



Parliamentary Forum on Nuclear Disarmament:

Implementing the 2010 Unanimous Motions in the House of Commons and Senate

Background brief

Prepared by Ernie Regehr, O.C.
On behalf of Canadians for a Nuclear Weapons Convention

5 December 2011
Room 853
131 Queen Street, Ottawa

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Introduction

On 7 Dec 2010 and 2 June 2010 the House of Commons and Senate each passed a unanimous motion (Hansard records in Appendix II) in support of a statement on nuclear disarmament by a group of recipients of the Order of Canada (Appendix I), in support of the UN Secretary-General's five-point nuclear disarmament plan, and to encourage a significant Canadian diplomatic initiative to advance global disarmament and non-proliferation efforts.

The 5 December 2011 Parliamentary Forum will continue discussion, in the context of a newly-elected House of Commons, on effective implementation of the Parliamentary motion and will offer an important opportunity for MPs and Senators from all parties to engage on nuclear non-proliferation and disarmament issues more broadly.

The following background brief is intended as an aid to the discussions. Section I documents the extent to which a legal commitment to total nuclear disarmament already exists; Section II reviews the level of agreement that has been reached on a broad disarmament agenda; Section III reviews the emerging recognition of the importance of bringing all these elements together under a single convention or framework; and Section IV explores possible Canadian action to implement the substance of the Parliamentary motion.

1. Formal commitments to nuclear abolition now virtually universal

A compelling reason for the international community's formal commitment to pursue a world without nuclear weapons is the recognition that the current situation is unsustainable. A world in which some states retain nuclear arsenals while all others permanently forswear them cannot last. Already the system is badly frayed. Proliferation pressures are advanced and mounting in the Middle East and North Asia, while South Asia finds itself locked in a regional nuclear arms race. The modernization of existing nuclear arsenals renders non-proliferation all the more difficult. The overarching threat of nuclear catastrophe continues, with thousands of weapons still on high alert and promising humanity a level of destruction that would leave, in the words of Nikita Khrushchev, the living to envy the dead.

It is thus a welcome sign of political realism that the formal commitment to eliminate all nuclear weapons is now virtually universal. While there obviously remain individual

politicians, security officials, and analysts who continue to argue the merits of retaining or acquiring nuclear weapons, as a matter of formal policy, all 193 member states of the United Nations have declared their support for the goal of a world without nuclear weapons.

There are 190 states parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the core disarmament agreement that rests on three pillars.

- The non-proliferation pillar (Articles I-III) places a legal obligation never to acquire or seek to acquire nuclear weapons on the 185 states that have signed on as non-nuclear weapons states (NNWS).ⁱ
- The disarmament pillar (Article VI) places on the fiveⁱⁱ nuclear weapon state (NWS) parties to the Treaty a legal obligation to disarm and eliminate their nuclear arsenals.ⁱⁱⁱ
- The peaceful uses pillar [Article IV] supports non-military uses of nuclear energy under strict safeguards.

There are three states that are not party to the NPT – India, Israel, and Pakistan. All three have rhetorically joined in aspirational declarations of support for nuclear disarmament, but those commitments are heavily qualified and compromised by their current pursuits and circumstances.^{iv}

2. Agreement on the essentials of a global nuclear disarmament agenda now virtually universal

The details of the nuclear disarmament agenda that is designed to achieve the goal of a world without nuclear weapons are also broadly understood and have been formally agreed to by the states parties to the NPT – as outlined in the Principles and Objectives agreed to in 1995,^v in the practical steps agreed to in 2000,^{vi} and in the 64 specific actions agreed to in 2010.^{vii} Core elements of this agenda include:

- The need for steady progress in verifiable and irreversible reductions to existing arsenals, leading to the total elimination of nuclear weapons;
- Entry into force of the Comprehensive Test Ban Treaty;
- Negotiation of a fissile materials treaty;
- NWS acceptance of legally binding negative security assurances (commitments not to use or threaten to use nuclear weapons against NNWS);
- Commitments to non-use and to reducing the risks that existing arsenals will be used, by de-alerting all weapons systems and by diminishing the role of nuclear weapons in national security strategies;
- Greater transparency within the NWS regarding existing arsenals, and regular reports by the NWS to document progress made toward full implementation of Article VI of the NPT.

Support for urgent and concrete action has emerged from new and sometimes surprising sources. The “gang of four,”^{viii} including former US Secretary of State Henry Kissinger, has since 2007 argued persuasively that action on specific disarmament

measures and commitment to the final goal of a world without nuclear weapons are inseparable:

“Reassertion of the vision of a world free of nuclear weapons and practical measures toward achieving that goal would be, and would be perceived as, a bold initiative consistent with America’s moral heritage. The effort could have a profoundly positive impact on the security of future generations. Without the bold vision, the actions will not be perceived as fair or urgent. Without the actions, the vision will not be perceived as realistic or possible.”^x

Expectations for significant progress in implementing that agenda were significantly raised when, in 2009, US President Barak Obama told a Prague audience: “...today, I state clearly and with conviction America's commitment to seek the peace and security of a world without nuclear weapons. I'm not naive. This goal will not be reached quickly -- perhaps not in my lifetime. It will take patience and persistence. But now we... must ignore the voices who tell us that the world cannot change. We have to insist, ‘Yes, we can.’”^x

Two former Canadian prime ministers, Jean Chrétien and Joe Clark, together with former NDP Leader Ed Broadbent and former Foreign Minister Lloyd Axworthy, also wrote a collective op-ed calling for a world without nuclear weapons, joining a large international group of public officials, diplomats, and politicians urging decisive action on nuclear disarmament.^{xi} Most Canadians also agree. According to a 2008 poll, 88 percent of Canadians support the elimination of all nuclear weapons through an enforceable agreement.^{xii}

One expression of this “yes, we can” spirit came this fall when the UN General Assembly’s First Committee voted overwhelmingly in support of a detailed re-articulation of the disarmament agenda.^{xiii} While the states with nuclear weapons either abstained or voted “no”, Canada voted “yes” and thus reaffirmed the substance of Parliament’s motion in support of the active pursuit of a global framework for the elimination of nuclear weapons.

There have been significant recent disarmament achievements, including ratification of the New START Treaty,^{xiv} even though some of the earlier expectations have, for a wide variety of reasons, once again dimmed. Nevertheless, the universal formal commitment to a world without nuclear weapons and broad international agreement on the essentials of nuclear disarmament continue to make this a uniquely propitious moment to make significant and concrete progress toward the final abolition and prohibition of nuclear weapons.

3. Broad Support for a new Nuclear Disarmament Framework

One crucial factor that makes this an opportune moment to advance toward the nuclear disarmament goal is the broad understanding of and growing support for the establishment of an overarching legal framework or umbrella convention that sets the

legal foundation for the prohibition of nuclear weapons. Just as separate treaties set out the universal prohibitions on chemical and biological weapons, all the measures under the broadly agreed disarmament agenda must be brought into a single and comprehensive legal framework.

The first item in UN Secretary-General Ban Ki-Moon's five point action plan on nuclear disarmament^{xv} includes a proposal to "pursue [the] goal [of nuclear disarmament] by agreement on a framework of separate, mutually reinforcing instruments," or by "negotiating a nuclear-weapons convention," in both cases backed by a strong system of verification. In support of that proposal the Secretary-General has circulated a draft of such a convention to all UN member states.

In 2010 the NPT Review Conference took note of the Secretary-General's plan with specific reference to "negotiations on a nuclear weapons convention or agreement on a framework of separate mutually reinforcing instruments, backed by a strong system of verification."^{xvi}

This fall Canada chose to abstain rather than explicitly support a General Assembly (First Committee) resolution calling on all states to commence "multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat of use of nuclear weapons and providing their elimination."^{xvii} Canada did not join most of NATO and the states with nuclear weapons in voting "no," with the implication that its abstention indicates support for the substance of the resolution even though it has reservations about elements of the resolution. Parliamentarians could explore ways in which Canada could take the next step toward active endorsement of the principle of negotiations, if not through that particular resolution then through its own diplomatic efforts.

The Middle Powers Initiative (MPI), an international civil society initiative, is currently in the process of planning a series of meetings of states to explore ways of moving forward toward negotiations of a convention or framework of instruments for the global elimination of nuclear weapons. Canada could helpfully agree to host one of these framework forums, just as it earlier hosted an MPI Article VI Forum (a process which made a distinct contribution to the successful outcome of the 2010 NPT Review Conference.)^{xviii}

4. Moving from Rhetoric to Action: The Role of Canada

Broad non-partisan Canadian support for nuclear disarmament and for the Secretary-General's five-point plan, including his call for the pursuit of a nuclear weapons convention or equivalent, is especially evident in two important, indeed historic, events in this country.

In an ongoing initiative, more than 550 recipients of the Order of Canada have joined together to call on the Government of Canada "to endorse, and begin negotiations for, a

Nuclear Weapons Convention as proposed by the UN Secretary-General in his five-point plan for nuclear disarmament” (Appendix I). This group of extraordinary Canadians from all walks of life and political persuasions understands and has publicly affirmed the urgent imperative of nuclear disarmament.

Then, in 2010, the Senate and the House of Commons each passed a unanimous motion reinforcing Canada’s commitment to the elimination of nuclear weapons and calling for a major diplomatic initiative in support of nuclear disarmament and the pursuit of a comprehensive framework under which that can be accomplished (Appendix II).

The Parliamentary action speaks to the abiding expectation that Canada will be a prominent international player in building toward a world without nuclear weapons. Having taken that first declaratory step, the Parliament of Canada now has an opportunity and obligation to begin to set out a more systematic plan for implementing its 2010 call for “a major world-wide Canadian diplomatic initiative in support of preventing nuclear proliferation and increasing the rate of nuclear disarmament.”

The 5 December 2011 forum will offer an opportunity for Parliamentarians from all political parties to jointly explore ways in which Canada might give concrete form to the proposed diplomatic initiative. The following suggestions are presented as actions to consider and to stimulate ideas and proposals from Parliamentarians that might gain all-party support.

1. In acknowledgement of the unanimous motion in the Senate and House of Commons, the Prime Minister and Foreign Minister should find early opportunities for public statements or speeches in which they address nuclear disarmament, reaffirm Canada’s commitment to a world without nuclear weapons, and review actions that Canada has and is now taking in furtherance of that goal.
2. Parliamentarians from all Parties should also seek opportunities to highlight the Parliamentary motion of 2010 and speak to the pursuit of a world without nuclear weapons, emphasizing the importance of bringing the disarmament agenda together under a single umbrella or framework convention, and calling for the start of international negotiations toward such a convention that sets a clear timeline for irreversible and verifiable nuclear disarmament.
3. Parliamentarians could also propose that Canada host a meeting of the MPI Framework Forum in support of an informal international consultative process involving a core group of like-minded states and representatives of civil society to thoroughly explore the focus, scope, verification, and other elements relevant to a nuclear weapons convention.
4. Parliamentarians could create an informal international Parliamentarians Contact Group or Nuclear Weapons Convention Action Group (perhaps through

the international Parliamentarians for Nuclear Non-Proliferation and Disarmament) to systematically press the issue on the international stage.

5. Canada should also be thinking about the particular contributions this country could make to the international process. The UK, including some joint work with Norway, has for example been focusing on verification measures linked to a nuclear weapons convention. Verification has been an historic interest for Canada, including our involvement in CTBT seismic verification, and might once again be an area for special attention.
6. A significant Canadian contribution to a multilateral process could be to develop appropriate transparency requirements and to identify the kinds of institutional and governance arrangements needed to ensure an effectively managed nuclear weapons convention. Canada's current efforts on similar institutional and management issues related to the NPT make it a credible champion of accountability and compliance. Canada has also supported the institutionalization of enhanced civil society participation in multilateral disarmament efforts and could ensure such participation in multilateral processes toward a nuclear weapons convention.
7. Canada has recently spoken out critically regarding the persistent stalemate in the UN's Conference on Disarmament (CD) and its failure for more than a decade to take up key disarmament issues in a timely manner. Canada is currently supporting efforts to pursue discussions of a Fissile Materials Cutoff Treaty within the UN General Assembly as an alternative to the CD. It is recognition that institutional venues, rules and negotiating modalities affect outcomes. Canada could thus support preliminary studies to explore the most effective and appropriate institutional venues or arrangements for pursuing a "nuclear weapons convention or framework of interlocking multilateral agreements."
8. Parliamentarians could encourage standing committees dealing with foreign affairs and security matters in both Houses of Parliament to include sessions in which to hear witnesses from civil society and the Department of Foreign Affairs and International Trade to learn more of practical steps that could be taken by the Government of Canada to implement this unanimous motion.

Conclusion

While disarmament has many and detailed technical dimensions, it relies fundamentally on political will and sound legal foundation – making Parliaments and Parliamentarians essential to the global disarmament process. The Parliament of Canada, through its 2010 unanimous motion, has taken this responsibility seriously. The next step is to begin to lay out ways and means of implementing Parliament's call for a significant Canadian diplomatic initiative to advance global disarmament and non-proliferation

efforts, supporting in turn implementation of the international community's commitment to seek a world without nuclear weapons.

Appendix I:

Canadians for a Nuclear Weapons Convention

552 Recipients of the Order of Canada Call for a Nuclear Weapons Convention

Five hundred and fifty-two recipients of the Order of Canada have joined an initiative led by John Polanyi, C.C., Douglas Roche, O.C. and Murray Thomson, O.C., calling for international negotiations to achieve a Nuclear Weapons Convention – a verifiable treaty on the prohibition and elimination of nuclear weapons.

The [Order of Canada](#) is the country's highest civilian honour and is the centrepiece of Canada's honours system. It recognizes a lifetime of outstanding achievement, dedication to the community and service to the nation. The initiative notes that:

There is a growing consensus expressed by world leaders on the urgent need for ridding the world of nuclear weapons. A Nuclear Weapons Convention is widely recognized as the best negotiating process yet devised to bring about nuclear disarmament. In [a recent speech to the UN General Assembly](#), Secretary-General Ban Ki-moon stated that "All parties to the Non Proliferation Treaty could consider negotiating a nuclear weapons convention, backed by a strong verification system, as has long been proposed at the United Nations." However, the vision of the elimination of all nuclear weapons, put forward by President Obama and many others today, requires the political will of governments for it to be achieved.

Accordingly, we call on all member States of the United Nations – including Canada – to endorse, and begin negotiations for, a Nuclear Weapons Convention as proposed by the UN Secretary-General in his five-point plan for nuclear disarmament.

<http://www.nuclearweaponsconvention.ca/>

Appendix II: All-Party Parliamentary Motion on Nuclear Disarmament

Debates of the **Senate** (Hansard)
3rd Session, 40th Parliament,
Volume 147, Issue 33
Wednesday, June 2, 2010
The Honourable Noël A. Kinsella, Speaker

The Senate
Motion to Recognize the Danger Posed by the Proliferation of Nuclear Materials and
Technology to Peace and Security Adopted

On the Order:

Resuming debate on the motion of the Honourable Senator Segal, seconded by the
Honourable Senator Nancy Ruth,

That the Senate:

(a) recognize the danger posed by the proliferation of nuclear materials and technology
to peace and security;

(b) endorse the statement, signed by 500 members, officers and companions of the
Order of Canada, underlining the importance of addressing the challenge of more
intense nuclear proliferation and the progress of and opportunity for nuclear
disarmament;

(c) endorse the 2008 five point plan for nuclear disarmament of Mr. Ban Ki-moon,
Secretary-General of the United Nations and encourage the Government of Canada to
engage in negotiations for a nuclear weapons convention as proposed by the United
Nations Secretary-General;

(d) support the recent initiatives for nuclear disarmament of President Obama of the
United States of America;

(e) commend the decision of the Government of Canada to participate in the landmark
Nuclear Security Summit in Washington, D.C., in April, 2010 and encourage the
Government of Canada to deploy a major world-wide Canadian diplomatic initiative in
support of preventing nuclear proliferation and increasing the rate of nuclear
disarmament; and

That a message be sent to the House of Commons requesting that House to unite with
the Senate for the above purpose.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: It was moved by the Honourable Senator Segal that the – shall I
dispense?

Hon. Senators: Dispense.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?
(Motion agreed to)

House of Commons Debates
40th Parliament, 3rd Session
Hansard • No. 112
Tuesday, December 7, 2010

Mr. Bill Siksay (Burnaby-Douglas, NDP)

Madam Speaker, there have been consultations among all the parties and I believe that if you seek it, you will find unanimous consent for the following motion. I move:

That the House of Commons:

- (a) recognize the danger posed by the proliferation of nuclear materials and technology to peace and security;
- (b) endorse the statement, signed by 500 members, officers and companions of the Order of Canada, underlining the importance of addressing the challenge of more intense nuclear proliferation and the progress of and opportunity for nuclear disarmament;
- (c) endorse the 2008 five point plan for nuclear disarmament of Mr. Ban Ki-moon, Secretary-General of the United Nations and encourage the Government of Canada to engage in negotiations for a nuclear weapons convention as proposed by the United Nations Secretary-General;
- (d) support the recent initiatives for nuclear disarmament of President Obama of the United States of America;
- (e) commend the decision of the Government of Canada to participate in the landmark Nuclear Security Summit in Washington, D.C., in April, 2010 and encourage the Government of Canada to deploy a major world-wide Canadian diplomatic initiative in support of preventing nuclear proliferation and increasing the rate of nuclear disarmament.

The Acting Speaker (Ms. Denise Savoie):

Does the hon. member have the consent of the House to move the motion?

Some hon. members: Agreed.

The Acting Speaker (Ms. Denise Savoie): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

Notes

ⁱ Of those 185 states, only one, the Democratic People's Republic of Korea, has reneged on that commitment, withdrawn from the Treaty, and tested nuclear warheads. A second state party, the Islamic Republic of Iran, has been judged by the Board of the International Atomic Energy Agency and by the UN Security Council to be not in full compliance with its Treaty obligations. Both cases are the focus of significant multilateral efforts to bring them back into the Treaty and full compliance.

ⁱⁱ China, France, Russia, United Kingdom, United States.

ⁱⁱⁱ While the wording of Article VI is vague, any uncertainty as to its intent has been removed and the obligation to the total elimination of all nuclear weapons has been made explicit and emphatic by consensus agreements reached at the NPT Review Conferences of 2000 and 2010:

Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons." Vol. I, Part I, p. 14.

<http://www.un.org/disarmament/WMD/Nuclear/pdf/finaldocs/2000%20-%20NY%20-%20NPT%20Review%20Conference%20-%20Final%20Document%20Parts%20I%20and%20II.pdf>.

"An unequivocal undertaking by the nuclear weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI."

Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Vol. I, Part I, Action 3 (p. 20).

http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2010/50.

"In implementing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, the nuclear weapon States commit to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons, deployed and non-deployed, including through unilateral, bilateral, regional and multilateral measures."

^{iv} India has repeatedly stated its commitment complete nuclear disarmament as part of a universal, non-discriminatory (by which it means non-NPT) and verifiable global process. This commitment was reiterated earlier this year in a report commissioned by Prime Minister Singh: Report of the Informal Group on Prime Minister Rajiv Gandhi's Action Plan for a Nuclear-Weapons-Free and Nonviolent World Order 1988 (RGAP 88). New Delhi, 20 August 2011. Available at:

<http://www.pugwashindia.org/images/uploads/Report.pdf>.

Pakistan has since becoming a nuclear weapons power also declared its support for global nuclear disarmament, but of course, like India, there are many qualifications and pre-conditions. Because of its security stance with regard to India, Pakistan's acceptance of nuclear disarmament does not only depend on others dismantling their nuclear arsenals, but also on a new security relationship with India and measures to alleviate its concerns about Indian conventional superiority. A 2008 paper by the Friedrich Ebert Stiftung reviews Pakistan's overall nuclear posture: A.H. Nayyar, "A Pakistani Perspective on Nuclear Disarmament and Non-proliferation." <http://library.fes.de/pdf-files/iez/global/05652.pdf>.

Israel also supports nuclear disarmament in general and in the Middle East specifically, but with familiar qualifications. Israel's representative at the Geneva Conference earlier this year spoke in support of a nuclear weapon free zone in the ME: "Israel attaches importance to the eventual establishment of the Middle East as a mutually referable zone free of biological, chemical and nuclear weapons and their means of delivery." Like Pakistan and India, Israel's support for nuclear disarmament is obviously linked to the overall security context: "Effective arms control measures can only be achieved and sustained in a region in which war, armed conflict, terrorism, political hostility, incitement and cause of the annihilation of other states [cease] to be features of everyday life."

10 March 2011.

http://www.reachingcriticalwill.org/political/cd/2011/statements/part1/10March_Israel.pdf.

v Decision 2, Principles and Objectives for Nuclear Non-Proliferation and Disarmament. 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
http://www.un.org/disarmament/WMD/Nuclear/1995-NPT/pdf/NPT_CONF199501.pdf.

vi 2000 NPT Final Document, pp. 14-15.

<http://www.un.org/disarmament/WMD/Nuclear/pdf/finaldocs/2000%20-%20NY%20-%20NPT%20Review%20Conference%20-%20Final%20Document%20Parts%20I%20and%20II.pdf>.

vii 2010 “Conclusions and recommendations for follow-on actions,” pp. 19-29.

http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2010/50.

viii George P. Shultz, William J. Perry, Henry A. Kissinger and Sam Nunn.

ix George P. Shultz, William J. Perry, Henry A. Kissinger and Sam Nunn, *The Wall Street Journal*, January 4, 2007. <http://www.2020visioncampaign.org/pages/336>.

x Remarks by President Barack Obama, 5 April 2009, Hradcany Square, Prague, Czech Republic.
http://www.whitehouse.gov/the_press_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered/

xi Jean Chrétien, Joe Clark, Ed Broadbent and Lloyd Axworthy, “Toward a world without nuclear weapons,” *The Globe and Mail*, 25 March 2010.

<http://www.theglobeandmail.com/news/opinions/toward-a-world-without-nuclear-weapons/article1512296/>.

xii “The Canada’s World Poll” of 2008, and Environics poll sponsored by The Simons Foundation of Vancouver, together with the CBC, Le Devoir, and The Globe and Mail, p. 41.

http://www.thesimonsfoundation.ca/sites/all/files/The_Canada's_World_Poll_-_Final_Report.pdf.

xiii Resolution A/C.1/66/L.31,

<http://www.reachingcriticalwill.org/political/1com/1com11/res/L31Rev1.pdf>.

xiv The New Strategic Arms Reduction Treaty between the United States and the Russian Federation was ratified by the US Senate in December 2010 and entered into force in February 2010.

<http://www.state.gov/t/avc/newstart/index.htm>

xv The other four points in the Secretary-General’s plan are:

- P5 attention to security, including negative security assurances;
- expanding the “rule of law” over nuclear matters, including fissile materials, the test ban, nuclear weapon free zones, and safeguards;
- accountability and transparency; and
- shoring up controls over other WMD.

The United Nations and security in a nuclear-weapon-free world: The Secretary-General's five point proposal on nuclear disarmament. First proposed on 24 October 2008 in a speech to the East-West Institute in New York. <http://www.un.org/disarmament/WMD/Nuclear/sg5point.shtml>.

xvi “Conclusions and recommendations for follow-on actions,” B.iii, p. 20.

http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2010/50.

xvii Resolution A/C.1/66/L.42. <http://www.reachingcriticalwill.org/political/1com/1com11/res/L42.pdf>.

^{xviii} A Global Law to Ban Nuclear Weapons, A Middle Powers Initiative *Briefing Paper*, June 2011.
http://www.middlepowers.org/pubs/Global_Law.pdf.