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EVIDENCE

Wednesday, March 2, 2011

—
Chair

Mr. Dean Allison

Standing Committee on Foreign Affairs and International Development

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• (1530)

[Translation]

The Vice-Chair (Mr. Bernard Patry (Pierrefonds—Dollard, Lib.)): Good afternoon, ladies and gentlemen.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Monday, February 14, 2011, we are meeting to discuss the implementation of the motion on nuclear disarmament unanimously adopted by the Senate and the House of Commons.

Our witnesses today are the Honourable Douglas James Roche, former senator, and Mr. Alyn Ware, Global Coordinator, Parliamentarians for Nuclear Non-Proliferation and Disarmament. Welcome to both of you.

[English]

I understand, Mr. Ware, that you are going to start with comments. The floor is yours.

Mr. Alyn Ware (Global Coordinator, Parliamentarians for Nuclear Non-proliferation and Disarmament): Thank you, Mr. Chair.

I wish to thank the chair of the Standing Committee on Foreign Affairs and International Development for inviting me to speak in the place of Commander Robert Green, who unfortunately had to return to his home and family in Christchurch following the devastating earthquake there last week.

Commander Green has just released a book on this subject, *Security Without Nuclear Deterrence*, based on his experience as a bombardier navigator in the British Royal Navy in Buccaneer nuclear strike jets and anti-submarine helicopters with nuclear depth-bombs, then later as a commander in the U.K. Ministry of Defence, and finally as a staff officer for intelligence to the Commander-in-Chief Fleet during the 1982 Falklands War.

Commander Green has personally moved from being one who accepted and was part of the implementation of a nuclear deterrence posture to one who argues that nuclear deterrence should now be rejected because it undermines security, creates instability, provokes proliferation, cannot address the core security issues of the 21st century, can feasibly be replaced by non-provocative defence, and is morally repugnant, illegal, and financially costly.

I believe that Commander Green's arguments for the rejection of nuclear deterrence are credible and deserve serious consideration. Indeed, a number of countries, including my own, which formerly ascribed to or were covered by nuclear deterrence doctrines or

security arrangements, have successfully shifted to non-nuclear security.

Commander Green has requested that I draw your attention to an op-ed piece by him in the recent issue of *Embassy*, Canada's foreign policy weekly. However, I am not going to argue Commander Green's case today. I am here as the global coordinator of a cross-party network of parliamentarians for nuclear non-proliferation and disarmament, the membership of which includes some legislators who support the immediate rejection of nuclear deterrence and others who believe that nuclear deterrence is important to maintain until we achieve a nuclear-weapons-free world, or at least come close to this goal.

My key point today is that there now exists a possibility, in fact a unique window of opportunity, to make progress towards the goal of a nuclear-weapons-free world, regardless of whether or not the position of your party or government supports or rejects nuclear deterrence.

The resolutions adopted by the Canadian Senate on June 2, 2010, and the Canadian House of Commons on December 7, 2010, reflect this reality, and also the reality that there is a key role for influential middle-power countries like Canada to take leadership in advancing the framework for a nuclear-weapons-free world through a global nuclear weapons convention.

The proposal put forward by United Nations Secretary-General Ban Ki-moon for states to commence negotiations on a nuclear weapons convention or a framework of mutually reinforcing instruments does not require the rejection of nuclear deterrence prior to the start of such negotiations. Security issues that are currently addressed or perceived to be addressed by nuclear deterrence could be part of those negotiations. These would certainly include any issues relating to the possibility of break-out or of non-compliance, such as those involving fissile materials and warhead verification. They might also include parallel negotiations on missile controls, space weapons, and security assurances.

At some stage in the negotiations there would need to be a shift to sole-purpose doctrine; that is, that the only purpose of the existing nuclear weapons is to deter a nuclear attack. Such a shift would allow the conclusion of negotiations and the entry into force of a nuclear weapons convention and its implementation, leading to the elimination of nuclear weapons under a phased and verified program of disarmament steps.

The United States has already indicated its commitment to a sole-purpose doctrine in the recent nuclear posture review and has taken the first step by adopting a policy of the primary purpose being to deter nuclear weapons.

There will be difficulties in such negotiations for countries such as Israel and Pakistan that use their nuclear weapons to counter regional threats that they perceive to be strongly imbalanced against them. However, such perceived threats could be addressed through binding security assurances.

• (1535)

The Model Nuclear Weapons Convention, circulated by UN Secretary-General Ban Ki-moon as a starting point for negotiations, addresses many of these and other critical issues and offers possible approaches.

The International Commission on Nuclear Non-proliferation and Disarmament, co-chaired by Gareth Evans, former foreign minister of Australia, and Yoriko Kawaguchi, former foreign minister of Japan, commends the model convention but calls on governments to become more involved in considering the legal, technical, political, and institutional elements outlined in the model convention in order to develop a working draft for negotiations.

States parties to the nuclear non-proliferation treaty agreed in 2010 that, “All States need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons”, and noted in this context the UN Secretary-General’s five-point proposal for nuclear disarmament, including the nuclear weapons convention.

In addition, the states parties expressed their “deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons” and reaffirmed “the need for all States to comply with applicable international law, including international humanitarian law”.

The International Court of Justice, the International Committee of the Red Cross, and most recently a gathering of international law experts in Vancouver have indicated that the threat or use of nuclear weapons is not compatible with such law because of the indiscriminate, inhumane, and long-term health and environmental effects of any nuclear weapons use.

These developments provide a role for middle-power countries like Canada to not only engage with the nuclear weapon states, encouraging them to take abolition steps, but also to work with other like-minded countries to get the ball rolling on the prohibition of nuclear weapons and the development of the legal, political, technical, and institutional measures to implement it.

Such a process cannot start in the Conference on Disarmament in Geneva because of the veto power of any one of the member countries. The Ottawa process for the land mines convention and the Oslo process for the cluster munitions convention demonstrate the possibility of a like-minded process. Nuclear weapons are similar to these weapons in being indiscriminate and thus unable to comply with international humanitarian law. But they differ in other respects, so the process would not be exactly the same.

Finally, to return to the issue of nuclear deterrence, I indicated earlier that it is not necessary to reject nuclear deterrence in order to start the negotiations for a nuclear weapons convention. However, the process would be made much easier and be achieved much faster if nuclear deterrence, or at least extended nuclear deterrence, were abandoned or quickly phased out.

UN Secretary-General Ban Ki-moon, in his five-point proposal, calls nuclear deterrence a “contagious doctrine”. If some states continue to assert that nuclear weapons are essential to their security, that provides rationale, however dubious, and political cover for other countries to follow suit, and also it prevents the development of comprehensive controls to prevent proliferation also to non-state actors.

In support of the UN Secretary-General’s plan, a group of cross-party leading parliamentarians from countries under extended nuclear deterrence relationships released a paper in October 2009, which is attached as an annex, entitled “Implementing the vision for a nuclear-weapon-free world: Time to close the nuclear umbrella”. This argues that regional and global security environments and mechanisms have changed considerably since the end of the Cold War, making it now feasible to abandon extended nuclear deterrence and strengthen security through non-nuclear means.

The paper thus celebrates the fact that the Inter-Parliamentary Union, representing over 150 parliaments, has endorsed the UN Secretary-General’s plan and calls on parliaments around the world to take further action to implement the plan.

• (1540)

A recent letter from United Nations Secretary-General to all parliaments reaffirms the vital role that parliaments have to play in this process.

I thank you most sincerely for your time, and I look forward to your discussion of these and related points.

The Vice-Chair (Mr. Bernard Patry): Thank you very much, Mr. Ware.

Mr. Roche, you have 10 minutes.

[*Translation*]

Hon. Douglas James Roche (Former Senator, As an Individual): Thank you, Mr. Chair.

I am pleased to appear once again before the distinguished members of this committee.

[*English*]

The unanimous passage by the Senate on June 2, 2010, and the House of Commons on December 7, 2010, of a motion calling on the Government of Canada to deploy a major worldwide Canadian diplomatic initiative for nuclear disarmament was an act of historic importance. Never before has the Parliament of Canada acted in such a unified manner to address a paramount world problem: how to rid the world of nuclear weapons, which threaten the existence of people everywhere.

The fact that the parliamentary motion is backed by 550 members of the Order of Canada, a highly prestigious body cutting across all economic, social, and cultural lines of Canada, lends even more importance to the challenge now before the government.

How should this unique motion be implemented?

First, we must fully understand the nature of the problem. Counting all warheads deployed and in reserve, eight states—the United States, Russia, the United Kingdom, France, China, India, Pakistan, and Israel—together possess a total of more than 22,000 warheads at 111 sites in 14 countries. More than half of the world's population lives in a nuclear weapons country. The controversies surrounding North Korea's and Iran's nuclear actions pose additional problems.

Concerning the possibility of a terrorist nuclear attack, U.S. President Barack Obama warned at the 2010 Washington summit that stolen nuclear materials could easily be fashioned into a nuclear weapon. He said, "Just the smallest amount of plutonium—about the size of an apple—could kill and injure hundreds of thousands of innocent people."

Terrorist networks such as al-Qaeda are always trying to acquire the material for a nuclear weapon. Such use, the President added, "would be a catastrophe for the world—causing extraordinary loss of life, and striking a major blow to global peace and stability".

Also, while the nuclear weapons states bear the chief obligation to disarm, all states have a responsibility to build security systems without nuclear weapons.

In 2010, the non-proliferation treaty review conference put on the international agenda a nuclear weapons convention that would be a legal ban on all nuclear weapons. A model treaty already exists as a UN document. The NPT review conference also affirmed that "all States need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons". Also, the 2010 NATO strategic document pledged support for nuclear disarmament and stated, "We are resolved to seek a safer world for all and to create the conditions for a world without nuclear weapons."

As a leading member of both the NPT and NATO, Canada has a serious responsibility to work actively for a nuclear-weapons-free world.

At the heart of Parliament's unanimous motion is support for UN Secretary-General Ban Ki-moon's five-point plan for nuclear disarmament. Mr. Ban has called for: a new convention or set of mutually reinforcing instruments to eliminate nuclear weapons, backed by strong verification; a UN summit on nuclear disarmament; rooting nuclear disarmament in legal obligations; requiring nuclear weapons states to publish information about what they are doing to fulfill their disarmament obligations; and limiting missiles, space weapons, and conventional arms, all steps that are needed for a nuclear-weapons-free world.

The centrepiece of the plan is a nuclear weapons convention or a framework agreement that binds together steps to nuclear disarmament in a visible intent to achieve total elimination. It is now widely recognized that international humanitarian law requires not just the

limiting or control of nuclear weapons but their complete elimination.

At the UN, two-thirds of all national governments have voted in favour of negotiating a nuclear weapons convention. In 21 countries, including our own and including the five major nuclear powers, polls show that 76% of people support the negotiation of a ban.

• (1545)

The European Parliament has voted for a convention, along with a number of national parliaments. Mayors for Peace, comprising more than 4,500 cities around the world, including 90 in Canada, is campaigning for it. Long lists of non-governmental organizations want it. In Japan, 14 million people signed a petition for it. Mr. Chairman, there is no doubt that historical momentum is building.

The Canadian government led the way in achieving a legal ban on anti-personnel land mines. It participated in the achievement of legal bans on chemical and biological weapons and on cluster munitions, and it was at the forefront of the creation of the International Criminal Court. The government's scientific and political work on building verification systems has won it acclaim. The moment has come for the Government of Canada, supported by all political parties in Parliament, to turn its attention to working with like-minded states in preparing the way for global negotiations to eliminate nuclear weapons.

The unanimous motion calls for a major diplomatic initiative. That initiative could begin by giving full support and co-sponsorship to a current draft UN resolution prepared by the middle powers initiative calling on the secretary-general to convene in 2014 a diplomatic conference to negotiate a nuclear weapons convention. I've attached the text of the draft resolution as an appendix to my brief.

Such a conference needs strong support from important and credible countries. Canada is well positioned to stimulate preparatory work for negotiations on a convention or framework of instruments for the sustainable, verifiable, and enforceable global elimination of nuclear weapons.

The 2010 report of the International Commission on Nuclear Non-proliferation and Disarmament, headed by Japan and Australia, said:

Work should commence now, supported by interested governments, on further refining and developing the concepts in the model convention now in circulation...with the objective of having a fully-worked through draft available to inform and guide multilateral disarmament negotiations as they gain momentum.

Working in cooperation with the UN, Canada should consider hosting a preparatory meeting in 2012 to discuss the legal, technical, and political requirements for achieving a nuclear weapons convention. The government should issue an open invitation to all states to come to Ottawa next year to lay the groundwork for achieving what so much of the world wants: a legal ban on nuclear weapons. This action would indeed be a major diplomatic initiative in full harmony with our commitments to the Treaty on the Non-Proliferation of Nuclear Weapons, NATO, the United Nations, and President Obama's vision of a nuclear-weapons-free world.

• (1550)

The Vice-Chair (Mr. Bernard Patry): Thank you very much, Mr. Roche.

Colleagues, we have 40 minutes left. There'll be one round of 10 minutes each.

We'll start with Mr. Rae, please.

Hon. Bob Rae (Toronto Centre, Lib.): Welcome, Mr. Ware and Mr. Roche.

From our perspective, it's very important that this be seen as a non-partisan initiative. I think the fact that both the Senate and the House passed this motion unanimously is a good sign, but the key is the next administrative steps that we can take.

My first question is for Mr. Roche, and then I'll have a question for Mr. Ware.

Mr. Roche, I wonder if you could tell us, have you had any discussions with officials in the Department of Foreign Affairs, in the disarmament division and elsewhere? Can you tell us if there was any take-up from those officials with respect to moving forward in this way?

Hon. Douglas James Roche: Thank you, Mr. Rae.

Yes, I have had discussions. I believe it can be said that within the Department of Foreign Affairs there is a serious interest in the proposal as contained in my statement.

I'm a former parliamentarian, as you know, and a former diplomat. I have both streams in my background and I can see it from both perspectives. I'm led to believe that if anything is going to happen in this respect, it will come as a result of a parliamentary initiative encouraging the Government of Canada to move forward.

Hon. Bob Rae: We've taken that initiative in a practical way, that is to say we've moved forward on the resolution. The next logical step would be for this committee to hold hearings, and perhaps to write a report, on the question. That might enable us to then move forward and use that vehicle as a means of increasing awareness on that subject.

Hon. Douglas James Roche: Mr. Rae, it would certainly be my hope, and I put this respectfully to the committee of which I was once a proud member, that this committee would see fit to conduct either hearings or a study in its own appropriate way in order that the considered view of this committee could go forward to Parliament and the government in the usual way.

Of course, I hope that such a study would convince all concerned that it is in Canada's interest, in the interest of all of Canada, the

government, Parliament, everybody here, to open the doors of Ottawa in 2012 for the nations of the world to come here to examine, as I've said, in a preparatory way, the requisites for starting negotiations that would be fully consonant with what the Secretary-General of the United Nations wants.

Hon. Bob Rae: Mr. Ware, in your discussion, as far as I can recall, you didn't mention what I think is a significant development, which is that four former secretaries of defence in the United States have, again in an unprecedented, non-partisan way, joined together to indicate that because of the risk of nuclear proliferation going beyond even Iran and North Korea and other countries, and looking at what their response would be to further proliferation...they've come out with clear statements indicating that nuclear disarmament on a multilateral basis is not a pie-in-the-sky project. In fact, it is an act of necessity because of the risks that are posed by this degree of proliferation, including the proliferation to non-state actors, which in the early days of disarmament discussions was inconceivable. It was inconceivable that a terrorist group would be able to get a hold of so-called dirty weapons.

I think one of the things we need to emphasize.... I know when people talk about disarmament, sometimes, in some political circles, eyes glaze over and people say, oh, that's a very nice thought. But I am increasingly of the view that this is about what's necessary to protect the security of the world rather than what is simply something that's a "nice thought" or desirable.

Can you comment on the initiative by those four individuals?

• (1555)

Mr. Alyn Ware: Thank you very much for raising that, because that was a fundamental shift in thinking in the United States. It provided the basis for President Obama to put forward the Prague speech and then follow through with a number of initiatives from the Obama administration on pursuing this goal of a nuclear-weapons-free world.

In that initiative from four former high-level officials from the United States, two Republicans and two Democrats, all former advocates of nuclear deterrence, all are saying that nuclear deterrence was required and was necessary during the Cold War, but it is failing to meet the security concerns of the 21st century and is creating risks that in a sense outweigh the benefits. So they are looking toward the possibility of achieving a nuclear-weapons-free world in order to eliminate those risks.

The Honourable Bob Rae is very correct that those risks they noted were the risks of proliferation, including to additional states and to non-state actors. In a globalized world, it's very difficult to control those unless you have globalized controls. That's why they see a comprehensive approach toward nuclear disarmament as necessary in order to prevent proliferation.

They're not the only former high-level officials of countries.... There have been another 11 initiatives similar to that from countries like Russia, the Netherlands, Norway, Germany, Italy, Belgium, Australia—I've missed a couple. There is a consensus now that this is the way to go. Yes, there are difficulties that need to be overcome, but they feel that it's time now to put the attention to those difficulties.

I thank you very much for the question.

Hon. Bob Rae: My last question is more of a comment than a question, but I would ask you to comment on it.

In my discussions with Arab leaders, I have heard people actually saying that if Iran is allowed to develop its nuclear weapon there is no way that the ambitions of other countries will be held back. If the largest Shia state in the region is allowed to develop a nuclear weapon, then other Sunni states would say that they have to protect themselves.

This question of proliferation truly becomes a mug's game where it's difficult to know where the mutual deterrence is in a multilateral world where all kinds of countries, agencies, and agents can get access to the bomb. It seems apparent to me that the only way we can deal with this is to try to create some effective world order that would reduce and then eliminate access to nuclear weapons and the development of nuclear weapons as a means of war.

That's just a comment. Do you also have a comment on how we can push this forward?

Mr. Alyn Ware: Thank you for raising that important issue. Of course, a concern to all of us is the growing capacity of Iran to move towards a nuclear weapons capability and the risks that this would pose. There are a range of responses. Unilateral sanctions, for example, have been tried. It seems as though they've failed to stop anything and that Iran is intransigent. It seems they will not respond to unilateral sanctions. That does not mean that one does not continue sanctions, but they cannot be the only response.

One of the other responses, which had considerable success in the 2010 NPT Review Conference, was to look at regional and global approaches to Iran, not just unilateral ones. The proposal to hold a Middle East conference on weapons of mass destruction, including nuclear weapons, found favour from Iran and also enabled Iran to accept other controls, non-proliferation conditions, that they were not previously going to agree to. They stayed and agreed to the entire package of non-proliferation steps in the 2010 NPT Review Conference. They got something that was important for their security, which was that they have regional neighbours that they think should be included in a non-discriminatory approach. So using a range of initiatives and approaches is important.

• (1600)

The Vice-Chair (Mr. Bernard Patry): We'll go to Mr. Obhrai.

Mr. Deepak Obhrai (Calgary East, CPC): I thought we were going to the Bloc. You have changed the order.

The Vice-Chair (Mr. Bernard Patry): Okay, we'll go to Monsieur Bigras.

[*Translation*]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Welcome to our committee.

You will certainly find that there is support for your initiative among members of our committee from all parties. I think that the unanimous vote of December 7, 2010 well illustrates this support.

However, I am wondering how this could translate in concrete actions and what leadership role Canada could play. In fact, I

suppose that you wish a stronger leadership role for Canada at this preparatory conference of 2012.

When we think historically, we should never forget that in 1963, Canada sold its first CANDU reactor to India and that India, in 1974, misused Canadian technology to proceed to its first nuclear test.

Furthermore, if I am not mistaken, in 2008, Canada signed a nuclear cooperation agreement in order to sell CANDU reactors to India, a country which has not voluntarily adhered to the Nuclear Armament Non-Proliferation Treaty.

Consequently, is Canada really well positioned to play a leadership role given that it signed a cooperation agreement with India, a country which voluntarily refuses to sign the Non-Proliferation Treaty?

Is there not a contradiction in this?

Hon. Douglas James Roche: Thank you for your question. If you will permit me, I shall answer in English.

[*English*]

Mr. Chairman, it is true that India violated a norm in 1974 with the detonation of a device that was made possible by Canadian materials. India paid a price for that at the time.

But the world went on, and nuclear weapons multiplied. India began to take the position that it would not join the non-proliferation treaty as long as it permitted the five major states, which happened to be the five permanent members of the Security Council, to retain their nuclear weapons.

Now, the non-proliferation treaty doesn't really do that; it orders the pursuit of negotiations in good faith. But we've all seen that that hasn't happened, and thus India took the position that the NPT is a discriminatory treaty. Then it went ahead and developed its own nuclear weapons, for the sake of prestige and its own security questions, considering that it's surrounded by nuclear weapon states.

I was in India recently, and I met with Prime Minister Manmohan Singh. He informed me, on this subject we're talking about today, that India will participate in global negotiations. India's position is that as long as other states have them, they feel they're going to have to have them. But they don't really want to have a nuclear weapon, and it will participate.

For my final sentence in this response, I call to your attention that when President Obama conducted his summit of 47 states in Washington last year, he invited the leaders of India, Pakistan, and Israel, and they all came. They are not members of the NPT. I think President Obama did that because he was laying the groundwork for a new global treaty.

• (1605)

Mr. Alyn Ware: I, too, will answer in English. I apologize.

First, does Canada have the credibility to lead such an initiative? You pointed to an area where maybe Canada might not have credibility. As someone from outside Canada who is very engaged in the international diplomatic process at the United Nations in New York and Geneva, I would say that Canada has credibility. It has credibility because of some of the very positive roles it has played in such things as the right to protect and the Ottawa process for a land mines convention.

It does have the respect. At times it can step up to the plate and lead on something that can be successful. I would say, though, that in leadership on this issue of nuclear weapons, Canada would not be alone. If Canada stepped up and took leadership, there would be many other countries that would be ready to join.

Secondly, what role could Canada play? I'd point to a positive initiative that the Department of Foreign Affairs and International Trade hosted in 2002, which was a conference on the legal and technical elements for a nuclear-weapons-free world. It was based on the model nuclear weapons convention.

It was a small initiative, hosted here in Ottawa, but it was very helpful to outline some of those aspects in the model convention. It helped to improve the model convention, and it helped give Ban Ki-moon some of the confidence that the model was strong enough to go forward.

That was very good on the legal and technical aspects, but that initiative did not deal with the political aspects. I think Canada has a role on both the technical and political sides. On the technical side, the expertise and verification, and also the very positive relationship that Canada has with the United States, could help pave the way for developing cooperative verification mechanisms required to achieve a nuclear-weapons-free world.

On the political side, I think Canada has a role. Canada is under an extended nuclear deterrence doctrine, but it is committed to a nuclear-weapons-free world. It can help those other countries that are also under extended nuclear deterrence doctrine look at the steps to moving toward a nuclear-weapons-free world and the security mechanisms and approaches that will be required.

[Translation]

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Ware, I would like to follow up on what you just said. Canada is considering moving from the doctrine of “nuclear dissuasion” as you said, to the doctrine that you favour, that of a nuclear arms-free world. What is the next step? How do we get there? In fact, I see what is happening on the international level. We see a crisis under way in Tunisia, Egypt and Libya. All this is having an effect. We saw the reaction from Iran and the Middle East. We are quite concerned by everything that is happening.

I think there is too much going on at the same time. We are talking about abandoning a doctrine to which we were accustomed, one of a power play. How can we really become a leader and have credibility among other countries?

[English]

Mr. Alyn Ware: Thank you.

Your question is too big to answer in a couple of minutes, because it addresses a security doctrine that is subscribed to by all the NATO countries, for example, and how to move from such a security doctrine to one in which nuclear weapons are not perceived as relevant to security. There are many elements to it, and I can address only some of them very quickly.

One of them is the application of the international humanitarian law to the aspect of any possible use of nuclear weapons. This is exactly what helped to mobilize the negotiations for the land mines convention and the cluster munitions convention. The use of those weapons violates the laws of warfare. They affect civilians and the environment. Their effects last a long time after the actual conflict, so they violate the law. The same is true of nuclear weapons, and that has been affirmed by the International Court of Justice. Any use of them would violate the humanitarian laws of warfare, and that's now being put forward by the International Committee of the Red Cross.

Applying that is part of the process leading towards not just a step-by-step reduction in the numbers of nuclear weapons but the prohibition of them and a strengthening of the norm of prohibition.

That can be done in a number of ways, through national legislation or by putting it to the International Criminal Court that the employment of nuclear weapons, whether by a non-state actor or by some rogue state leader, would actually be a crime, and that should be adhered to under the statute of the International Criminal Court. There are other methods too, but I don't have time to go into those.

More important, I think, is to look at what other mechanisms can deal with the threat of aggression, or possible aggression, that won't require deterrence through nuclear weapons. Deterrence can be through other means, whether its through conventional forces or its deterrence against any leader that might make such a decision, such as an Iranian leader or an Egyptian leader.

We can look at the mechanisms that could be used to directly affect them rather than the population of people, which is what a nuclear weapon would be directed against. Financial assets of the leader could be frozen, as was done with Mubarak. A leader could be charged in the International Criminal Court or there could be targeted sanctions. These are some of the methods, but they have to be explored. We don't have all the answers right now.

•(1610)

The Vice-Chair (Mr. Bernard Patry): Thank you very much, Mr. Ware.

We'll go to Mr. Obhrai, please.

Mr. Deepak Obhrai: Thank you very much for coming in front of the committee.

Mr. Roche, I've been on this committee for almost eight years. You've appeared many times at this committee to discuss this topic. We are back to square one, discussing the same issues that we've been discussing for many years.

We had a unanimous resolution. I don't think there's anybody in this world who would not agree to having a nuclear-weapons-free world. That is a fundamental statement. Everybody would agree to that. But is that reality? I don't think so. You've been here; everybody has been here.

People seem to forget that Moammar Gadhafi was working on nuclear weapons before the bombing took place. He didn't get them. What would have happened today if he had? Who knows what that madman would have done?

This is the danger. The danger in Pakistan is that there is a civilian government, but what will the military do? The ISI is an independent arm, an authority accountable to nobody, and it continues to bring this thing here....

North Korea, Iran, and everybody have talked about how the other parts of the world.... There's a question we really need to grasp here, to come to the point that we're all ultimately aiming for—and I'm asking for your opinion. You have highlighted non-aggression pacts, non-aggression issues that would look at the security. You have highlighted the ICC issues and all those things here. But before we go to the other ones, why don't we, including your organizations, start working to achieve this and explore these issues on a smaller level, building on a block that ultimately goes...?

How many times have you been here in front of this committee? My problem, sitting here listening, is that we go to this motherhood statement, but we are unable to achieve it because the gap is extremely wide, considering the realities on the ground. You have pointed out that this is achievable, there are other ways to do it, and the four secretaries of state have already stated this. The realization in the world has changed. Non-state actors have come into play and pose a serious threat to the proliferation and everything.

I'm asking you and your organizations to take little fundamental steps to bring in these areas where others have concerns, meeting those small steps one at a time, and achieving in the years to come security concerns that some of these countries would have.... India and Pakistan would have security concerns. Why don't we take that route, instead of just jumping to the motherhood statements? If we do that, you'll be here next year talking about the same things.

•(1615)

Hon. Douglas James Roche: Thank you, Mr. Obhrai. With great respect, I would be unable to accept the use of the word “motherhood”, which you used twice in describing this work of building a nuclear weapons convention, which is at the heart of the efforts the secretary-general is employing today.

I've said that two-thirds of national governments have voted for it, the European Parliament, and Mayors for Peace. This is not a subject that is pie in the sky. It is entering the central discourse of our times.

It has reached this point because a fundamental realization has taken place in the world. First, if any one country has a nuclear weapon, other countries will want them. Second, if other countries get nuclear weapons and they spread, the risk of use goes up enormously. Finally, any use of a nuclear weapon anywhere would be a catastrophe for the world, resulting in meltdowns of many kinds of systems.

This is a moment for the world to recognize that the horror of Hiroshima and Nagasaki cannot be allowed to be repeated. You said start with small steps; well, we have started with small steps. There have been all sorts of steps on reductions. The comprehensive test ban treaty was negotiated and signed, and it's awaiting ratification. There's a process to start negotiations for a fissile material cut-off

treaty. But those steps are not related to the end goal, and what is now very clear is that steps by themselves, without a visible intent and commitment to achieve the end result, which is the elimination of nuclear weapons under law, will not do the trick.

As a matter of fact, this use of the words “eventual nuclear disarmament after steps” is a trap. It's a trap because those who oppose nuclear disarmament, and I pay my respects to them, will always keep saying we need this step and that step and that step. Meanwhile, those who are benefiting from the sale and development of all kinds of modernization of weaponry have at their disposal enormous tools in the media and the political establishments.

The judiciary of the world, international criminal courts, the highest political systems in the world, civil society movements galore have come to one recognition, that the moment has come for the world to eliminate nuclear weapons before nuclear weapons take over the world. It's as serious as that, Mr. Obhrai. It's not motherhood.

The Vice-Chair (Mr. Bernard Patry): We'll move now to Mr. Van Kesteren.

Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC): I have three questions.

Part of the problem is that this is a UN resolution. In the history of the UN organization, we've seen things such as the UN human rights organization that includes states like Libya. We've just gone through that.

I'm suggesting that if we're going to take this seriously, and as Mr. Obhrai said, we all want to see nuclear disarmament happening, I think the UN has to clean up its house. It's got to be serious about issues like this as well. That's my first question.

The second one is that states like China have also been included in this resolution. China has been very uncooperative when it comes to putting pressure on rogue states like North Korea as well as Iran.

The other thing I wanted to ask you about is that we know Iran has openly stated its intention to liberate a nation like Israel. So how can you expect a nation like Israel...? See, these are the problems, much as we'd like to see that happen.

Those are my questions. Before you answer, I do want to congratulate you on your nomination for the Nobel Peace Prize.

•(1620)

Hon. Douglas James Roche: Thank you very much, sir, for your questions.

On Libya, it was a result of the combined work in the UN, led, I think, by the U.S., that Libya got rid of its nuclear weapons. You mentioned Gadhafi and the problems in Libya right now. We cannot wait until the regions of the world secure stability and peace to perfection before addressing and moving on the paramount problem

Mr. Dave Van Kesteren: Could I interject? What I was saying is that Libya was appointed to the human rights tribunal. And when that sort of thing happens, it's hard to take an organization like the UN seriously. I know it's a wonderful organization that does good work, but it needs to clean house in areas like that. That's what I was referring to.

Hon. Douglas James Roche: I take your point. I'm certainly not defending any mis-actions, or whatever, within the UN, which is a big institution. I'm only saying that we cannot wait until we have perfect peace in the regions before addressing the paramount problem, which is instigating or producing more insecurity in the world.

China is the one state of the P5 that has voted for a nuclear weapons convention at the UN. On the question of cooperation on every subject, we have to deal with the development of the rule of law globally. That's the only way the world and globalization can proceed. And I think China, with respect to its arms and nuclear disarmament, will participate in a way that would enable global negotiations to go forward.

On Iran, nobody wants Iran to get nuclear weapons. But if we're going to stop the Irans of the world from getting nuclear weapons.... I think Mr. Rae pointed out that were they to get one, other Arab leaders would be afraid they would have to start moving down that track also. Therefore, you'd have an outbreak of proliferation in the Middle East. So Iran has to be stopped. But the only real way to stop Iran is to draw it into diplomatic negotiations that would lead to a nuclear weapons convention under law and verification. I think that's the way to go forward.

The Vice-Chair (Mr. Bernard Patry): Thank you, Mr. Roche.

Now we'll go to Mr. Dewar.

Mr. Paul Dewar (Ottawa Centre, NDP): Thank you to our guests for being here today.

It is important to note some history here. I think the history of Canada in this issue is extremely important. I guess I would echo Mr. Rae, who said that there is a unique opportunity for this committee and our Parliament to seize this issue as a non-partisan issue. I think Canadians would like to see that.

The only way we're going to make progress on this issue is to emulate the consensus, as was mentioned, that we saw in the United States. Mr. Shultz, Mr. Perry, Mr. Kissinger, and Mr. Nunn wrote an article together back in January 2007 saying to wake up, that we need to seize this. We need to heed that call. It's really important.

Respectfully, I somewhat disagree with Mr. Obhrai, but I think that's okay. This issue requires us to put our cards on the table and say where we stand on it. I agree with him that many people see this and think there they go again. That is unfortunate. We need to challenge ourselves to not just go along with what's been happening. If what's just happened in the world isn't a clarion call to do something different, I don't know what is.

Do you remember the story of Dr. Khan, the Pakistani nuclear scientist? If you don't know, you should know what can happen when people export their capabilities to people we don't want them to export them to.

We need to grab this issue, and if we don't, then I think we've failed. This is the foreign affairs committee. DFAIT is responsible for nuclear non-proliferation. We have experts. Our ambassador right now—and Mr. Obhrai knows who I'm talking about—one of the experts on verification in Austria, chaired the UN conference on verification. He's ours. Let's use him.

This is an exquisite opportunity for us to take on the challenge. It doesn't cost money right now. What Mr. Rae said is sensible. We should do that at this committee. We'll talk about it after, but I think this is one issue where we can actually reach across the aisle, as they say.

I look to people like Robert Green. We're talking about someone who has spent his whole time in the military and has embraced this. Not just those who have been in government, but many who have been in the military have seen what has happened and the potential for what can happen. He said that what woke him up was the Falklands War, when he found out that one of the options was to use nuclear weapons. Think about that. Think about what would have happened if nuclear weapons had been used in the Falkland Islands. He also pointed to what happened in the first Gulf War. You'll recall that George Bush senior gave the Israelis the Patriot missiles. One of the concerns at the time was to arm them. They were concerned that the madman, Saddam, had nuclear weapons, but they also knew that Israel had nuclear weapons and what could happen there. Thank God that didn't happen, but that's a real scenario. It doesn't matter what you think of either state, they both had them. What would have happened if they had been used?

I care about the future of my kids. I don't say that ever when it comes to other issues, but on this one I do. This is something we should seize. I'm sorry that I'm pontificating, but it's an occupational hazard.

I would say to Mr. Ware in particular, you mentioned a different approach, and this goes to the concern Mr. Van Kesteren had about the UN. You talked about looking at it from a different perspective, if we were to do a PrepCom here in 2012, a regional approach, which I think might be getting at the concerns Mr. Van Kesteren has. What do you mean by that, and how would that work with a PrepCom?

• (1625)

Mr. Alyn Ware: Thank you for the question.

The Preparatory Commission is looking at a global approach, which is preparing the way for a multilateral diplomatic conference in 2014 on the idea of the negotiations for a nuclear weapons convention.

I had suggested that as well as having multilateral negotiations on the nuclear weapons convention, there will also need to be regional approaches in order to address the security concerns in those regions. It is why parallel initiatives will be required, such as the process for a Middle East zone that's free of weapons of mass destruction. That particular zone would be a way of, one, containing Iran, for example, and two, providing security assurances to Israel, which is so important. The other sites would also need them, but they are the two key players for what is required there.

Similarly, Northeast Asia, North Korea, South Korea, and Japan have particular security concerns that need to be met with a regional approach. Once that happens, they will also be able to join a global approach, but they have specific regional concerns that would need to be met.

The idea of starting this process of multilateral negotiations is not to say this is the one answer and you should rule out some of the other initiatives that are happening regionally. The regional initiatives have to happen, but they will reinforce each other. You'll be much more capable of ensuring that Iran complies with a regional Middle East approach if a multilateral approach is also happening, because they won't be able to use the rationale that we're only looking at them.

It's also particularly true of India. India has rejected the idea of a Southeast Asian nuclear-weapons-free zone. They say it points the finger at them, and what about their neighbour, China, etc.? Having the two together, the regional approach and the multilateral global approach, is very important.

• (1630)

Mr. Paul Dewar: Mr. Roche, through your experience as a parliamentarian and as a diplomat, you obviously have a desire to see Canada play a role here. What is your anticipation of the idea of the 2012 conference? What would be a successful number of players? Which countries would you see as being key to invite? The goals might be many, but what are the key goals for that type of conference, if we were to have one here in Ottawa?

Hon. Douglas James Roche: Thank you very much.

A reference was made earlier in this meeting to the credibility of Canada. I had the honour to serve our country at the United Nations in disarmament discussions in many venues, and I always felt proud, in the sense of representing a country that had a commitment to what I would call the values of development, human rights, human security, and so on.

As a member of NATO, as a member of the NPT with a close relationship with the United States and Great Britain and France, and as a member of numerous other associations, we are instrumentally placed to play a role in getting this nuclear weapons convention off the ground. Other countries that would come to a meeting convened by Canada.... When I was asked whether I had conducted discussions in DFAIT, part of what I was discussing was this very question of who else would come. It's clear that the new agenda countries would all come. Those are Brazil, Ireland, Egypt, Mexico, New Zealand, South Africa, and Sweden. To that, you would also add the leading members of NATO that have called for action in this respect. Those are Germany, Norway, and Belgium. And I could go on. You have other countries in Europe, very distinguished countries, that are calling explicitly for a nuclear weapons convention, and I mention here Switzerland and Austria.

So you would have a range of, as they say in the diplomatic world, good company, countries in good company. I don't like to disparage, and I certainly don't want to disparage any country in the world, but there are a lot of countries in the world to which it wouldn't make much difference. They're fine, but the countries that I have named and associated like-minded countries, I believe, would come. With respect to the P5, the nuclear weapon states, would they come? I

don't know, Mr. Dewar. I don't know if they would come to the first one. It might not be so important for them to come to the first meeting. It's only a preparatory meeting. It's sort of getting the thing focused sharply and so on. It's not a question of negotiating at the first meeting. This is not a process that can be done overnight. It's a process that's got to start because of the risks of not starting.

So I would be content and I think the Canadian government should be content with a conference here that had 40 or 50 countries. That would be more than enough, and you know, they've got conference centres around here in the greater Ottawa area. So it's quite doable.

What we are suggesting is an action plan that would be good for Canadians and Parliament and the government. It would not just be good; it would be a politically practical step for Canada to take in reaffirming itself in the world today.

The Vice-Chair (Mr. Bernard Patry): *Merci beaucoup, Monsieur Roche.*

I will recognize Mr. Lunney for a very short question and a short answer.

Mr. James Lunney (Nanaimo—Alberni, CPC): Thank you very much, Mr. Chair.

Thank you for a stimulating discussion here. I just wanted to throw something out for your feedback. We're looking at a situation right now with Iran, which is defiant. Iran does not want the IAEA in there examining facilities and is bent on producing weapons-grade uranium. We have Russia that has already admitted to providing fissionable material to Iran. Right now Iranian warships have just passed through the Suez Canal and are parked off Syria. And you have Syria that is receiving cruise missiles from Russia.

With regard to the remark by my colleague over here, Mr. Dewar, I think we all would like to see a nuclear-weapons-free world, but in saying that, what happened with Mr. Khan.... Realistically, given the situation we're in right now in the world, the efforts to move towards an agreement in 2012, 2014.... Do we really think that anything we do right now moving in this direction would deter states with the mentality of a Mr. Khan, or states like Iran and Syria, which are building capabilities right now that could cause a disaster before we could blink? Would anything we do make a difference in that scenario?

• (1635)

Mr. Alyn Ware: I'll make it very short.

Looking at the rationale for countries to go nuclear, we saw that India and Pakistan have already gone nuclear, so they are a huge concern. North Korea has gone nuclear, so they're a huge concern. Iran looks set to follow suit. Were there misguided policies that led India and Pakistan and North Korea to go nuclear? Possibly. Compare that with the approach that was taken with the Ukraine, Belarus, and Kazakhstan, all of which inherited nuclear weapons and could quite easily have become nuclear weapon states. Very intense, very successful diplomatic initiatives got them to give up the nuclear weapons they possessed.

As I mentioned before, a combination of diplomacy and sanctions can be more successful than just sanctions, particularly on a state that's very powerful and has the possibility of developing its own nuclear arsenal. As we saw with North Korea, the sanctions didn't work. They went with nuclear weapons, but they are very interested in the possibility of a nuclear-weapon-free zone that would have security assurances.

What is Iran calling for? Attention on Israel's nuclear weapons. So they were supportive of a packaged approach that included non-proliferation, that was directed against them, as long as it included

Israel's nuclear weapons in the Middle East process for a nuclear-weapon-free zone.

The Vice-Chair (Mr. Bernard Patry): Thank you very much.

I want to thank our witnesses today, Mr. Roche and Mr. Ware. *Merci beaucoup.*

We're going to suspend for a few minutes. Our next meeting will start in a few minutes. It's committee business and it's in camera.

[Proceedings continue in camera]

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