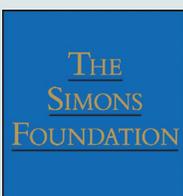


CONFERENCE REPORT

CANADA AND THE TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS



Ottawa, Canada
November 29-30, 2021



Canadians for a
Nuclear Weapons Convention



Rassemblement canadien pour une
convention sur les armes nucléaires

Canada and the Treaty on the Prohibition of Nuclear Weapons
Conference Report

First published: April 2022

This report was produced by Project Ploughshares
on behalf of Canadians for a Nuclear Weapons Convention
with support from The Simons Foundation.

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| The date of the entry into force of the Treaty on the Prohibition of Nuclear Weapons is displayed at UN Headquarters in New York. *Donna Aceto/ICAN*

Conference: Canada and the Treaty on the Prohibition of Nuclear Weapons

Hosted by

The Simons Foundation Canada

Convened by

The Simons Foundation Canada

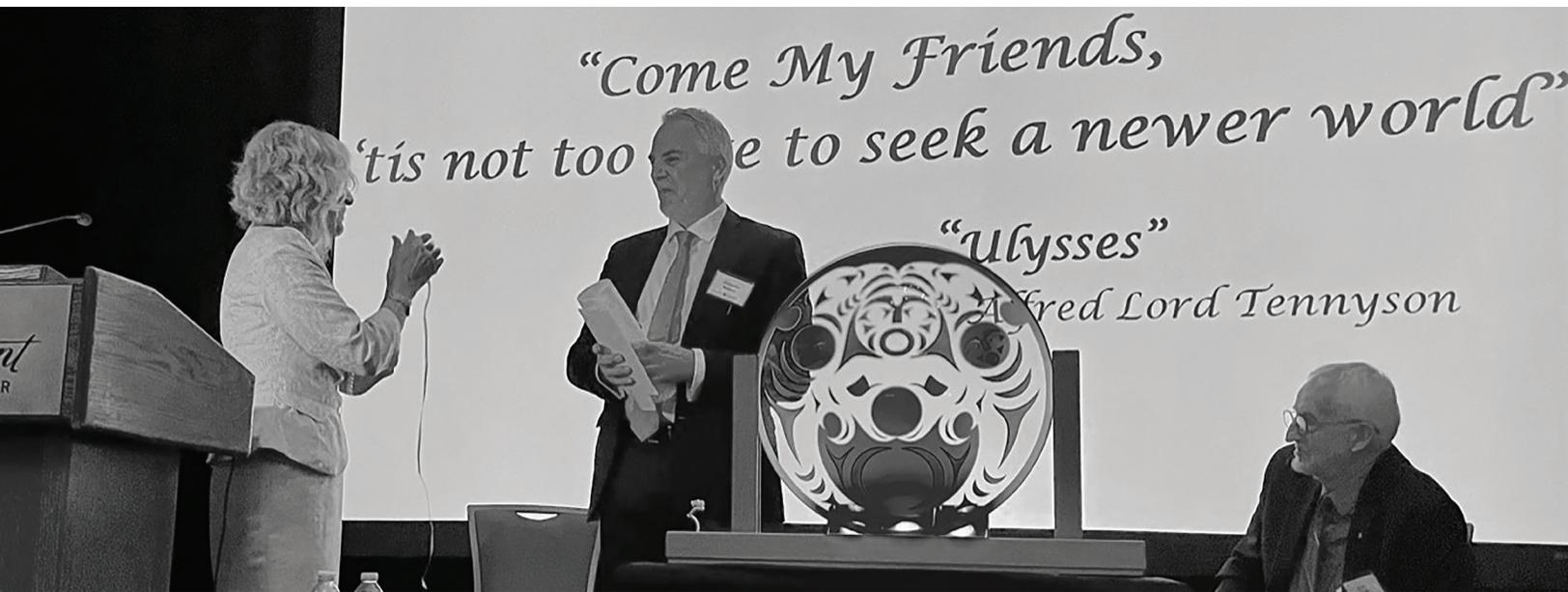
Canadians for a Nuclear Weapons Convention (CNWC)

The Fairmont Château Laurier Hotel, Ottawa, Canada

November 29-30, 2021

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Dr. Jennifer Simons presents The Simons Foundation Award for Distinguished Global Leadership in the Service of Peace and Disarmament to Ambassador Alexander Kmentt, President-designate of the First Meeting of States Parties of the TPNW and the Director of Disarmament, Arms Control and Non-Proliferation, Austrian Ministry of Foreign Affairs.

SUMMARY

On November 29 and 30, 2021, The Simons Foundation Canada hosted and co-convened with Canadians for a Nuclear Weapons Convention (CNWC) the conference “Canada and the Treaty on the Prohibition of Nuclear Weapons.”

The conference brought together nuclear disarmament experts from Canada and abroad to discuss Canada’s role in relation to the Treaty on the Prohibition of Nuclear Weapons (TPNW), its upcoming engagement with the 2022 review of NATO’s Strategic Concept, and key challenges facing the global nuclear disarmament and non-proliferation regime.

The expert group issued an urgent appeal to the Government of Canada to act decisively, and on multiple fronts, to counter the continued threat posed by nuclear weapons and to contribute effectively to multilateral nuclear disarmament efforts.

The “Ottawa Declaration,” which emerged from the conference and was endorsed by all participants, recognizes the historic importance of the TPNW and urges Canada to join the Treaty. It further calls on the Government to welcome “the Treaty’s moral authority and legal mandate in the pursuit of a world without nuclear weapons” and to attend the first Meeting of States Parties as an observer.

Canada’s position as a once nuclear-capable nation and its historic determination to reject nuclear weapons was considered at the conference, as well as the country’s recent failure to assert meaningful leadership on the nuclear disarmament question at NATO and beyond. The dominant sentiment: there is much more that Canada can do to advance nuclear disarmament.

Participants stressed the need for Canada to assume a leading role in the formulation of alternative security arrangements that decrease NATO’s reliance on nuclear weapons and help create the conditions for complete nuclear abolition. Arguments made to justify the continued possession of nuclear weapons—including those based on the purported benefits of nuclear deterrence—were challenged on legal, ethical, and humanitarian grounds.

Although the TPNW was widely recognized as a positive contribution to nuclear disarmament, it was acknowledged that multiple policy and security challenges remain to be addressed. Still, conference participants lamented Canada’s reluctance to embrace the TPNW even as the threat of nuclear war grows. There was general agreement that it is long past time for a renewed, demonstrable Canadian commitment to a world free from nuclear weapons.

KEYNOTE ADDRESS

Ambassador Kmentt delivered the keynote address, which developed three main themes: 1) the failings of the nuclear status quo, 2) the role of the humanitarian argument in challenging nuclear deterrence, and 3) how to bridge the gap between the TPNW and nuclear-dependent states.

Kmentt acknowledged that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) holds value, despite its failure thus far to bring about nuclear abolition. The NPT is, however, at the heart of a crisis of credibility concerning current and recent nuclear disarmament efforts. Some states parties of the NPT, which support and possess nuclear weapons, have thus far prevented any meaningful progress toward the elimination of nuclear weapons. Many observers are increasingly skeptical of the NPT's ability to deliver on the promise of nuclear abolition.

The TPNW has responded to the NPT stalemate by creating new normative standards for the international community. As Kmentt noted, this move to norms was championed by non-nuclear-weapon states (NNWS) and those without veto power at the United Nations Security Council (UNSC), in a welcome departure from the tendency of the five permanent members of the UNSC to dominate international security conversations and UN processes.

On the second theme, Kmentt indicated that he saw the TPNW's focus on humanitarian arguments as key to challenging nuclear deterrence doctrine. He noted that the TPNW garnered 122 votes in favour of adoption in 2017, a sign that the majority of states had rejected the idea that they should simply accept the possibility of nuclear war.

Nuclear-weapon states (NWS) cannot reasonably deny that the risk of such a war exists, because that harrowing reality is central to their belief that deterrence works. In Kmentt's view, this attitude begs the question of when disaster

inflicted by nuclear weapons becomes so horrendous and universal that it makes deterrence an unworthy goal. This question must continue to form the foundation for the TPNW.

Lastly, Kmentt discussed how to bridge the gap between TPNW supporters and opponents. While the NWS have loudly proclaimed that they will not support the TPNW, those dependent on NWS have an opportunity for significant leadership. A genuine admission from the NWS and their allies that the threat of nuclear annihilation is real and the TPNW a reasonable response to such a threat is necessary. A further admission that nuclear deterrence is neither ideal nor sustainable would move the conversation in the right direction.

Advocating for the TPNW is not only a matter of politics or security; it is based on the utter disaster that nuclear weapons could inflict upon the world and the humanitarian consequences of their continued proliferation. Now the time is ripe, according to Ambassador Kmentt, for Canada to assume a role in achieving a nuclear ban.

SESSION 1: THE HUMANITARIAN, LEGAL, AND POLITICAL FOUNDATIONS OF THE TPNW

This session focused on the basis for the TPNW. **Peter Herby**, Mines-Arms Unit Co-ordinator in the Legal Division of the International Committee of the Red Cross (ICRC), outlined the humanitarian grounds for banning nuclear weapons. Detailing the lives and livelihoods have been and could be lost by the testing and use of nuclear weapons, Herby declared that "there is a point at which the rights of states must yield to the interest of humanity." This push to understand the interests of humanity led, according to Herby, to the development of the TPNW and its successful entry into force in 2021. Herby concluded by stressing how the humanitarian consequences of nuclear weapons provide a solid foundation



| Ambassador Alexander Kmentt delivers the keynote address for the conference.

for their prohibition under international law.

The TPNW filled a gap in international law by unequivocally banning nuclear weapons. **Bonnie Docherty**, from the International Human Rights Clinic at Harvard Law School, categorized the TPNW as a humanitarian disarmament treaty, like the Land Mine Ban Treaty and the Convention on Cluster Munitions. As such, the TPNW is able to set legal and normative standards that can be applied across the board, whether or not a state has signed the treaty. Such a precedent was set when the United States provided assistance for landmine victims, even though the United States is not a signatory to the Land Mine Ban Treaty. As well, as one of the nations involved in the original development of nuclear weapons, Canada has an obligation to contribute to victim assistance, whether or not they sign the TPNW. Docherty also pointed out that the Treaty can continue its evolution at the first Meeting of States Parties by expanding the obligations of States Parties under Article 6 of the TPNW, which deals with Victim Assistance and Environmental Remediation.

General discussions covered 1) Canada's role in NATO, 2) using legal loopholes/requirements to combat inaction, and 3) broadening victim assistance.

There was a lively exchange about how TPNW prohibitions on assisting, encouraging, or inducing nuclear weapons use may be troubling some NATO members, including Canada. Could Canada remain in NATO and sign on to the TPNW without being in violation of these prohibitions? It was suggested that Canada and other countries might be able to remain in NATO; however, participation in NATO's nuclear planning group would present more pressing legal and political barriers.

Ideas were raised about a status of conscientious objector within NATO, and the complete withdrawal of Canada and other likeminded states from the nuclear planning group. It was

felt that clarification on what NATO members would have to commit to if they joined the TPNW should be a topic of conversation at the first Meeting of States Parties to the TPNW.

Although nuclear weapons are undeniably illegal and immoral, some states persist in using discredited legal arguments to justify their continued existence. Participants pushed for a concerted effort to challenge those arguments publicly and frequently. This tactic would help to expose the fragile underpinnings of nuclear deterrence and the widespread effects of nuclear weapons, which cannot be confined to set borders.

It was also noted that Canadians have been challenging Canada's policy on nuclear weapons for decades. Clearly, the Canadian government needs to feel a strong political push to join the TPNW before they will be willing to risk their nuclear umbrella status. Civil society should continue to engage with government, while also alerting government and national media to the deep desire of Canadians for a nuclear-weapons-free world.

Finally, participants saw that the role of victim assistance in the Treaty represents a move toward a more humanitarian lens, although further provisions are needed. "Victims" must be defined broadly, as the Treaty states that they will be assisted "without discrimination." Included in this definition should be individuals who have suffered as a result of proliferation and the vast number of social programs around the world that have been sacrificed to preserve inflated nuclear budgets.

SESSION 2: THE TPNW, NPT, AND A CORE FRAMEWORK FOR NUCLEAR DISARMAMENT

The second session focused on the relationship between the NPT and the TPNW. **Ambassador Alexander Kmentt** began with a history of the TPNW, the foundations of which were laid in a 1996 International Court of Justice (ICJ) opinion on the threat of nuclear weapons. The opin-

ion declared that “there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament.” To meet that obligation, the TPNW was formed, banning nuclear weapons and thereby filling the gap left by the NPT and the Comprehensive Test Ban Treaty (CTBT).

This 1996 ICJ opinion can be seen to build from Article 6 of the NPT, which mandates a commitment to pursue measures to achieve nuclear disarmament. The TPNW responds to that mandate. As Kmentt explained, the TPNW not only builds upon Article 6, but also expands the core framework of norms about nuclear weapons in four ways: establishing a complete prohibition without exception, entrenching the principle of unacceptable indiscriminate violence, moving toward the obligation discussed in the 1996 ICJ opinion, and centring the remediation of harm as a core outcome of general and complete disarmament. As well, the TPNW builds on the NPT’s success and codifies nuclear weapons, including their mere possession, as unequivocally illegal.

Dr. Randy Rydell, Executive Advisor of Mayors for Peace and a former Senior Political Affairs Officer at the United Nations Office for Disarmament Affairs, stressed that general and complete disarmament must be a principal goal for nuclear disarmament advocates. This international community, Rydell said, needs to face down the “dirty dozen” disarmament myths proliferated by NWS.

These myths, first summarized by Sergio Duarte, then UN High Representative for Disarmament, have been repeatedly used as excuses that continue to plague nuclear disarmament efforts. To combat them, future advocacy for nuclear abolition must focus on general and complete disarmament. As Rydell said, “general and complete disarmament does not simply seek to make our nuclear-armed world safer. It offers instead the prospect of making any future use of nuclear weapons not just less likely but impossible.”

From this discussion these themes emerged: 1) the NPT and TPNW must work together to accomplish general and complete disarmament; 2) security cannot fall by the wayside in disarmament discussions; and 3) diversity in activists and social movements is key.

At the time of the conference, the delayed 2020 NPT Review Conference was set to occur in just over a month’s time (it has since been postponed yet again). Some conference participants expressed concern that the TPNW could be framed as responsible for dysfunction or the loss of collaboration at the NPT.

Since the TPNW’s adoption, NWS and their allies have contended that the TPNW will impede the NPT’s ability to remain effective, intentionally neglecting explicit references to the NPT in the TPNW. Still, participants noted that current government or administration positions do not necessarily dictate what incoming governments will commit to, and rejecting this rhetoric is still valuable. Suggestions on how to incorporate a more significant TPNW lens into the upcoming NPT Review Conference included not allowing states to blame the TPNW for the NPT’s lack of progress, focusing on the universality of the NPT, and pointing to the humanitarian consequences of nuclear weapons.

Some conference participants expressed concern about NPT limitations, including related to the need to negotiate with the four non-NPT states that currently possess nuclear weapons. It was suggested that more attention be put into strategic plans for a non-nuclear world at the national, regional, and international levels. The current absence of such plans suggests that NWS are not committed to general and complete disarmament under Article 6 of the NPT.

It was also suggested that conventional deterrence play a larger role in security and strategic stability. At the same time, nuclear deterrence was accused of being utopian, and the notion that it can prevent nuclear and conventional war

was challenged. Some participants expressed the view that including security in disarmament discussions can help to dismantle the stereotype that disarmament is emasculating and inherently feminine.

Lastly, it was noted that the dirty dozen myths can be challenged by bringing in diverse voices that actively combat the patriarchal, racist, colonial, and sexist effects of nuclear weapons. Breaking down siloes and connecting with other social movements were seen as critical, especially when thinking about how to revitalize stale processes such as the NPT Review Conference.

SESSION 3: CHALLENGING NATO'S NUCLEAR STRATEGY

The Hon. Lloyd Axworthy C.C., former Canadian Minister of Foreign Affairs, kicked off the session by describing how the modernization of nuclear arsenals brings the conversation back to the era of the Cold War. While China is upping its nuclear capacity, countries with no nuclear weapons are entering into agreements with other NWS, for instance, the trilateral AUKUS security pact between Australia, the United Kingdom and the United States involving nuclear-powered submarines. While Axworthy acknowledged that Canada has not yet assumed a leadership role on the TPNW, he stressed that Canada has historically been decisively against nuclear weapons, taking a bold step to become the first state to voluntarily remove nuclear weapons from its borders. It will be important to remind the Canadian government and public of this legacy when petitioning Canada to once again stand up for nuclear abolition.

Tom Sauer from the University of Antwerp focused on the role of NATO in making progress on the TPNW. While NWS are the primary target of the TPNW, NATO will become a key battleground on which non-nuclear middle-power members compel the nuclear-armed member states to give up their weapons. At present,

NATO as a whole not only implicitly supports NWS through its nuclear planning group, but actively contributes to the problem by hosting weapons on NNWS territory, refusing to take a no-first-use stand, and engaging in nuclear-sharing/umbrella agreements.

Sauer prescribed changes for NATO, including transparency around nuclear agreements, an openness to attending the TPNW as observers, and the exodus of all NNWS from the nuclear planning group. Finally, Sauer encouraged public opinion polls, grassroots efforts, and declarations from NATO NNWS against these weapons.

These themes emerged during general discussion: 1) Canada should build on its nuclear legacy to influence other states in NATO; 2) Canada needs to take a stand in support of abolition; and 3) engaging outside of government is more important than ever.

Conference participants noted that Canada's current alignment with its nuclear-armed allies could shift under a future government. Several government officials, including foreign ministers, ambassadors, and even Prime Ministers have advocated for nuclear disarmament while in office and after leaving government. However, Canada's legacy does not mean that the current government is prepared to alter its nuclear policy. It was suggested that opposition parties in Parliament could use their leverage with the minority government to push for a committee to explore this issue. These steps would indicate to civil society and NWS that Canada is open to pursuing nuclear disarmament.

Frustration was expressed at Canada's lack of involvement in nuclear disarmament in recent years. Canada refused to even attend the negotiations for the TPNW, a tactic that the Canadian government has never used in past nuclear negotiations. Canada was encouraged to re-engage on this issue by explicitly affirming a no-first-use policy within NATO, conducting a public opinion poll to lay the groundwork for a parliamentary



From left: Former Canadian Ambassadors for Disarmament Paul Meyer, Douglas Roche, and Peggy Mason and Project Ploughshares Executive Director Cesar Jaramillo during conference discussions.

committee (as mentioned above), and including nuclear disarmament in its feminist foreign policy and Women, Peace, and Security National Action Plan. Discussion made it clear that Canada is not obliged to follow the lead of the United States; Mexico has proven that a U.S. ally can still oppose nuclear policies, though in this case an important point to note is that Mexico is not constrained by NATO membership.

Finally, participants debated about how Canadian civil society can move forward when the government is unwilling to engage. Some felt that NATO was outdated. Others noted the work being done by young people, independent of institutions and alliances. Some pushed for diplomacy and the building of genuine relationships with eastern European nations to persuade them that Western nuclear disarmament does not mean that they will be unprotected from Russian interference. Also suggested: messaging to highlight the TPNW's role in strengthening international peace and security, which would compel the Canadian government to act by reminding it of its legally binding commitments, such as the Women, Peace, and Security agenda.

SESSION 4: A NUCLEAR DISARMAMENT ACTION AGENDA FOR CANADA

Paul Meyer of Simon Fraser University and Canadian Pugwash Group opened this session. A nuclear-disarmament veteran, Meyer expressed frustration at the Canadian government's lack of energy and diplomacy for nuclear disarmament. Not only has Canada refused to get involved in the TPNW but, according to Meyer, it has also failed to successfully deliver on the Fissile Material Cut-off Treaty, has continued to engage in nuclear cooperation with states that are preventing CTBT ratification, and has neglected the role of civil society for decades. In Meyer's opinion, Canada has a lot of work to do in the nuclear disarmament field that falls short of joining the TPNW. If Canada fails to take action in any of the aforementioned areas, it will

increasingly find itself isolated.

Peggy Mason, President of the Rideau Institute, reiterated that nuclear disarmament is the only way to prevent nuclear war and the subsequent annihilation of humanity. Until nuclear disarmament is achieved, we must learn to reduce the risk. Canada, for example, should resist pressure to join ballistic missile defence programs, take a lead in NATO's strategic review in June 2022, and increase funding for academics researching the necessary move from nuclear to conventional deterrence.

Discussion then centred on 1) specific domestic and international actions that Canada can take, 2) how government can engage civil society organizations, and 3) actions outside government that can promote nuclear disarmament among Canadians.

As many speakers and participants noted during the conference, the Canadian government has previously engaged with civil society through a consultative disarmament group. Participants zeroed in on this suggestion, proposing that civil society should make a case for such a group under Canada's proposed feminist foreign policy, due to the increased risks for women and girls caused by nuclear events. Participants also reiterated the need to widen the tent of civil society actors working for disarmament, suggesting that disarmament funding be earmarked for specific groups, such as young people.

Some participants promoted actions outside the official system. These could include divestment projects, solidarity movements with other causes, academic models similar to Bonnie Docherty's International Human Rights Clinic at Harvard Law, feminist and post-colonial focuses on disarmament that continually feed into other concerns, and greater engagement with the Canadian public.

It was also suggested that to engage with gov-

ernment, requests would need to be specific and relate to both existing treaties and obligations and to new treaties and novel approaches to nuclear disarmament in which Canada should participate.

SESSION 5: SUGGESTIONS AND THEMES

The final session provided an overview of themes and proposed actions, presented by the conference rapporteurs. The key themes focused on how the Canadian government could sincerely and effectively engage in nuclear disarmament. The chief concerns of the conference are represented in the Ottawa Declaration, annexed below.

Attendees also discussed actions that members of the nuclear disarmament community in Canada should participate in over the next few years. These include hosting a public briefing on the recommendations compiled in this report and in the Ottawa Declaration, efforts to stress the urgency of the debate on nuclear disarmament as global tensions rise, building support for expert proposals and academic projects focused on nuclear disarmament, and widening the tent of disarmament experts to include Indigenous communities and gender diverse individuals.

Canada should:

- work with the New Agenda Coalition, as it has in the past, to commit to general and complete disarmament as mandated in NPT Article 6, and to focus on NPT and TPNW reconciliation at the upcoming NPT RevCon;
- attend the first TPNW meeting of states parties as an observer, with a view to acceding to the Treaty;
- convene consultations with civil society organizations on Canada's nuclear arms control and disarmament policies;
- act upon the 2018 recommendation of the House of Commons Standing

Committee on National Defence urging 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";

- participate actively at the NPT Review Conference to be held in 2022 to ensure no dilution of past commitments;
- convene parliamentary committees and hearings on nuclear arms control and disarmament policy;
- engage on the issue of victim assistance and the positive obligations that arise from international humanitarian law, and
- suggest at the NATO review in June 2022 that there be a renewed focus on strategic stability, risk reduction, and conventional deterrence. As part of this review, Canada should urge the United States to adopt a No-First-Use policy and advocate for collective security arrangements that decrease reliance on nuclear weapons.

It is now time for Canada to step up and contribute to the nuclear disarmament conversation. Canada must consider its international commitments to human rights, as well as its federal ideals of peace, order, and good governance. In doing so, Canada could exert considerable influence over its NWS allies, and play a significant part in making concrete, demonstrable progress toward the complete elimination of nuclear weapons.



| Canada and the Treaty on the Prohibition of Nuclear Weapons conference underway.

Annex 1

OTTAWA DECLARATION

“Humanity remains one misunderstanding, one misstep, one miscalculation, one pushed button away from annihilation.”

U.N. Secretary-General Antonio Guterres issues this stark warning of the immediacy of the nuclear threat and the unacceptable catastrophic humanitarian consequences of firing any of the world’s 13,000 nuclear weapons. All nine states holding these weapons pursue the perpetual “modernization” of their arsenals—notably making a mockery of the disarmament commitments of the nuclear weapon powers party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and threatening to extend the nuclear weapons era indefinitely. More than ever, the world needs to hear a clear moral and legal call for the elimination and perpetual prohibition of these instruments of mass destruction.

Just such a call has come with urgency and authority in the January 2021 entry into force of the Treaty on the Prohibition of Nuclear Weapons (TPNW). In unequivocal language, the TPNW declares that “any use of nuclear weapons would be abhorrent to the principles of humanity and the dictates of public conscience.”

This historic treaty exposes and stigmatizes nuclear weapons and their use as standing outside the norms of international humanitarian law. It challenges nuclear weapon states to finally act on their NPT disarmament commitments. The TPNW reinforces the urgent need for nuclear weapon states to undertake and conclude nuclear disarmament negotiations, with non-nuclear weapon states also at the table.

Therefore, we the undersigned urge Canada to join the Treaty and call on the Government to begin the process by publicly welcoming the Treaty’s moral authority and legal mandate in the pursuit of a world without nuclear weapons. We also urge Canada to join Norway and Germany as observers at the first Meeting of States Parties, and to work at bringing NATO into conformity with the Treaty and the NPT.

We thus call on Canada to challenge the nuclear retentionist policies of NATO, by, as a first step, acting decisively on the still relevant 2018 recommendation of the House of Commons Committee on National Defence—that, “on an urgent basis,” 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.”

The overwhelming majority of Canadians support the abolition of nuclear weapons and look to their government for energetic and sustained leadership in helping to push the world back from the abyss of nuclear annihilation. Nuclear disarmament diplomacy must become a national priority. Emergency action is required.

This “Ottawa Declaration” emerged out of the conference of international experts initiated and convened by the Simons Foundation Canada and Canadians for a Nuclear Weapons Convention (CNWC) in Ottawa, November 29-30, 2021, on “Canada and the Treaty on the Prohibition of Nuclear Weapons.”

The declaration is endorsed by the following individuals (conference participants, indicated by an asterisk, and CNWC supporters, all of whom are recipients of the Order of Canada). Affiliations are included for identification purposes only and do not indicate institutional endorsement.

Ray Acheson*

Director, Reaching Critical Will of the Women's International League for Peace and Freedom

Carolyn Acker C.M.

Founder, Pathways to Education Canada

The Hon. Lloyd Axworthy, C.C.*

Former Minister of Foreign Affairs, Canada

Tom Axworthy, O.C.

Secretary General, InterAction Council; Chair, Public Policy, Massey College, University of Toronto

Christopher R. Barnes, C.M.

Professor Emeritus, Earth and Ocean Sciences, University of Victoria

Gerry Barr, C.M.

Former CEO of the Directors Guild of Canada; Former President and CEO of Canadian Council for International Cooperation

Adele Buckley*

Pugwash Council; Past Chair, Canadian Pugwash Group

Robin Collins*

Co-Chair, Canadian Network to Abolish Nuclear Weapons

Paul Copeland, C.M.

Criminal law, immigration law and national security law lawyer; Co-founder and life bencher of the Law Society of Ontario

Cathy Crowe, C.M.

Public Affiliate, Department of Politics and Public Administration, Ryerson University

Bonnie Docherty*

International Human Rights Clinic, Harvard Law School

Howard Dyck, C.M.

Artistic Director, Nota Bene Players & Singers; Former CBC Radio host of Choral Concert and Saturday Afternoon at the Opera

John English, O.C.

Distinguished University Professor Emeritus, University of Waterloo

Ivan Fellegi, O.C.

Chief Statistician of Canada Emeritus

Nigel Fisher O.C.

Former United Nations Assistant Secretary-General

Peter Herby*

Consultant on humanitarian-based disarmament, Switzerland; Former head of the Arms Unit, Legal Division, International Committee of the Red Cross

Nancy Hermiston, O.C.

Head, UBC Voice and Opera Divisions; UBC University Marshal

Erin Hunt*

Programme Manager, Mines Action Canada

Cesar Jaramillo*

Executive Director, Project Ploughshares; Chair, Canadian Pugwash Group

Bruce Kidd, O.C.

Professor Emeritus, University of Toronto

Daryl G. Kimball*

Executive Director, Arms Control Association

Bonnie Sherr Klein, O.C.

Documentary filmmaker and disability activist

Anita Kunz, O.C.

Artist, writer, educator

Stephen Lewis, C.C.

Former Canadian Ambassador to the United Nations

Tamara Lorincz*

Ph.D. Candidate, Balsillie School of International Affairs, Wilfrid Laurier University

Margaret MacMillan, C.C.

Emeritus Professor of International History, University of Oxford

Peggy Mason*

President, Rideau Institute; Former Canadian Ambassador for Disarmament to the United Nations

David Matas, C.M.

Lawyer specializing in international human rights, immigration and refugee law

Elizabeth May, O.C.

Member of Parliament, Saanich-Gulf Islands; Parliamentary Leader, Green Party of Canada

Paul Meyer*

School of International Studies, Simon Fraser University

Jock Murray, O.C.

Professor Emeritus, Dalhousie University

John C. Polanyi, C.C.

Nobel Laureate (chemistry, 1986); University Professor Emeritus, University of Toronto

M.V. Ramana*

Simons Chair in Disarmament, Global and Human Security; Director of the Liu Institute for Global Issues, University of British Columbia

Tariq Rauf*

Former Head of Verification and Security Policy, International Atomic Energy Agency

Ernie Regehr O.C.*

Co-Founder and former Executive Director, Project Ploughshares; Senior Fellow, The Simons Foundation Canada

Catherine Robbin, O.C.

Associate Professor Emerita, York University; President, Art Song Foundation of Canada

Hon. Douglas Roche, O.C.*

Former Canadian Senator, Member of Parliament, and Ambassador for Disarmament

Clayton Ruby C.M.

Lawyer and activist specializing in constitutional and criminal law and civil rights

Peter H. Russell, O.C.

Professor Emeritus of Political Science, University of Toronto

Randy Rydell*

Former Senior Political Affairs Officer, United Nations Office for Disarmament Affairs

Alicia Sanders-Zakre*

Policy and Research Coordinator, International Campaign to Abolish Nuclear Weapons

Tom Sauer*

Professor in International Politics, University of Antwerp, Belgium

Jennifer Allen Simons C.M.*

Founder and President, The Simons Foundation Canada; Founding Partner, Global Zero

Gérard Snow, C.M.

Jurilinguiste, anciennement de l'Université de Moncton

Setsuko Thurlow, C.M.

Hiroshima Atomic Bomb Survivor and Nobel Peace Prize Recipient on behalf of the International Campaign to Abolish Nuclear Weapons, 2017

James Walker, C.M.

University of Waterloo

Jessica West*

Senior Researcher, Project Ploughshares

Salim Yusuf

Distinguished University Professor of Medicine, McMaster University; Past President, World Heart Foundation



From left: Douglas Roche, Ambassador Alexander Kmentt, Canadian Member of Parliament Heather McPherson, Erin Hunt of Mines Action Canada, and Bonnie Docherty of Human Rights Watch.

CONFERENCE FRAMEWORK STATEMENT

The Entry into Force of the Treaty on the Prohibition of Nuclear Weapons (TPNW) is the most significant event for nuclear disarmament since the Gorbachev/Reagan meeting at Reykjavik in October 1986, when the two leaders came close to agreeing to eliminate their entire nuclear arsenals. As such, the TPNW has the potential to spur the kind of urgent, concrete action on the full range of disarmament measures needed to fulfil the Reykjavik vision.

The two-day conference will build a strategy for bringing Canada into conformity with the TPNW through re-energized and re-focused action on disarmament and by challenging NATO's current strategic posture of reliance on the threat of nuclear attack.

The successful negotiation, adoption, and entry-into-force of the Treaty for the Prohibition of Nuclear Weapons (TPNW) on January 22, 2021 is a notable bright spot in the grim picture of the failure to move forward on nuclear disarmament. This breakthrough was achieved by a majority of United Nations members acting together. The Treaty they negotiated bans nuclear weapons possession by States Parties to the Treaty, and it thus parallels the treaties banning biological and chemical weapons. UN Secretary-General Antonio Guterres calls it a "historic" development that will "form an important component of the nuclear disarmament and non-proliferation regime," and will reinforce the global norm against nuclear weapons. The inauguration of U.S. President Joe Biden has bolstered hopes for progress on global security issues, and it has already joined with Russia to extend the New Start Treaty. But nuclear disarmament is still in crisis, with comprehensive negotiations for the elimination of nuclear weapons still far off, and with all the nuclear weapons states modernizing their nuclear arsenals.

The Treaty outlaws nuclear weapons for all who join it, and it directly challenges the military threat and counter-threat doctrine of nuclear deterrence. The Treaty framers recognize that neither morality nor law can justify the continued possession, by any state, of weapons that threaten to annihilate humanity. It strengthens the foundational Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and challenges all states with nuclear weapons to enter into the meaningful, good faith negotiations leading to the elimination of their respective arsenals, as mandated by the NPT.

The conference will issue a call for Canada to welcome, support, and join the TPNW, and challenge Canada to commit anew to active disarmament diplomacy and programming. It will examine ways in which Canada can take advantage of the momentum generated by the TPNW entry-into-force to promote measures to halt the current nuclear "modernization" arms race, to further reduce arsenals, and to mitigate risks of nuclear use. The conference will focus on the legal, humanitarian, and political dimensions of nuclear disarmament. It will examine NATO's current nuclear strategy and explore ways in which Canada and like-minded states within the alliance can effectively challenge those policies and bring the organization into alignment with the TPNW and with NATO's self-declared commitment to creating conditions for a world without nuclear weapons.

CONFERENCE GOAL

The goal of the conference is to better inform the CNWC so that it is in a better position:

- to challenge the Government and Parliament of Canada to welcome, support, and join the TPNW;
- to set out an agenda for urgent Canadian action on nuclear disarmament;
- to contribute to the renewal of the nuclear disarmament movement;
- to promote education and raise awareness of the critical dangers of nuclear weapons; and
- to challenge Canada to reaffirm the global commitment to the elimination of nuclear weapons and to ending to the dangerous system of threats of nuclear attack and counterattack that is central to the doctrine of nuclear deterrence.

Canadians for a Nuclear Weapons Convention (CNWC) supports public policy dialogue on nuclear arms control and disarmament, including the development of a comprehensive Nuclear Weapons Convention to codify and consolidate the agreements, regulations, institutional arrangements, and verification measures essential for accomplishing the agreed global objective of the prohibition and irreversible elimination of nuclear weapons.

The Simons Foundation Canada is a private foundation committed to advancing positive change through education in peace, disarmament, international law and human security. The Simons Foundation initiates and participates in major worldwide peace projects, convenes global leaders for high-level strategic and policy dialogues, sponsors important academic research through fellowships and chairs, acts as a major convenor of academic and public events and partners on policy-driven publications.

Annex 3

AGENDA

MONDAY, NOVEMBER 29

Invitation-only Event hosted by The Simons Foundation Canada
Drawing Room, Fairmont Château Laurier Hotel

- 1730 Welcome and Remarks by Jennifer Allen Simons
- 1750 Presentation of ***The Simons Foundation Award for Distinguished Global Leadership in the Service of Peace and Disarmament*** to: Ambassador Alexander Kmentt, President-designate of the First Meeting of States Parties of the TPNW and the Director of Disarmament, Arms Control and Non-Proliferation, Austrian Ministry of Foreign Affairs
- 1800 Conference Opening by Ernie Regehr, O.C., Conference Chair
- 1810 Keynote Speech by Ambassador Alexander Kmentt
- 1900 – 2030 Reception

TUESDAY, NOVEMBER 30

Renaissance Room, Fairmont Château Laurier Hotel

- 0730 Continental Buffet Breakfast
- 0830 Opening Welcome – Ernie Regehr, O.C.
- 0840-1010 Panel One: **The Humanitarian, Legal, and Political Foundations of the TPNW**
Chair: M.V. Ramana
Peter Herby
Bonnie Docherty
- 1810 Keynote Speech by Ambassador Alexander Kmentt
- 1010 Break

1030-1200	<p>Panel Two: The TPNW, the NPT, and the Core Framework for Nuclear Disarmament Chair: Jessica West Alexander Kmentt Randy Rydell</p>
1200-1315	<p>Lunch and address by John Polanyi, C.C. <i>“Science and the UN Nuclear Weapons Ban”</i> L’Orangerie Room, Fairmont Château Laurier Hotel</p>
1315-1445	<p>Panel Three: Challenging NATO’s Nuclear Strategy Chair: Erin Hunt Tom Sauer Lloyd Axworthy, C.C.</p>
1445-1500	<p>Break</p>
1500-1630	<p>Panel Four: A Nuclear Disarmament Action Agenda for Canada Chair: Douglas Roche, O.C. Peggy Mason Paul Meyer</p>
1630-1800	<p>Review and Recommendations: Chair: Ernie Regehr, O.C.</p> <ul style="list-style-type: none"> • Summary of conference findings/recommendations (rapporteurs) • Approval of Ottawa Declaration

Conference Rapporteur: Cesar Jaramillo
Assistant to the Rapporteur: Kirsten Mosey

LIST OF PARTICIPANTS



Ray Acheson

Director, Reaching Critical Will; Women's International League for Peace and Freedom

Ray Acheson (they/she) leads the disarmament programme at the Women's International League for Peace and Freedom (WILPF), the world's oldest feminist peace organisation. They serve on the steering group of the International Campaign to Abolish Nuclear Weapons (ICAN), which won the 2017 Nobel Peace Prize for its work to ban nuclear weapons, as well as the steering committees of the Campaign to Stop Killer Robots and the International Network on Explosive Weapons. Ray is author of *Banning the Bomb, Smashing the Patriarchy*, which offers a first-hand account about the work of activists and diplomats to outlaw nuclear weapons. Ray has an Honours BA from the University of Toronto in Peace and Conflict Studies and an MA in Politics from The New School for Social Research. They are currently a Visiting Researcher at Princeton University's Program on Science and Global Security. They are recipient of numerous awards, including the 2020 Nuclear Free Future Award.



The Hon. Lloyd Axworthy, C.C.*

Former Minister of Foreign Affairs, Canada

Dr. Lloyd Axworthy, former Foreign Minister of Canada, is past President of the University of Winnipeg, Companion of the Order of Canada, present Chair of Cuso International, Richard Weisenhacker Fellow, Bosch Foundation, Advisor to Southern Chiefs Organization and Chair of World Refugee and Migration Council.



Dr. Adele Buckley

*Steering Committee Member, Canadians for a Nuclear Weapons Convention
Past Chair, Canadian Pugwash Group*

Adele Buckley, M.Sc., Ph.D., D.Sc.(hon); physicist, engineer(aerospace) and environmental scientist; Past Chair of Canadian Pugwash (CPG); member of international Pugwash Council. Steering Committee member- Canadians for a Nuclear Weapons Convention (CNWC). Leads CPG campaign for a nuclear-weapon-free Arctic; many presentations - 8 countries. Manager of arcticnwfz@googlegroups.com. Lead organizer for Pugwash anniversary convention, 2017 - 'Canada's Contribution to Global Security'.

Professional background: founding partner of Sciex, developer and manufacturer of mass spectrometry systems; now has extensive worldwide installations. Formerly V.P. Solarchem Environmental Systems, UVB systems for removal of environmental contaminants in water; formerly V.P. Technology and Research, Ontario Centre for Environmental Technology Advancement; environmental technology verification; advising environmental technology entrepreneurs.



Robin Collins

Co-Chair, Canadian Network to Abolish Nuclear Weapons

Robin Collins has supported disarmament, global governance and peacekeeping campaigns for 30+ years. He is Co-chairperson of the Canadian Network to Abolish Nuclear Weapons (CNANW) and Secretary of Canadian Pugwash Group. He helped formulate the language for CPG and CNANW policy regarding NATO members signing the Treaty on the Prohibition of Nuclear Weapons. Collins helped develop the Group of 78's 2016 policy paper, "The Shift to Sustainable Peace and Common Security." He is Secretary of the World Federalist Movement - Canada, and focuses there on UN peacekeeping, a UN Emergency Peace Service, and Responsibility to Protect.

While Board Chair of Mines Action Canada, he was primary author of MAC's position paper on cluster bombs, and initiated a national landmine action technology competition for engineering students.

Robin works professionally in the microscopy technology field, and has a lifelong interest in history, biology and the environment.



Bonnie Docherty

Associate Director, Armed Conflict and Civilian Protection, Lecturer on Law, International Human Rights Clinic, Harvard Law School

Bonnie Docherty is Associate Director of Armed Conflict and Civilian Protection and a Lecturer on Law at Harvard Law School's International Human Rights Clinic. She has worked on humanitarian disarmament since 2001 as lawyer, field researcher, and scholar.

Docherty was actively involved in the negotiations of the 2017 Treaty on the Prohibition of Nuclear Weapons. She played a key role in ensuring that the treaty included provisions on victim assistance and environmental remediation, and she provided legal advice to the International Campaign to Abolish Nuclear Weapons (ICAN), which received the 2017 Nobel Peace Prize. Since the treaty's adoption, Docherty has promoted strong interpretation and implementation of the treaty's positive obligations and developed legal arguments to support universalization efforts.

Docherty has worked on numerous other disarmament issues, including fully autonomous weapons, cluster munitions, incendiary weapons, and explosive weapons in populated areas, and has helped craft principles for addressing the environmental effects of armed conflict.



Peter Herby

Consultant on humanitarian based arms control and disarmament, Coppet, Switzerland; Head of the Arms Unit, International Committee of the Red Cross (1998-2012)

Peter Herby is a consultant on humanitarian-based arms control and disarmament issues based near Geneva, Switzerland. Since 2012, he has supported work in this field by the Red Cross and Red Crescent Movement, UN bodies, academic institutes and civil society organisations.

Herby worked for the International Committee of the Red Cross (ICRC) from 1994 until 2012 and was head of the Arms Unit in the Legal Division for 14 years. He directed the disarmament and arms control programme of the Quaker United Nations Office in Geneva from 1983 through 1993. He has written and spoken extensively on arms control and the norms of humanitarian law applicable to the use of arms. Since 1983 his work in Geneva has promoted the development and implementation of international treaty norms on chemical, biological and nuclear weapons, landmines, cluster munitions, blinding laser weapons, "non-lethal" weapons, explosive remnants of war, arms transfers and small arms.

Mr. Herby holds Masters Degrees in International Relations from the University of Cambridge (UK, 1992) and in Peace and Conflict Studies from the University of Bradford (UK, 1979). His first degree (BA) was from Georgetown University (US) in 1974.



Erin Hunt

Programme Manager, Mines Action Canada

Erin Hunt is the Program Manager at Mines Action Canada. She has been doing public education on the Ottawa Treaty banning landmines since 2003 and working in humanitarian disarmament in various capacities since 2006. Erin's areas of expertise include the humanitarian impact of indiscriminate weapons, victim assistance, gender in disarmament and Canadian disarmament policy. Erin was a member of the civil society negotiating team during the 2017 process to negotiate the Treaty on the Prohibition of Nuclear Weapons with the Nobel Peace Laureate International Campaign to Abolish Nuclear Weapons. She has a Bachelor's Degree in Political Science from the University of Victoria and a Masters Degree in Human Security and Peacebuilding from Royal Roads University.



Cesar Jaramillo

Conference Rapporteur; Steering Committee Member, Canadians for a Nuclear Weapons Convention; Executive Director, Project Ploughshares;

Chair, Canadian Pugwash Group

Cesar Jaramillo is executive director at Project Ploughshares and Chair of the Canadian Pugwash Group. His focus areas include nuclear disarmament, outer space security, the protection of civilians in armed conflict, emerging military technologies and conventional weapons controls. As an international civil society representative, Cesar has addressed, among others, the UN General Assembly First Committee, the Conference on Disarmament, the UN Committee on the Peaceful Uses of Outer Space, as well as states parties to the Nuclear Non-Proliferation Treaty and to the Arms Trade Treaty. Cesar attended the series on conferences on the humanitarian impact of nuclear weapons that preceded negotiations on the Treaty on the Prohibition of Nuclear Weapons and the negotiations themselves. He has given guest lectures and presentations at academic institutions such as New York University, the National Law University in New Delhi, the China University of Political Science and Law in Beijing, and the University of Toronto. Cesar graduated from the University of Waterloo with an MA in global governance and has bachelor's degrees in political science and in journalism.

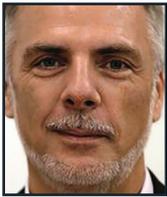


Daryl G. Kimball

Executive Director, Arms Control Association

Daryl G. Kimball has been a leading figure in the nuclear disarmament field for three decades. Since 2001 has served as the executive director of the Arms Control Association which is a research and policy advocacy organization based in Washington that is dedicated to eliminating the threats posed by the world's most dangerous weapons: nuclear, chemical, biological, and indiscriminate types of conventional weapons, such as landmines. The Arms Control Association publishes the monthly journal Arms Control Today.

Over the years, Daryl has led civil society campaigns to defeat new nuclear weapons projects, support the negotiation and approval of key nonproliferation, arms control and disarmament agreements, and has organized media, lobbying and public education campaigns against nuclear weapons production and testing, and spearheaded research projects on the health and environmental impacts of the nuclear arms race.



Ambassador Alexander Kmentt

President-designate of the First Meeting of States Parties of the Treaty on the Prevention of Nuclear Weapons (TPNW); Director of Disarmament, Arms Control and Non-Proliferation, Austrian Ministry of Foreign Affairs

Alexander Kmentt is the Director of the Disarmament, Arms Control and Non-Proliferation Department of the Austrian Foreign Ministry and President-designate of the First Meeting of States Parties to the TPNW in early 2022.

From 2016-19, Alexander Kmentt served as Ambassador and Permanent Representative to the Political and Security Committee of the EU. He has worked extensively on disarmament issues, including at the Conference on Disarmament and in the CTBTO in Vienna. He is one of the architects of the initiative on the humanitarian impact of nuclear weapons and the Treaty on the Prohibition of Nuclear Weapons (TPNW). He was responsible for the 2014 Vienna Conference on the Humanitarian Impact of Nuclear Weapons for which he conceived the Humanitarian Pledge. This Pledge garnered the support of 135 States and paved the way for the 2017 TPNWs. He was elected "Arms Control Person of the Year 2014" by the US-based Arms Control Association.

During a sabbatical in 2019-20 as Senior Research Fellow at King's College London, he wrote a book on the Humanitarian Initiative and the TPNW, which was published publication in May 2021. Alexander Kmentt holds an Austrian Law Degree and an MPhil in International Relations from Cambridge University (UK).



Tamara Lorincz

Ph.D. Candidate, Balsillie School of International Affairs, Wilfrid Laurier University

Tamara Lorincz is a PhD candidate in Global Governance at the Balsillie School for International Affairs at Wilfrid Laurier University. She has a Masters in International Politics & Security Studies from the University of Bradford and a Law degree and MBA specializing in environmental law and management from Dalhousie University. Her research is

on the climate and environmental impacts of the military. She's a member of the Canadian Voice of Women for Peace and the Women's International League for Peace and Freedom. Tamara is also on the advisory committee of the Global Network Against Weapons and Nuclear Power in Space, World Beyond War and the No to NATO Network.



Peggy Mason

President, Rideau Institute; Former Canadian Ambassador for Disarmament to the United Nations

Peggy Mason is the President of the Rideau Institute, an independent, non-profit think tank focusing on research and advocacy in foreign and defence policy. She brings a progressive voice to issues ranging from the imperative of nuclear disarmament to the centrality of UN conflict resolution, appearing regularly in the blogosphere and other media. Her career highlights diplomatic and specialist expertise in the field of international peace and security, with a particular emphasis on the United Nations, where she served as Canada's Ambassador for Disarmament from 1989 to 1995. Prior to that appointment, she was a senior International Security Advisor to Canada's then Foreign Minister.

Peggy Mason is a proud member of several NGO's including the Group of 78, Canadian Pugwash Group and the Advisory Board of the Institute on Peace and Diplomacy.

Inducted into the University of Ottawa Common Law Honour Society in 2003, Mason received the 2016 Achievement Award from Canadians for a Nuclear Weapons Convention for her ongoing commitment to a nuclear-free world.



Paul Meyer

Fellow in International Security and Adjunct Professor of International Studies Simon Fraser University; Senior Advisor to ICT4Peace; Director, Canadian Pugwash Group; Former Ambassador and Permanent Representative of Canada to the United Nations and the Conference on Disarmament in Geneva

Paul Meyer is Fellow in International Security and Adjunct Professor of International Studies at Simon Fraser University in Vancouver (since 2011). Previously, Mr. Meyer had a 35-year career with the Canadian Foreign Service, including serving as Canada's Ambassador to the United Nations and to the Conference on Disarmament in Geneva (2003-2007). He is a Senior Advisor to ICT4Peace and a Director of the Canadian Pugwash Group. He teaches a course on diplomacy at SFU and writes on issues of nuclear non-proliferation and disarmament, space security and international cyber security.



Kirsten Mosey

Assistant to the Rapporteur

Kirsten Mosey is in her final term of undergraduate studies at the University of Waterloo in Political Science. Kirsten has worked for various peace organizations before and during her university career, including aid work in refugee camps in Greece in 2016.

In June 2020, she was chosen as one of 10 UN Youth Champions for Disarmament with the Office for Disarmament Affairs. Throughout the program, Kirsten has had the opportunity to learn from experts in disarmament fields, address the Conference on Disarmament in August 2021, and authored the e-booklet, *An Intersectional Guide to Disarmament*. Kirsten spent her final co-op term with Project Ploughshares in early 2021, focusing on the intersections of forced migration and disarmament.



Professor John C. Polanyi, C.C.*

Nobel Laureate (Chemistry, 1986); University Professor Emeritus, University of Toronto; Founding Chair of Canadian Pugwash Group

John's laboratory studies the molecular motions in chemical reactions taking place at surfaces. His group is one of the few using Scanning Tunneling Microscopy to reveal the manner in which individual molecules are transformed by surface reaction. This understanding is fundamental to catalysis. The group makes movies showing how the molecules move. John's spare time interests have included meddling in public policy, such as ensuring that scientists have the freedom necessary for making discoveries, and also that national governments refrain from posturing that could lead to nuclear war. He has published more articles on these topics than on science, to modest effect, but that doesn't seem to deter him.



Professor M.V. Ramana

Simons Chair in Disarmament, Global and Human Security and Director of the Liu Institute for Global Issues, School of Public Policy and Global Affairs, University of British Columbia

M.V. Ramana is the Simons Chair in Disarmament, Global and Human Security and Director of the Liu Institute for Global Issues at the School of Public Policy and Global Affairs, University of British Columbia in Vancouver, Canada. He is the author of *The Power of Promise: Examining Nuclear Energy in India* (Penguin Books, 2012) and co-editor of *Prisoners of the Nuclear Dream* (Orient Longman, 2003). Ramana is a member of the International Panel on Fissile Materials, the Canadian Pugwash Group, the International Nuclear Risk Assessment Group, and the team that produces the annual World Nuclear Industry Status Report. He is the recipient of Guggenheim Fellowship and a Leo Szilard Award from the American Physical Society.



Tariq Rauf

Independent Consultant and Expert on Nuclear Non-Proliferation Policy; Former Head of Verification and Security Policy International Atomic Energy Agency and Alternate Head IAEA NPT Delegation

Tariq Rauf was a Member of the Group of Eminent Persons for Substantive Advancement of Nuclear Disarmament established by the Minister of Foreign Affairs of Japan; Consulting Advisor to the Executive Secretary of the Comprehensive Nuclear-Test-Ban Treaty Organization; Director, Disarmament, Arms Control and Non-Proliferation Programme, Stockholm

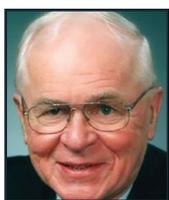
International Peace Research Institute; Senior Advisor to Chair of Main Committee I (nuclear disarmament) 2015 NPT Review Conference and to Chair of 2014 NPT Preparatory Committee; Head of Verification and Security Policy Coordination, Office reporting to Director General, International Atomic Energy Agency (IAEA), Alternate Head of the IAEA Delegation to NPT Conferences, IAEA Liaison and Point-of-Contact for Nuclear Suppliers Group, Committee UNSCR 1540; Coordinator of IAEA Multilateral Approaches to the Nuclear Fuel Cycle; and responsible for the IAEA Forum on Experience of Nuclear-Weapon-Free Zones Relevant for the Middle East; Non-Proliferation Expert/Advisor with Canada's delegations to NPT Conferences.



Ernie Regehr O.C.*

Chair, Steering Committee Canadians for a Nuclear Weapons Convention; Senior Fellow in Arctic Security and Defence, The Simons Foundation Canada; Research Fellow, Centre for Peace Advancement, Conrad Grebel University College, University of Waterloo; Co-Founder and former Executive Director, Project Ploughshares

Ernie Regehr is Senior Fellow in Arctic Security and Defence with The Simons Foundation Canada, and is Research Fellow at the Centre for Peace Advancement, Conrad Grebel University College, University of Waterloo. He is co-founder and former Executive Director of Project Ploughshares and currently chairs the Steering Committee of Canadians for a Nuclear Weapons Convention. His publications include books, monographs, journal articles, policy papers, parliamentary briefs, and op-eds. Ernie has served as an NGO representative and expert advisor on Government of Canada delegations to multilateral disarmament forums, including Review Conferences of the Nuclear Non-Proliferation Treaty and UN Conferences on Small Arms. He is an Officer of the Order of Canada.



The Hon. Douglas Roche, O.C.*

Steering Committee Member, Canadians for a Nuclear Weapons Convention; Former Canadian Senator and Parliamentarian; Former Canadian Ambassador for Disarmament; Founder and Chair Emeritus, Middle Powers Initiative

Hon. Douglas Roche, O.C., is an author, parliamentarian and diplomat, who has specialized throughout his 50-year public career in peace and human security issues. Mr. Roche was a Senator, Member of Parliament, Canadian Ambassador for Disarmament, and Visiting Professor at the University of Alberta. He was elected Chairman of the United Nations Disarmament Committee at the 43rd General Assembly in 1988. In 2018, the International Peace Bureau awarded him the prestigious Sean MacBride Prize for his "indefatigable work, in particular as President of the UN Association and, as Ambassador for Disarmament during the height of the Cold War, helped maintain strong Canadian public support for the ideals of multilateralism in one of the most turbulent times in modern history." The author of 23 books, his latest is *Recovery: Peace Prospects in the Biden Era*. Mr. Roche holds nine honorary doctorates from Canadian and American universities. In 2009, he received the Distinguished Service Award of the Canadian Association of Former Parliamentarians.



Dr. Randy Rydell

Executive Advisor, Mayors for Peace; Former Senior Political Affairs Officer, United Nations Office for Disarmament Affairs

Randy Rydell is an Executive Advisor of Mayors for Peace. He retired in 2014 as Senior Political Affairs Officer in the UN Office for Disarmament Affairs, where he advised five UN Under-Secretaries-General for Disarmament Affairs (1998-2014). He served as Report Director of the Weapons of Mass Destruction Commission (Blix Commission) in 2005-2006 and was a Visiting Lecturer at Princeton's Woodrow Wilson School (1998-1999 and 2009-2010). He received the "Unsung Heroes" award in 2009 from the Center for Non-Proliferation Studies at the Monterey Institute for International Studies. He remains Principal Trumpet in the UN Symphony Orchestra. He was a non-proliferation advisor to US Senator John Glenn (1987-98), and an international political analyst at the Lawrence Livermore National Laboratory (1980-1986). He received a B.A at the University of Virginia (1973), M.Sc. at the London School of Economics and Political Science (1974), and an M.A. (1978) and Ph. D. (1980) from Princeton.



Alicia Sanders-Zakre

Policy and Research Coordinator, International Campaign to Abolish Nuclear Weapons

Alicia Sanders-Zakre is the Policy and Research Coordinator at the International Campaign to Abolish Nuclear Weapons. She conducts and coordinates research on the Treaty on the Prohibition of Nuclear Weapons, the humanitarian impact of nuclear weapons and general nuclear weapons policy. Previously, she worked at the Arms Control Association and at the Brookings Institution. She has published over 100 news articles, editorials and reports on nuclear weapons, including in the Guardian, the Baltimore Sun, Arms Control Today, the Bulletin of the Atomic Scientists and the National Interest. She has also provided expert analysis for several newspapers and radio programs, including Bloomberg, Democracy Now! and Deutsche Welle (DW) radio.



Dr. Tom Sauer

Professor in International Politics, University of Antwerp, Belgium; Former Fellow, John F. Kennedy School of Government, Harvard University

Tom Sauer is Professor in International Politics at the Universiteit Antwerpen (Belgium). Sauer is specialized in international security, and more in particular in nuclear arms control, proliferation, and disarmament. He has published nine books, dozens of academic journal articles and more than 200 opinion articles. His latest co-edited book is titled *Non-Nuclear Peace. Beyond the Nuclear Ban Treaty* (Palgrave, 2020). Other books include *Nuclear Arms Control* (Palgrave, 1998); *Nuclear Inertia. US Nuclear Weapons Policy after the Cold War* (I.B.Tauris, 2005); *Nuclear Elimination. The role of Missile Defense* (Hurst & co, 2011), and *Nuclear Terrorism* (Routledge, 2016, co-edited). He is a former BCSIA Fellow at the John F. Kennedy School of Government at Harvard University (US), and an active member of the Pugwash Conferences on

Science and World Affairs. Sauer is a Board member of the Flemish Peace Institute, and Pax Christi Flanders. He received the 2019 Alumni Global Service Award of Rotary International.



Dr. Jennifer Allen Simons C.M.*

Founder and President, The Simons Foundation Canada; Steering Committee Member, Canadians for a Nuclear Weapons Convention; Founding Partner, Global Zero

Jennifer Allen Simons, C.M., Ph.D., LL.D. is Founder and President of The Simons Foundation Canada, an innovative private foundation based in Vancouver committed to advancing positive change through education in peace, disarmament, international law, and human security. Dr. Simons is an Adjunct Professor with Simon Fraser University's School for International Studies and Senior Visiting Fellow and Dialogue Associate at SFU's Morris J. Wosk Centre for Dialogue. Dr. Simons is a Founding Partner of Global Zero, a Council Member of Pugwash Conferences on Science and World Affairs, a member of the Steering Committee of Canadians for a Nuclear Weapons Convention (CNWC), a Patron of Initiatives pour le Désarmement Nucléaire – IDN (Nuclear Disarmament Initiative – NDI). She has been instrumental in the establishment of a number of important non-governmental organizations, and has worked with many other NGOs, multilateral institutions and educational centres on a common agenda.



Dr. Jessica West

Senior Researcher, Project Ploughshares

Dr. Jessica West is a Senior Researcher at Project Ploughshares, a Canadian peace and security research institute. Her research and policy work is interested in technology, security, and governance with a particular focus on peace and security in outer space. She holds a PhD in global governance and international security from the Balsillie School of International Affairs at Wilfrid Laurier University.

OPENING REMARKS

Jennifer Allen Simons, C.M., Ph.D., LL.D.

Ottawa, 29 November 2021

Good Evening,

My name is Jennifer Allen Simons. I am Founder and President of The Simons Foundation Canada, and member of Canadians for a Nuclear Weapons Convention – the CNWC – convenor of this conference.

I welcome you on behalf of The Simons Foundation and the CNWC to this evening's event.

First of all, I would like to thank Elaine Hynes - my faithful Assistant and Manager of the Foundation's programmes - who, from her desk in Vancouver, has organized all the practical aspects - of this Conference. – and dealt, with fortitude, all the frustrating ever-changing COVID elements. Thank you, Elaine!

The evening will begin with the presentation of The Simons Foundation Award for Distinguished Global Leadership in the Service of Peace and Disarmament to our guest of honour, Ambassador Alexander Kmentt, President-designate of the First Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons, and the Director of Disarmament, Arms Control and Non-Proliferation, Austrian Ministry of Foreign Affairs, who has honored us by accepting our Award.

Following the presentation, I will invite Ernie Regehr, Chair of the CNWC to open the Conference, and to invite Ambassador Kmentt to give the Conference Keynote Speech. We will then adjourn for a Reception which, regrettably, is subject to COVID Regulations.

The first recipient of The Simons Foundation Award was the Honorable Lloyd Axworthy, Companion of the Order of Canada, former Minister of Foreign Affairs, and a lifelong, indefatigable proponent of nuclear disarmament. And regret that, at the last minute, was forced to withdraw from this conference.

As Canada's Minister of Foreign Affairs Lloyd Axworthy introduced Human Security as a new foreign policy paradigm - the transformation from a state-focused security agenda with "war as a legitimate and inevitable instrument of national policy"¹ to a human-centred approach – a moral, ethical, human security political paradigm, shaped and strengthened by International Law.

While this is no longer Canada's foreign policy, Dr. Axworthy's commitment to Human Security has never wavered and his legacy assured for all time – for his responsibility for the key role Canada played in establishing the International Criminal Court; for the Mine Ban Treaty; the Convention on Cluster Munitions; and the UN mandated Responsibility to Protect for the prevention genocide, war crimes, ethnic cleansing and crimes against humanity - all issues so relevant to the Treaty for the Prohibition of Nuclear Weapons.

The concept of human security has its origins in emerging war law - the 1899 Hague Conventions - International Humanitarian Law – an oxymoronic concept of humane ways to kill people – banning the

1 Geoffrey Robertson, *"Crimes Against Humanity, 199*

use of dum-dum bullets because they explode on contact with a human.

Yet, since 1945 to the present - for 77 years - we, the people of world, have lived endangered by weapons of power so immense it would cause human and environmental destruction on such an astronomical scale, that the law protecting one individual soldier from a dum-dum bullet in war is risible.

It is essential to understand that it is a fallacy to think of nuclear weapons as weapons of war.

In the words of the late Professor Hans Morgenthau: weapons of war prior to Hiroshima were tools of engagement between two warring parties, after which one would be defeated and the other emerge the winner. A nuclear device, he said, is not a weapon but "an instrument of unlimited, universal destruction" – nuclear war is not war, but – to quote him - "suicide and genocide ... a self-defeating absurdity."

We are all collateral damage in the event of a nuclear war, or of an accident, an accidental, malicious or deliberate launch of a nuclear weapon. We are subjected to the false narrative of safety through the policy and practice of Nuclear Deterrence, purported to protect us from nuclear danger, yet in reality, with no foundation in truth.

Nuclear deterrence is an illusion and a dangerous game –involving the potential mass murder of millions of innocent civilians.

Nuclear deterrence means the threat – the intention to use nuclear weapons, and because some states have nuclear weapons deployed and on high alert status this is no empty threat. Nuclear deterrence is a chimera, and a camouflage for the research, development, manufacture, and deployment of nuclear weapons; and an excuse for states to upgrade and multiply their nuclear weapons.

This policy originated during the Cold War and involved two countries continually vying for dominance, expanding their arsenals; but also engaged in risk management practices which relied on knowledge of each other's forces, rational calculations – calculations of risk, and of risk-taking; and as new technologies emerged, a constant ever-increasing flow of risk reduction measures.

Instead of two states there are now nine states with nuclear weapons all with deterrence policies. So much is dependent - for the safety of humanity - upon the rationality of nine leaders who, rather than competing for global supremacy, adhere to the global rules-based order regulated by International Law. Moreover, it is dependent upon the security – the invulnerability - of nine Command and Control Systems and the arsenals.

During the Cold War weapons and weapon-related technology was the domain of the military. With the digital revolution, innovation and development of war fighting technology has shifted from the military domain to the private sector which creates new uncertainties - new hazards.

Moreover, this rapidly accelerating technological change and innovation has engendered additional dangers – and an unacceptable level of risk. Not enough attention is being paid to these emerging technologies- to "deep fake technology, satellite jamming and spoofing systems," to dynamic anti-satellite capabilities, and "artificial intelligence-powered cyber operations"² all of which are outpacing deterrence policy initiatives and for which there is no 'quick fix.'

Each new purported deterrence measure - animated by paranoia - thus is always both shield and

2 www.europeanleadershipnetwork.org/commentary/emerging-technologies-and-nuclear-stability, p.5, p.6

sword - triggers a chain reaction, fueling the arms race. Each development is followed by its counter; for example, missile defence is countered by anti-satellite weapons, its capability demonstrated recently by Russia; and weapons like the new Chinese missile defence evading super-glide hypersonic missile - and so it goes on.

Deterrence policy and practice demands immense financial, and human resources, requiring employment for thousands engaged in the Sisyphean task of ensuring crisis stability – protecting its vulnerable systems - endeavoring to legislate a never-ending spiral of risk reduction measures,³ in order to prevent the failure of nuclear deterrence policy that would result in the catastrophic consequences for humanity we so much fear.

At some point it is bound to fail, and the consequence of failure would be a state-engendered crime and intolerable for humanity. Nuclear Deterrence policy and practice is a form of state terrorism which transforms the world - to paraphrase President Kennedy - into a prison in which men, women and children await their execution.

While there are no facts - no grounds for belief - in the success of deterrence theory, there is an immense body of proof of the catastrophic consequences if deterrence fails – verifiable, undeniable evidence amassed from the disastrous aftermath – of the manufacture, the use and the testing of nuclear weapons.

We have evidence of the consequences suffered by Hanford Munitions factory workers, their families and “downwinders”⁴ - “firsthand accounts of radiation exposure and its harrowing lifelong health effects - cancers, thyroid disorders, autoimmune disease, neurological disorders, infertility, miscarriages, stillbirths, and neonatal deaths Lambs born with all kinds of horrible deformities ...without eyes, with feet missing, without mouths, some with legs grown together.” And a few years after this particular event, the sheep farmer’s first child was born without eyes.⁵

We have evidence of the consequences from the bombing of Hiroshima. And I will read a segment from former International Committee of the Red Cross, President Jakob Kellenberger’s eloquent and devastating statement, in which he quoted from the report of the International Committee of the Red Cross delegate and the first foreign doctor in Hiroshima, Dr. Junod:

“According to witnesses ... in a few seconds after the blast “thousands of human beings in the streets and gardens in the town centre, struck by a wave of intense heat, died like flies. Others lay writhing like worms, atrociously burned. All private houses, warehouses, etc., disappeared as if swept away by a supernatural power. Trams were picked up and hurled yards away, as if they were weightless; trains were flung off the rails (...). Every living thing was petrified in an attitude of acute pain.”⁶

The entire medical system and services were destroyed. Only 30 Of the 300 doctors in Hiroshima survived. Ninety-three percent of the nurses and eighty percent of the pharmacists died.

3 transparency, bridge-building, dialogue, negotiations, treaty development, agreements, codes of conduct, Confidence Building Measures, Declaratory Statements

4 from Trisha Pritiken, lawyer survivor, albeit with thyroid cancer, daughter of an engineer in the Hanford Munitions plant

5 <https://nuclear-news.net/2020/07/11/>

6 www.icrc.org/en/doc/resources/documents/statement/nuclear-weapons-statement=200410.htm , Statement by Jakob Kellenberger, President of the ICRC, [to the Geneva Diplomatic Corps, Geneva, 20 April 2010]

We have more evidence from the nuclear weapons tests in Nevada and New Mexico; of children diagnosed and dead from leukaemia. Adults suffered and many died from several forms of cancer. Thousands of sheep died within two months of the tests and their deaths blamed on everything but radioactive fallout.

One and a half million citizens were exposed to the radioactive fallout from the nuclear tests in Kazakhstan. Hundreds of thousands of these people died or suffered from life-long debilitating illnesses. The devastating effects of the fallout altered the genetic code, and has affected the health of three generations so far, and jeopardized the lives of future generations.

Your Excellency Ambassador Kamaldinov, our deepest sympathy to you and to the people of Kazakhstan for the calamitous destruction inflicted on your people and your country.

The radioactive fallout from the testing in the Marshall Islands had identical consequences to those of Kazakhstan: destroying essential food sources, livelihoods, and the lives of so many – with deaths from leukaemia, brain tumours, thyroid, other forms of fatal cancers; and the birth of babies so severely deformed that they could not go by that name - but were “monsters” with two heads, entities like bunches of grapes, and jellyfish babies with no bones; and others transparent – their brains and beating hearts visible for the day or two they survived.

Sixty-five years after the final nuclear test in the Marshall Islands -the U.N. Human Rights Council sent a Special Rapporteur on a fact-finding mission. He found the people living like nomads and still suffering from long-term health effects.⁷

I have dwelt at length on this tragic history in an attempt to entrench in our minds these devastating events, because, as psychologists will tell you, the continuous repetition of words - in this case “catastrophic consequences for humanity” – becomes devoid of content, emptied of meaning, of deep, feeling knowledge.

As Albert Schweitzer says “We have talked for decades with ever increasing light-mindedness about war and conquest, as if these were merely operations on a chess-board.”

Human security - that is humans’ security -can be no more than an illusion as long as nuclear war strategies are the cornerstones of defence policies and nuclear arsenals exist.

What more evidence do we need to convince our government in Canada and in all countries in the world, that their citizens are held hostage to these genocide weapons – weapons of destruction on such a scale – that possession and the threat of use goes against the universal norms of ethics and morality – the right to life and the freedom from fear.

Regrettably, because of its support for NATO’s nuclear deterrence policy and its membership in the NATO Nuclear Planning group, Canada is in violation of the Universal Declaration of Human Rights inherent Right to Life principle. Moreover, Canada is not in compliance with Article 6 of the International Covenant on Civil and Political Rights, October 30th, 2018 General Comment:

“The threat of use of weapons of mass destruction, particularly nuclear weapons, which are indiscriminate in effect and are of a nature to cause destruction of human life on a catastrophic scale, is incompatible with the respect for the right to life and may amount to a crime under international law.”

Canadians citizens do not want to be complicit in Canada's violation of international law. We do not support the policy of nuclear deterrence and its potential for genocide.

We call on Canada, as a signatory of the International Covenant on Civil and Political Rights, to honour its obligations - to implement its provisions in good faith.

Moreover, to maintain its principles - to honour its legal Treaty commitments. And we call on Canada to compromise on the political provisions and withdraw its support of NATO nuclear deterrence - for Canada to sign the Treaty on the Prohibition of Nuclear Weapons and work within NATO to bring to fruition NATO's commitment "to the goal of creating the conditions for a world without nuclear weapons."⁸ - a goal recommended in 2018 by Canada's National Defence Committee.

We have to move forward and not rest until nuclear weapons are eliminated. It is time to permanently stand-down all nuclear forces - both the weapons and those Sisyphean humans perpetually engaged in the ever-increasing measures essential to prevent the risks of a nuclear detonation or a nuclear war.

The time has passed for declaratory measures such as the affirmation of Mikhail Gorbachev's and Ronald Reagan's joint statement that "A nuclear war cannot be won and must never be fought." These are empty words. It is time - past time - for action. The only way to reduce the risk of a nuclear detonation is to eliminate and destroy all nuclear weapons, with stringent transparency and verification measures in place, to ensure that nuclear weapons are gone forever. A first step is signature and ratification of the Treaty on the Prohibition of Nuclear Weapons.

There are treaties committing countries to Nuclear Weapons-Free Zones but this is not disarmament. This is non-proliferation and arms control management. There are three other treaties banning nuclear weapons in specific places and interestingly, they are places where there are no humans. Article I of the Seabed Treaty prohibits the emplacement of nuclear weapons and other weapons of mass destruction on the seabed and the ocean floor. However, there is no ban on nuclear-powered submarines armed with nuclear weapons.

Article V of the Antarctic Treaty forbids nuclear explosions or disposal of radioactive waste in the Antarctic. So, the penguins are protected!

Article IV of the Outer Space Treaty prohibits nuclear weapons on the moon and other celestial bodies. So, Martians and other extra-territorial beings, if they exist, are protected.

We finally have a treaty to protect humans - the first treaty to recognize the catastrophic consequences to human beings.

The Entry into Force of the Treaty on the Prohibition of Nuclear Weapons on January 22nd of this year is the most significant event for nuclear disarmament since the Gorbachev/Reagan meeting in October 1986 when they proposed to eliminate all nuclear weapons.

Now - thirty-five years later - we have a treaty, and our task is to ensure its universality - to bring the Gorbachev/Reagan proposal to fruition. And thanks in a large part are due to this gentleman here, Ambassador Alexander Kmentt, who will do us honour and accept The Simons Foundation Award for Distinguished Global Leadership in the Service of Peace and Disarmament.

8 <https://toda.org/global-outlook/how-nuclear-dependent-states-could-respond-to-the-entry-into-force-of-the-tpnw.html>

Annex 6

KEYNOTE ADDRESS

Ambassador Alexander Kmentt

Ottawa, 29 November 2021

I would like to thank Dr Jennifer Simons and the Simons Foundation for this Award. This is an incredible honour and not something, that one expects as a diplomat. I am the profiteur of collaborating with so many other brilliant and courageous diplomats from several countries - sometimes taking considerable personal risks - and incredibly committed activists with whom I had to fortune to work. The personal relationships that emerged in this work together are among my most cherished and gratifying professional experiences.

I would like to thank my ministry. I have been privileged to work on these fascinating and crucial issues for humanity and have benefitted always from strong support for this and other initiatives.

My main thanks goes to my wife Rebecca who has made and continues to make it all possible for me with her support and understanding.

It is such an honour to be added to a list of award holders that includes so many personalities that I have greatly admired for many years. Among them is the late Bruce Blair; who did so much – based on his own personal experiences - to highlight nuclear risks and who became one of the most effective advocates against nuclear weapons. His work on nuclear risks helped to make a compelling case for the TPNW.

The Hon. Lloyd Axworthy was the first to receive this award. I have admired his political and diplomatic courage to promote human security, ever since I started working on landmines more than 20 years ago. How he pushed for the mine ban treaty it because it was the right thing to do was an inspiration in pushing for the TPNW.

The stated purpose of this conference is to build a strategy for bringing Canada closer to the TPNW, through re-energized action on disarmament and by challenging nuclear deterrence.

I will make a few points in my statement - my two cents worth as Bruce Blair would have said - that I hope will contribute to the debate in Canada. From my perspective, though, these are points that are applicable in the broader nuclear weapons discourse and not necessarily specific to one country.

- 1) **The credibility and legitimacy deficit of the current nuclear weapons status quo**
- 2) **How the humanitarian consequences and risks of nuclear weapons challenge assumptions and beliefs around nuclear deterrence**
- 3) **How to bring nuclear dependent States closer to the TPNW**

I think it is important for the States that have been critical of the TPNW, to come to terms firstly, with

the degree to which the idea of a nuclear disarmament process in the NPT has lost credibility in the eyes of the vast majority of States. And how, as a result, this has caused a legitimacy crisis for the entire nuclear disarmament and non-proliferation regime, especially the NPT.

Given the actual nuclear weapons policies - from modernization of nuclear weapons infrastructure, development of new types of weapons and long-term investments - there is an obvious cognitive dissonance between “nuclear disarmament rhetoric” and the political reality. How can nuclear disarmament be understood as a shared goal when nuclear-armed States and their allies deem these nuclear weapons essential for international peace, security and stability?

For nuclear-armed states, the shared goal of a world without nuclear weapons does not seem to be much more than a wish for a world in which there were no nuclear weapons in the world. But, since nuclear weapons exist, they need to have these weapons too. The goal does not translate into concrete policies to get to this world. It is difficult to see these States wanting to take transformative steps to actually move away from nuclear weapons reliance. Nuclear disarmament is eternally mired in an unsolvable contradiction, managed conceptually only by viewing nuclear disarmament as an aspirational goal that is achievable in an as yet wholly undefined international security environment in a distant future.

The rest of the international community simply does not believe anymore that nuclear-armed States and their allies are actually pursuing this goal. And, I am confident that the vast majority of NPT member States considers this loss of credibility and legitimacy as the biggest challenge for the NPT - or at least on a par with key non-proliferation challenges.

The reasons why a norm-setting approach to prohibiting nuclear weapons through the TPNW emerged as a viable route forward for a majority of States are twofold: Firstly, it was the one transformational step available to them. Secondly, it emerged precisely because nuclear-armed States are unable or unwilling to demonstrate a sense of urgency or leadership for nuclear disarmament, let alone formulate any credible vision of how a world without nuclear weapons could be achieved.

There are also some consequences that I believe nuclear dependent States ought to draw:

Their own reliance on nuclear weapons and the responsibility for maintaining the nuclear status quo - has also come more to the fore. Lately, we hear of a concerted push by US allies to discourage President Biden from changes to the US nuclear doctrine towards no-first use or sole-purpose. Such policies are enabling the credibility deficit. It is difficult to act credibly as “middle ground states” or “bridge builders”; roles that nuclear dependent States like to occupy for themselves.

It has also consequences for multilateralism more broadly. We, Western democracies, like to project ourselves as defenders of the multilateral order. Maybe it has not quite sunk in but the stance on nuclear weapons is a major Achilles Heel in the multilateralism agenda vis-a-vis the rest of the world since the double standards are so obvious.

The TPNW thus represents a verdict by a very large part of the international community on the credibility and legitimacy deficit on nuclear disarmament. Pressure campaigns, intimidation etc. may be successful in arm-twisting States not to join or to delay joining the TPNW but it does not change this fact. In fact, it only further increases the legitimacy deficit. And without legitimacy, the fight against the proliferation is also fundamentally undermined.

2) How the humanitarian consequences and risks of nuclear weapons challenge assumptions and beliefs around nuclear deterrence

The TPNW is a particular legal response to the evidence on the humanitarian consequences and risks of nuclear weapons. These are that the short-, mid- and long-term consequences of nuclear weapon explosions are not only grave, but even more catastrophic than previously known. The interrelationship of these consequences is not yet fully understood. For non-nuclear weapon States, these grave humanitarian consequences are the risks to which they are exposed, against their will and outside their control. 122 States have expressed this through the adoption of the TPNW, 135 through the “Humanitarian Pledge” and 159 through the joint humanitarian Statement in 2015.

As is well known to this audience, nuclear deterrence theory requires credible nuclear strike and counter-strike capabilities “to impose unacceptable costs on an adversary. It also requires that all actors believe in the resolve that nuclear weapons would be used. Without the double credibility of both capabilities and resolve, nuclear deterrence theory does not work.

At the same time, proponents of nuclear deterrence assume, believe and hope, that the threat alone will suffice to deter, result in rational behaviour of the actors involved and that these capacities will never have to be deployed. In short, the more credible the threat of use is the more non-use is assumed. This leads to what was called “the crazy reality that nuclear deterrence is a scheme for making war less probable by making it more probable”.

However, the key tenet of nuclear deterrence is the threat of the actual use of nuclear weapons. Rather than assuming non-use, it is thus warranted to consider the full range of concrete implications and consequences of actual nuclear weapons explosions.

One can agree or disagree with the legal dimension of the TPNW. However, what we know today about the humanitarian consequences of nuclear explosions and nuclear risks raise profound and legitimate questions that need to be considered.

To what extent, for example, does nuclear planning go beyond the assumption of non-use and its corollary, namely an abstract consideration of the consequences of the use of nuclear weapons? Are counterforce and counter value targeting assessments considered in concrete terms of what the consequences on human beings and societies would really mean? It does not seem to be the case and, certainly, there is little transparency or public discourse about it. Even the horrendous concept of “mutually assured destruction” (MAD) is used colloquially, in the abstract. It is constructed as a validation for nuclear deterrence and deterrence stability and its assumed outcome, namely the non-use of nuclear weapons.

At what level of consequences on the environment, public health, the economy, food security, mass migration migratory movements and a combination of such consequences, would this impact the nuclear deterrence cost-benefit analysis. When would the nuclear deterrence equation start to change? What in terms of humanitarian consequences is acceptable and, especially, for whom and based on what legitimation?

Abstract nuclear weapons use scenarios in nuclear doctrines that are based on evaluations of maintaining strategic stability and actual non-use result in the consideration of the consequences of these weapons that also likely remain abstract. While this abstraction is most likely deliberate, there is also an undeniable danger of a confirmation bias in the assumptions around nuclear deterrence.

The Humanitarian Initiative and the resulting rationale of the TPNW lead to these questions and are a call for a broad and democratic discourse on these fundamental issues of common security.

The legal conclusions drawn in the TPNW are not based on an abstraction but, to the contrary, on a very concrete evaluation of the empirically demonstrable breadth of humanitarian consequences of nuclear weapons, the risks that come with these weapons. This is not the result of definite proof that nuclear deterrence is not effective. It comes after weighing the consequences, risks, uncertainties and possible outcomes. On balance, TPNW supporters have concluded that the humanitarian consequences of nuclear weapons explosions are grave and potentially existential for humanity and the risks of their deliberate, inadvertent or accidental use are unclear but considerable and certainly not negligible. Opponents of the TPNW maintain the security value of nuclear weapons.

However, there is one important aspect where all stakeholders should be able to agree upon, namely that no definitive proof exists for either side of the argument. It can neither be proven that nuclear deterrence has worked in the past or will work in the future, just as much as it cannot be proven that it has not prevented large-scale conflict in the past or will not do so in the future. Ultimately, we assume and project actions, consequences and expected outcomes. Sceptics have characterised nuclear deterrence theory and deterrence stability as “an article of faith.”

A good place to start a more constructive conversation would be to acknowledge the lack of certainty and proof and the fact that there are no absolutes on either side of the argument. In any case, it should be acknowledged that “like any human belief system nuclear deterrence depends on a nest of assumptions”, which carries the risk of overconfidence in one’s own views and a potential confirmation bias.

What are then the prudent policy conclusions that should be drawn from “not knowing”, from the fact that in reality, we are dealing with “bets, beliefs and assumptions”? Given the existential threat that nuclear weapons pose to the survival of humanity, a posited belief in nuclear deterrence seems a very unwise and risky bet. To paraphrase the French philosopher Blaise Pascal, one should ask: “what harm will come to you if you gamble on the truth of nuclear deterrence and it proves false?”

Only a transparent, concrete and inclusive discussion, covering all measurable implications, humanitarian consequences and risks of nuclear weapons would allow a realistic cost/benefit analysis of nuclear deterrence. This would be a discussion that weighs these elements against the assumed security and stability benefits of nuclear deterrence. The Humanitarian Initiative and the TPNW have opened the door for such engagement and the TPNW itself represents a clearly expressed expectation for such a discussion to take place.

So far, we have seen very little engagement on the substantive arguments raised by the Humanitarian Initiative and the TPNW. In fact, any notion or initiative that questions the veracity of the assumptions on which nuclear deterrence is based is objected to as naïve or heretical and not considered on its merits. Breaking through the wall of the nuclear deterrence dogma has been impossible so far. Instead, we have seen an avalanche of criticisms against the TPNW - in my view - exactly to avoid engaging on the TPNW’s underlying arguments on the humanitarian consequences, risk and international humanitarian law. This is not a sustainable strategy, especially for States that want to maintain a credible stance as supporters of nuclear disarmament.

This brings me to my last points: **3) How to bring nuclear dependent States closer to the TPNW?**

First of all, more constructive engagement with the good faith efforts of TPNW States Parties to

promote a world without nuclear weapons would be important. Nuclear dependent States should declare their understanding of the threat perceptions by the vast majority of non-nuclear weapon States because of current nuclear deterrence policies, the ensuing nuclear risks for all humanity and the possible devastating humanitarian consequences. Ultimately, this is a shared concern. The participation as observers in the 1MSP, such as recently decided by Norway and the incoming German government would be an important aspect.

Secondly, nuclear dependent States could declare that they too wish to move away from a nuclear deterrence-based security architecture and understand that this is not a sustainable security policy. While nuclear dependent States may think that they cannot sign the TPNW right now for political reasons, reducing their reliance on and moving away from nuclear deterrence could be formulated as a clear policy goal and an urgent priority and not a far distant objective to be considered seriously in an unknown future security environment.

This would open the door for a more constructive and broad dialogue on the sustainability of nuclear deterrence. This broader and more inclusive discussion on nuclear weapons and collective security is needed and should be pursued at the international level at a pace and with a sense of importance commensurate with the global threat that nuclear weapons constitute.

Such dialogue should address inter alia the questions that I mentioned before:

In 2010, in its strategic concept, NATO stated that “as long as nuclear weapons exist, NATO will remain a nuclear alliance”. This is an often-cited quote to underscore NATO’s opposition to the TPNW. The logical corollary of this statement is, of course - and here I am quoting Paul Meyer - that “nuclear weapons will exist as long as NATO remains a nuclear alliance”.

The preceding sentence in NATO’s strategic concept “commits NATO to the goal of creating the conditions for a world without nuclear weapons”. Arguably, initiating credible discourse and movement away from reliance on nuclear weapons and nuclear deterrence would help create these conditions, probably more than anything else. It is logical in my opinion that such an impetus should come, firstly, from within the strongest military alliance and, secondly, be the result of broad societal and democratic processes. Positive change on the vexed nuclear weapons issue is most likely going to come from democratic states. Such discussions even if they are arduous and contentious are exactly the strength of democratic systems.

Albert Einstein in 1947 has warned that (t)he basic power of the universe cannot be fitted into the outmoded concept of narrow nationalisms. For there is no secret and there is no defense; there is no possibility of control except through the *aroused understanding and insistence of the peoples of the world (...) and that* our only (is) that an informed citizenry will act for life and not death.

I firmly believe in the transformational potential of the TPNW and its underlying humanitarian rationale to achieve just that.

Annex 7

LUNCHEON ADDRESS

John Polanyi, C.C.

Ottawa, 30 November 2021

Science and the UN Nuclear Weapons Ban

With 20 million killed in the First World War and 60 million in the Second World War, mankind showed it could mass-produce death. Then, A-bombs increased the power of weaponry a thousand-fold. H-bombs a millionfold. The world took note and in a bold move reduced the number of nuclear weapons to a few thousand.

That is the good news. The bad news is that this residue can destroy civilizations.

How did this new world come into being?

It owes its existence to the power of modern science. But that is also good news; it testifies to the ability of the international community to co-operate while competing fiercely.

For science is highly competitive, while being supremely co-operative. Rarely today does a scientific paper have a single author. And when it does, the list of references makes clear its indebtedness to others.

Isaac Newton's claim to be standing on the shoulders of giants was genuine. Science shows the ability of competitors to share. Applied to the world at large, that would be transformative.

But how do we combine competition with collaboration? This happens in societies linked by trust. Only occasionally can scientists stop to verify others' findings. For the most part, they believe their colleagues.

The success of science shows that the trust is well-placed. The widespread desire for freedom to speak the truth also applies to science. We make the penalty for falsehood severe; it is life-long banishment from science.

The trust that exists between colleagues carries an important message: we are all valid observers. Testament to this came from the acceptance of Albert Einstein, a stateless patent clerk, as having the right to challenge science's highest authorities. This affirmed the most fundamental of human rights: the right to be heard.

Tyrannies hold to a different ethic. For them the truth takes second place to utility. Accordingly, they prove inhospitable to science.

A century ago, German science reigned supreme. But within a decade the Nazis destroyed it. Characteristically, the science they put in its place – racial purity – was spurious. Communism’s false science was that of unending class struggle. Societies that elevate doctrine over truth soon lose sight of the truth.

That is why there is fear today of China. The fear extends to the possibility that it might blunder into war with Taiwan. President Joe Biden stated that U.S. support for Taiwan is “rock solid.” So, too, we are told, is President Xi Jinping’s claim to Taiwan.

Where will the world shelter if these nuclear powers come to blows?

The contending parties are bound by the UN Charter, making aggression a crime. In 1945, following two world wars and the Nuremberg trials, the world demanded an end to “might as the arbiter of right.”

For might is bereft of reason. Reason gave us science; laws of nature and some laws of man. From this came courts where laws are argued. There is a profound difference between that and drawing a gun.

To set aside the gun will, however, require an act of will, opposing the continual call for armaments. The rationale for arming is that others do it. This defies logic, since it is a race to no destination except war.

A turning away from war is evidenced by the decline in interstate violence over the past three-quarters of a century. Objectively, the peace movement is winning.

The aim must be to revitalize the peace movement by issuing a challenge to “ban the bomb” – not merely figuratively, but legally. The legislation exists. It is the UN Treaty on the Prohibition of Nuclear Weapons, which came into force this year, backed by 122 states (but not yet by any nuclear-weapon states, or Canada).

Such laws have been proposed before, and laughed at. “Not so fast,” their proponents were told. But soon they found that “little by little” meant never. They needed to make a break with history.

One such break ended the burning of heretics, another ended murders sanctioned as duels, a third ended torture en route to slavery.

And then, as now, humanity cried out again for change.



| View of the Hiroshima Peace Memorial in Hiroshima, Japan.



**Canadians for a
Nuclear Weapons Convention**



**Rassemblement canadien pour une
convention sur les armes nucléaires**