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**CANADIAN STATEMENT ON ISSUES UNDER MAIN COMMITTEE II  
AT THE NON-PROLIFERATION TREATY OF NUCLEAR WEAPONS  
REVIEW CONFERENCE**

**NEW YORK, MAY 2005**

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**DÉCLARATION DU CANADA  
AU SUJET DE LA GRANDE COMMISSION II  
LORS DE LA CONFÉRENCE D'EXAMEN DU TRAITÉ DE NON-PROLIFÉRATION  
DES ARMES NUCLÉAIRES**

**NEW YORK, MAI 2005**

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Mr. Chairman

We are pleased to see such an experienced and capable leader as Chair for our deliberations in Main Committee II. Your effective Chairmanship of our 2003 deliberations bodes well for the success of this Committee. You can be assured of Canada's full support as we work in a constructive and cooperative manner to address the many important issues before this Committee.

As you are aware Mr. Chairman, since the last Review Conference in 2000, the Treaty has faced several serious challenges which shape the environment in which we will conduct our work. The 2005 NPT Review Conference provides the opportunity for States Parties to look back over the past five years since the last Review Conference, to assess changes both positive and negative.

Among the positive changes since our last meeting, we include the expansion of membership of the Treaty, the increase in the number of comprehensive safeguards agreements brought into force, and further adherence to the Additional Protocol. We also regard as positive the efforts taken in various complementary fora to address weaknesses of the non-proliferation regime. In addition, we welcome the renunciation by Libya of its nascent nuclear weapons program, its signature of an Additional Protocol in March 2004, and its decision immediately to act as if the Protocol were in force. The Conference should urge Libya to ensure prompt ratification and implementation of the Protocol.

Negative changes include an insecure international environment caused by ongoing concerns about the compliance of some States Parties with their non-proliferation commitments, and about whether the current spectrum of non-proliferation measures available is adequate to the task. Of even greater concern, we have received notification of the withdrawal of a State Party from Treaty. Since we last met in Preparatory Committee, the situation with regard to the DPRK has worsened with its recent assertion that it now possesses nuclear weapons, together with its reluctance to re-engage in the Six Party Talks. Iran is also of particular concern in the context of compliance, as was addressed in our opening statement. In addition, it was revealed that Libya had been pursuing a nuclear weapons program in violation of its Treaty commitments and was in non-compliance with its non-proliferation and safeguards obligations in the context of Article III. The revelation of a clandestine black market in nuclear material, technology and equipment was also a major blow to the non-proliferation regime.

Mr. Chairman, Canada strongly supports the recognition of our responsibility as States Parties not just to look backward, but also to look forward, defining the areas in which progress can be made, and the means of achieving those objectives. This was recognized as a critical element of the fundamental principle of 'permanence with accountability'. Canada is a strong supporter of this approach and thus we intend to outline in this statement not just the issues

we consider most important for this Committee to address, but also our views on how the Conference should address these issues.

### *Safeguards*

Mr. Chairman, this Committee has been entrusted with the mandate of addressing the implementation of the Treaty with regard to safeguards as elucidated in Article III. Article III requires States parties to conclude safeguards agreements with the IAEA. It is heartening to us that at this time that 145 countries have brought such agreements into force; yet 38 States parties, nearly a quarter of the Treaty's membership, have still not done so, despite espousing their commitment to the Treaty. The Conference should call upon all States parties to conclude the requisite agreements with the IAEA without delay and reaffirm the fundamental importance of full compliance with Article III to the integrity of the Treaty.

However, in light of the current international situation, Canada feels it is essential that the Conference go further than this. Comprehensive safeguards agreements are necessary but they are not a sufficient basis for the IAEA to provide assurance that States are complying with their non-proliferation undertakings. Mr. Chairman, it has been 8 years since the IAEA Board of Governors significantly strengthened the IAEA's safeguards system by approving the *Model Protocol Additional to the Agreements Between States and the International Atomic Energy Agency for the Application of Safeguards*. While we welcome the fact that 99 States have signed Additional Protocols and that they are in force for 65 States, the Conference must urge all States Party which have not yet done so to conclude and bring into force an Additional Protocol as soon as possible.

Furthermore, a comprehensive safeguards agreement together with an Additional Protocol provides the basis for the IAEA, and hence States Party which rely upon the IAEA's verification system, to have increased confidence about declared nuclear materials and activities and about the absence of undeclared nuclear material and activities in a given State. Accordingly, the Conference should recognize that a comprehensive safeguards agreement together with an Additional Protocol represents the current verification standard pursuant to Article III of the Treaty.

The IAEA's strengthened safeguards system helps establish mutual confidence in States parties' compliance with the Treaty and allows the vast majority of States parties, which do respect their Treaty obligations, to demonstrate their compliance. It is therefore in the interest of all States parties who wish to uphold the Treaty that IAEA safeguards be as effective and efficient as possible. Our confidence in compliance is the foundation of the Treaty, and allows cooperation in the peaceful uses of nuclear energy to flourish. Non-compliance challenges the integrity of the Treaty and must be addressed

robustly. The statutory role of the IAEA in bringing cases of non-compliance to the attention of the UN Security Council must be respected, and the Council as the organ responsible for international peace and security, must acquit itself of its duty in addressing them.

In addition, we share the concerns recently raised in the IAEA that the Small Quantities Protocol represents a weakness in the safeguards system. We spoke in our opening statement about verification vulnerabilities and we see this as another element of the safeguards regime which must be reinforced. The Conference should encourage the IAEA and the States with a Small Quantities Protocol in place to address this vulnerability as soon as possible.

#### *Export Controls*

In addition to these measures, the Conference should consider whether States should adopt the Additional Protocol, the current verification standard under Article III, as a condition of supply. I can tell you now Mr. Chairman, that Canada supports the adoption of this proposal in this forum and others as one element of our promotion of the most robust national system of export licencing and controls possible.

Second, the Conference should endorse, in this regard, the activities of the Zangger Committee and the value of the guidance its Understandings provide to States parties in meeting their obligations under the Treaty. The Conference should also note the value of other efforts to coordinate national export control policies and practices.

Third, on export controls, the Conference should endorse UN Security Council Resolution 1540 which requires all States to take and enforce effective domestic measures to prevent the proliferation of nuclear weapons and it should urge all to implement effective measures and submit their national reports as soon as possible.

Finally, the Conference should also recognize the contribution that activities such as the Proliferation Security Initiative can make in preventing the proliferation of nuclear weapons and related materials. In addition, the Conference should recognize States parties' efforts to strengthen relevant international laws and frameworks in order to reinforce the international non-proliferation regime.

#### *Physical Protection*

The physical protection of nuclear material and nuclear facilities is another integral element of a successful non-proliferation regime. Accordingly, the Conference should urge all States parties to ratify the Convention on the Physical Protection of Nuclear Materials and support early conclusion of revisions of the

CPPNM in July, with the goal of enhancing the physical security of nuclear facilities and materials.

#### *Regional Issues*

As noted in my introduction Mr. Chairman, the Treaty faces a myriad of challenges. Many of these challenges derive from particularly difficult regional issues and tensions. To address these issues, Canada supports the establishment of a subsidiary body of this Committee. Areas of particular concern which could be addressed by such a body clearly include the Middle East, South Asia and the Korean Peninsula.

It is important that the Conference make a clear statement on the importance of the Treaty's universalization. Canada for one is committed to continue working towards this goal and to ensure that any additional members join the Treaty as non-nuclear weapon states.

Mr. Chairman, with respect to regional non-proliferation issues, the Conference should note the contribution of Nuclear Weapons Free Zones to the reinforcement and stability of the nuclear non-proliferation regime and consider their expansion to other regions of tension such as the Middle East and South Asia. Canada strongly supports the expansion of such zones on the basis of arrangements freely arrived at among the States of the region.

#### *Institutional Reform*

Finally, Mr. Chairman, in the context of permanence with accountability, the concept underlying the indefinite extension of the NPT, Canada has proposed that this Conference adopt outcomes to modify the way that we do business and to foster improved transparency and accountability. These proposals are presented in Working Paper 39.

Thank you Mr. Chairman.