
**Preparatory Committee for the 2010 Review
Conference of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons**

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**Cluster one: nuclear disarmament and negative
security assurances****Working paper submitted by Canada**

1. Issues under this cluster go straight to the credibility of the NPT. The ultimate practical value of the treaty is its role in minimizing and ultimately eliminating the potential that a nuclear weapon may be used. This is done both through restricting the spread of nuclear weapons and through a commitment to their ultimate elimination. Binding assurances of non-use of nuclear weapons can also make an important contribution.
2. We have seen positive signs on all these fronts but there is more work to be done.

Non-proliferation

3. Non-proliferation has historically been an area of relative success. As noted in our opening statement, only a few States have developed nuclear weapons since the NPT capped the number of nuclear-weapon States at five in 1968, and the NPT now enjoys near-universal membership.
4. But today, certain States both inside and outside the NPT are challenging this record of success. If another State were to develop nuclear weapon capabilities, it would necessarily involve an NPT State party acting in breach of its treaty commitments. In turn, if more States develop nuclear weapon capabilities, this could, in time, provoke others to do likewise, and undermine the security of all. We must take all appropriate measures to ensure that this does not happen.
5. The possibility of terrorists acquiring a nuclear weapon is also one against which significant efforts have been deployed. Thus far we have been successful, but the threat remains significant. These efforts must continue.

Nuclear disarmament

6. Nuclear disarmament has a mixed record. In recent years, the United States of America and the Russian Federation, with by far the largest nuclear arsenals, have



agreed to important reductions, and committed to further significant cuts in the framework of the 2002 United States-Russian Federation Strategic Offensive Reductions Treaty, commonly referred to as the Moscow Treaty. These are positive steps, which hopefully can be sustained and expanded to all States with nuclear weapons. Further, NATO allies, individually and as an Alliance, have taken numerous steps in support of disarmament, dramatically reducing the number of nuclear weapons in Europe by 85 per cent since 1991, and almost 95 per cent since the height of the Cold War. These reductions have resulted in the complete elimination of certain categories of NATO-assigned nuclear weapons systems deployed in Europe. Furthermore, in addition to the cuts by the United States and the Russian Federation noted above, the United Kingdom of Great Britain and Northern Ireland announced in December of 2006 that it would reduce its stockpile from 200 to less than 160 warheads. France has also made significant reductions in recent years.

7. To summarize, the United States, the United Kingdom, France and the Russian Federation, as well as NATO, have been reducing their nuclear arsenals in keeping with their NPT commitments.

8. At the same time, merely measuring disarmament in terms of overall numbers of weapons has its limitations. While the total may be in decline on a global basis, some States are actively increasing their arsenals. Meanwhile, the Democratic People's Republic of Korea has tested a nuclear device and there are fears that others may be seeking to acquire them. Furthermore, publicly available numbers in and of themselves are at best educated guesses, given the lack of reliable open-source information available. And perhaps most importantly, there are no guarantees that the recent positive trend will continue when the Moscow Treaty expires at the end of 2012. Transparency and irreversibility, along with active engagement of all States with nuclear weapons in the process of nuclear disarmament, are key principles that will not only further the cause of disarmament, but also allow for proper recognition when positive steps are taken.

9. For a more comprehensive review of practical disarmament measures, we can refer to the "13 practical steps" agreed at the 2000 NPT Review Conference, which provide objective benchmarks against which we can measure progress.

10. Some successes can be noted, reductions in nuclear arsenals are being achieved (9a), some de-alerting has taken place (9d), many States are providing regular reports on article VI implementation and related matters (12) and we have seen a development of verification capabilities (13). These are all areas where we can point to significant implementation over the past seven years.

11. There are practical ways to build on these successes. During informal discussions at the Conference on Disarmament earlier this year, Canada proposed that nuclear-weapon States provide annual briefings on their nuclear policy and doctrine. Such briefings could enhance transparency and confidence among nuclear and non-nuclear Powers. An extension of this idea would see States with nuclear weapons providing information on number and types of nuclear weapons, both in current arsenals and projected levels in five years. States could also provide updates on the status of weapons and delivery systems removed from active service or dismantled and on initiatives to release nuclear material from national nuclear weapons programmes and other conversion efforts. In addition to transparency

benefits, such provision of information would yield objective indicators of disarmament trends.

12. Another potentially achievable objective would be a multilateral agreement to reduce the operational readiness of deployed nuclear systems to a specified level, through both “de-alerting” and “de-mating”. While this would require detailed technical discussions, the current favourable international political and security environment should facilitate such action by States with nuclear weapons. Progress on this issue would promote mutual confidence among nuclear-weapon States, lessen the chance of an accidental launch and also show the positive potential for multilateral action in the nuclear field.

13. Returning to the “13 practical steps”, there are many areas where more action is needed. The first steps refer to the entry into force of the Comprehensive Nuclear-Test-Ban Treaty and negotiation on a fissile material cut-off treaty. Once fully established, these two multilateral instruments would substantially strengthen the foundation of the international nuclear non-proliferation and disarmament regime by prohibiting nuclear test explosions and the production of fissile material for nuclear weapons purposes. With regard to the Comprehensive Nuclear-Test-Ban Treaty, Canada commends the promotional efforts that have been undertaken by the Comprehensive Nuclear-Test-Ban Treaty Organization and many staunch supporters of the Treaty and urges the remaining 10 annex 2 States to ratify. As for the fissile material cut-off treaty, the workplan presented by the six Presidents of the Conference on Disarmament would allow productive work to begin on a number of key nuclear disarmament issues, including the resumption of negotiations on a fissile material cut-off treaty. Canada sincerely hopes that a consensus on this can be achieved.

14. For these and the other remaining 13 steps, what is needed are measures to facilitate work, such as establishing an agreed framework by which we can evaluate progress, just as we have (through the International Atomic Energy Agency (IAEA)) for non-proliferation. Clearly there is room for improved performance, and no shortage of practical ideas on how to move these items forward.

Negative security assurances

15. Negative security assurances are a commitment for NPT States parties stemming from the 1995 United Nations Security Council resolution 984 (1995) and reaffirmed subsequently by decision No. 2 of the 1995 NPT Review and Extension Conference. This decision states, in part, that further steps should be considered to assure NPT non-nuclear-weapon States against the use or threat of use of nuclear weapons, and furthermore, that such steps could take the form of an internationally legally binding instrument.

16. Five years later, at the 2000 Review Conference, the Final Document confirmed a Conference agreement that legally binding security assurances by the nuclear-weapon States strengthen the nuclear non-proliferation regime.

17. Discussion of legally-binding negative security assurances would most logically take place in the context of the Nuclear Non-Proliferation Treaty. Negative security assurances should be seen as a key benefit of adherence to the Treaty for non-nuclear-weapon States, and the complications that would arise from

categorizing the States not party to the NPT would make it extremely difficult to work outside the NPT, in our view.

18. Unilateral assurances were given by the five nuclear-weapon States prior to the 1995 NPT Review and Extension Conference. These rule out use of nuclear weapons against non-nuclear-weapon States parties to the NPT except in specific cases of attack in alliance with a nuclear-weapon State (China's negative security assurance is broader and assures no first use under any circumstances). These are of course statements of policy and not legally binding, but nevertheless of great value.

19. In our discussions of negative security assurances, we must also clarify whether there is a distinction to be made among NPT non-nuclear-weapon States. If, for example, a State is not in good standing, is it still entitled to assurances? What about non-nuclear-weapon States that withdraw? How does this affect negative security assurances that may be in place? And also of importance: are the unilateral assurances made by the nuclear-weapon States in 1995 still valid, despite new doctrines announced by some of them? If not, what if any assurances remain from these States? Canada looks forward to further discussion of these issues.
