South Asia employing a hundred nuclear weapons would send so much soot into the stratosphere as to lower the global temperature for years and yield a 20% reduction in food production. “Humanitarian Initiative” supporters pressed for action via the UN General Assembly calling for filling the existing “legal gap” by means of a treaty prohibiting nuclear weapons. This initiative was successful and led a

couple of years later to the negotiation of such a prohibition treaty. As the NWS and their allies chose to boycott these negotiations (a rather shameful action for a duly authorized UN process), the development and agreement on a text proceeded relatively rapidly. On July 7, 2017 the Treaty on the Prohibition of Nuclear Weapons (TPNW) was adopted by a vote of 122 in support to one objection and one abstention. Upon achieving its 50th ratification, the TPNW officially entered into force in January 2021. It currently has 68 states parties and 91 signatories.

The TPNW sets a new, higher standard for nuclear disarmament than does the NPT. The TPNW prohibits the possession of nuclear weapons, their use and <u>even the threat of their use</u>. In this way, it fills the "legal gap" by treating nuclear weapons in the same manner under international law as the other weapons of mass destruction (chemical and biological weapons), namely through comprehensive prohibition treaties, the Chemical Weapons Convention and the Biological Weapons Convention. The TPNW also explicitly *stigmatizes* nuclear weapons as immoral and illegal arms whose use would be contrary to international humanitarian law and repugnant to the public conscience. Importantly, the treaty in addition to its prohibitions also has positive obligations, namely, to assist victims affected by nuclear weapon use or testing and help in environmental remediation of areas contaminated by such testing.

Although both supporters and opponents of the TPNW are parties to the NPT, the advent of this new treaty has opened up a schism between the camps with respect to fulfilling the NPT's Article VI obligation on nuclear disarmament. The NWS and allies adhere to what they describe as "the step by step" approach towards disarmament whereas the TPNW supporters say that if any steps are being taken at all they are going backwards not forward. According to them, the TPNW sets out a "fast track" path to nuclear weapon abolition if only the nuclear armed states were prepared to follow it.

So, where does Canada stand in this debate and what role could it play in advancing shared nuclear disarmament objectives? All 191 NPT states parties have an obligation to promote the disarmament aims of the treaty. Even NATO while proclaiming that it will be a nuclear alliance as long as nuclear weapons exist, also has a stated goal of helping to bring about a world without nuclear weapons.

Let me now raise five issues which I believe could benefit from a new approach by Ottawa.

First, a more respectful attitude towards the TPNW is warranted. Canada has been a longstanding supporter of multilateral arms control and disarmament as well as a champion of international humanitarian law, which is generally acknowledged to be incompatible with nuclear weapon use. Before the TPNW process got underway, it was easy for Canada to proclaim its support for the NPT, including the efforts at past NPT Review Conferences to stipulate specific steps to be undertaken by the NWS to demonstrate progress in implementing the core, but vaguely worded, Article VI disarmament commitment. The TPNW with its more demanding requirements and its explicit stigmatization of nuclear weapons and the threat to use them, posed a dilemma for Ottawa. It would have to choose between its support for

nuclear disarmament and its support for nuclear deterrence. As it happens, deterrence trumped disarmament and Canada has stood aloof from the TPNW since its inception. Beyond rejecting the treaty, Ottawa also engaged in suspect criticism of the accord, claiming that it somehow was incompatible with, and undermined the NPT rather than representing one potential route to fulfill that treaty's Article VI disarmament obligation.

Canada suggested that adherence to the TPNW would be inconsistent with its NATO commitments. Actually, there is no legal requirement for NATO members to support the Alliance's nuclear policy, which is simply a policy subject to change. In fact over the years several NATO members have dissented or reserved their position regarding nuclear weapon-related issues without imperilling their Alliance membership (which after all is based on common values and interests and not subservience to any particular weapon system). Regrettably, Ottawa also missed an opportunity to act as a bridge-builder by refusing to attend as an observer, the first meeting of states parties of the TPNW held in Vienna in June. Many voices in civil society urged the Government to participate but Ottawa refused, mumbling about NATO commitments even though fellow NATO members Germany, Norway, Belgium and the Netherlands were all present alongside US ally Australia. As a sovereign state, Canada has the choice whether or not to sign up to an international agreement, but it doesn't burnish your good multilateralist credentials to snub those you have some disagreement with.

Second, Canada should be more active in shaping NATO policy on deterrence and disarmament. How NATO develops its nuclear policies will have much significance for the future security landscape. In June, 2018 the House Standing Committee on National Defence issued a unanimous report on NATO, including a series of recommendations. One of these focused specifically on nuclear threats and reads in part: **That the Government of Canada take a leadership role within NATO in beginning the work necessary for achieving the NATO goal of creating the conditions for a world free of nuclear weapons. That this initiative be undertaken on an urgent basis in view of the increasing threat of nuclear conflict …**

The Government in its reply stated that it agreed with this recommendation but gave no indication as to how it intended to carry out this initiative. Indeed, subsequently there was complete radio silence regarding what Canada was advocating within NATO Councils as part of the review of the Alliance's chief policy document the "Strategic Concept" and no evidence that it had acted upon the Parliamentary direction. This "Strategic Concept" was duly adopted at the June 2022 Madrid Summit and largely reiterated the *status quo* when it came to nuclear matters. An alternative tack would have Canada encouraging the Alliance to adopt a "No First Use" doctrine as a way of reducing nuclear risks and the role of nuclear weapons in security policies by strictly limiting the circumstances when their use could be contemplated.

Third, Canada could take more of a leadership role in cooperating with other like-minded states to promote disarmament goals. Canadian capacity for leadership on disarmament files has been in decline for some time. The era when Canada was instrumental in concluding the Ottawa Convention banning anti-personnel landmines is now a distant memory. That activism was supported by the Department of Foreign Affairs Verification Research Unit which

generated innovative solutions to a variety of verification problems and a program that drew upon Canadian non-governmental expertise via commissioned research, assets that were terminated years ago.
Currently, we are more likely to be followers on international security initiatives that others are leading. An example is the 16 nation Stockholm Initiative on Nuclear Disarmament, a Swedish initiative to mobilize NNWS to strengthen the NPT in the run-up to its 10th Review Conference. The Stockholm Initiative has held six ministerial level meetings since its inception in 2019. At none of these was Canada represented at the ministerial level. I believe it was Woody Allen who said that "90% of success in life is just showing up" and we should heed this advice. Even more appropriate would be for Canada to offer to host a Stockholm Initiative meeting and provide a further impetus to its work.

Fourth, it is time for Canada to take a new tack on a long-standing disarmament goal. This is the Fissile Material Cut-off Treaty (FMCT) a long-standing agreed objective of NPT states, which envisages a ban on the production of fissile material, the essential ingredient for nuclear weapons. Canada has taken traditionally a lead role in promoting this envisioned treaty on which it has expended considerable time and energy. All of the five NWS have said they support this treaty although there remain major questions regarding its scope, chiefly whether existing stockpiles as well as future production would be restricted. Canada has led on several expert studies of key issues relating to the fissile material treaty, issues which in my view will need the pressure of actual negotiations to be resolved. But for all the lip service paid to "immediate" commencement of such a negotiation, it has never seen the light of day. This is a direct result of Canada, along with several other states, insisting that negotiations can only occur in the 65-nation Conference on Disarmament in Geneva, a body that operates under such an extreme version of the consensus rule that it has not been able to agree on and implement a Program of Work for over 25 years. To continue to confine any negotiation to this moribund forum is to effectively bury it.

Those who seriously wish to advance multilateral disarmament negotiations need to do so via authorization by the UN General Assembly which makes its decisions by majority vote and can't have its work stymied by the de facto vetoes of a handful of states. For Canada to repeatedly tie the initiation of negotiations of a fissile material treaty to the Conference on Disarmament recalls Einstein's definition of insanity: to do something over and over again and expect different results. Persisting in this diplomatic folly is no credit to past efforts and undermines the credibility of multilateral disarmament forums. It is telling that when the UK wanted to get something done on two issues officially on the agenda of the Conference on Disarmament, namely conventional arms transfers and outer space security, they immediately opted for the General Assembly route which yielded the 2013 Arms Trade Treaty and the current UN Open Ended Working Group on reducing space threats. Where there is a will there is a way.

Ideally, Canadian disarmament diplomacy would be operating as one component of an overarching foreign policy. This government however has not produced one. In fact there has been no review of foreign policy since 2005. A "Feminist Foreign Policy" has been promised by the current government, although one has yet to surface publicly. To be truly a feminist policy,

it should reflect feminist values and approaches. It is fair to say that threatening under certain unspecified conditions to use a weapon of mass destruction that would incinerate men, women and children without distinction is antithetical to those values. We would hope that any articulation of the said feminist foreign policy would stress the imperative of seeking diplomatic solutions to international disputes and advocating for active measures to promote nuclear disarmament.

Finally, Global Affairs Canada should revive a regular consultation with civil society on disarmament issues. There was a period when the Department engaged with civil society and academic experts on a regular basis by means of annual, structured consultations across the spectrum of non-proliferation, arms control and disarmament issues. Global Affairs Canada has abandoned this form of regular, substantive consultation with civil society although I can attest that the practice yielded benefits for all concerned. It has been increasingly difficult to obtain explanations for the positions adopted by Canadian representatives in international forums and even routine statements are not made available. All Canadians have a stake in preventing nuclear war and in a democracy, it is incumbent on government to keep its citizens informed about the international security measures it is pursuing.

To conclude, I return to my opening anecdote about the pessimist and the optimist. It is important to be clear-eyed in assessing the threats, nuclear and otherwise that could endanger our security, and there are many confronting us today. At the same time, I want to stress that as a former diplomat I remain a professional optimist and believe firmly that with an application of pragmatism and resolve the nuclear demons can be kept at bay and ultimately eliminated. It is time for Canada to reinvest in its nuclear disarmament diplomacy and help bring us all closer to that world without nuclear weapons that humanity aspires to.

Thank you for your attention.