

## André-François Giroux, speaking notes “Practical Steps to Zero Nuclear Weapons”

### Preamble

- Thank you for inviting me to participate in today’s important discussions.
- As you are no doubt aware, the non-proliferation regime is now facing many challenges with some claiming that it is on the verge of collapse or at the very least that it has reached a turning point and needs to be reinvigorated.
- The 2003 withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) by the DPRK (North Korea) and its subsequent nuclear tests in 2006 and 2009 as well as Iran’s continued non-compliance with IAEA safeguards agreements are the most obvious examples of challenges to the integrity of the NPT.
- We know terrorists are actively seeking to acquire weapons of mass destruction, including nuclear materials. US President Obama has called nuclear terrorism, “the gravest danger we face.” After their September 16, 2009 meeting, President Obama and Prime Minister Harper, “agreed to work closely together in the coming months on the critical issue of nuclear security and non-proliferation, particularly in promoting concrete outcomes at the Nuclear Security Summit in Washington in April.”
- Canada stands ready to work with the US and others at the upcoming Nuclear Security Summit to confront the challenge of securing vulnerable nuclear materials.

### NPT

- However, it is also important to recall that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remains one of the most successful treaties in history.
- With 188 States Parties, the NPT is near universal and embodies a universal norm. The NPT is the cornerstone of the non-proliferation regime and the foundation for progress towards nuclear disarmament and the promotion of peaceful uses of nuclear technology.
- Despite the importance of the treaty, institutional support lags behind more modern NACD agreements such as the BTWC and the CWC.

- In preparation for the Review Conference, Canada is working with our allies to prepare the ground for a successful outcome. We will seek a strong political reaffirmation of the importance and centrality of the NPT. More specifically we will look for progress on all three pillars, as well as measures to strengthen the institutional framework of the Treaty.

## Introduction

- A successful RevCon obviously requires more than good processes, a great deal of political will is also required. Yet, history has shown that procedural machinery is of critical importance for successful outcomes. The failure of the 2005 Review Conference is an example of the current Treaty's procedural shortcomings.
- Participants here will recall the decisions on the 'strengthened review process' of 1995 and the 'enhanced or improved, strengthened review process' adopted at the 2000 Review Conference, so I approach the topic of further procedural change with due trepidation.
- Since the NPT's entry into force, consensus outcome documents are unfortunately not the norm. We owe it to ourselves to reflect yet again on possible improvements.
- The 2010 NPT Review Conference will provide an opportunity for States Parties to look back over the past five years since the last Review Conference, to assess where we are, and what we need to achieve. We must take this time to look forward, to define areas in which progress can be made, and the means of achieving this progress.
- For all of our institutional side efforts to 'strengthen', we have witnessed very little progress in making the review process work better. Achieving the objective of ensuring that the purposes of the Preamble and the provisions of the Treaty are being realized still seems beyond our reach.
- The existing institutional instruments that we have at our disposal are the three PrepComs and one RevCon per 5 year cycle. We have the depositary states that have the ability to call extraordinary meetings but have never done so, and we have support from staff within the UN Office of Disarmament Affairs who work part-time on NPT issues.
- Since 2000, and as currently practiced, the first two PrepCom sessions are not used as substantive decision-making meetings. Rather, they are used primarily as a discussion forum.

- States Parties tend to wait until the third preparatory session to start negotiating consensus recommendations and the agenda for the RevCon.
- For example, in the last review cycle, it was left to the 2004 PrepCom to identify and reach agreement on substantive recommendations to the Review Conference as well as the establishment of an agenda. This proved to be too tall an order and had a direct impact on the outcome of the 2005 RevCon.
- Our decision in 2000 has meant, in essence, that States Parties have restricted themselves to making substantive decisions on matters pertaining to the Treaty only twice a decade – at Review Conferences.
- In each five-year cycle, a total of six weeks – and approximately \$6 million – is spent preparing for a RevCon, and without any guarantee that it will be a success. The following three proposals give a sense of the contents of the discussion paper Canada is working on for our 2010 meetings that builds on previous proposals.
- The main aim of these proposals is to have a more responsive and accountable institutional structure.

#### Proposal 1

- One proposal, therefore, is to convene annual NPT meetings, which could discuss and take decisions on any issue covered by the Treaty.
- If States Parties can react more rapidly between Review Conferences to challenges posed to the Treaty, it will bolster the credibility of the NPT and create additional incentives and disincentives for states that would violate its norms and provisions.
- In addition to granting more and regular decision-making authority to States Parties, this proposal would also lend greater continuity and flexibility to the review process.
- Establishing annual meetings of States Parties would also allow for substantive consideration of specific topics – as agreed at the preceding RevCon - to be undertaken at each annual meeting. Not only would this focus our work in 2011 and onward, it would also spare us all from the ordeal that has become the NPT agenda approval process. This approach has served to advance the work of the Biological and Toxin Weapons Convention very well, I might add.

- More frequent but more focussed, shorter meetings could be organized within existing NPT budget allotted for the NPT review cycle, while still convening quinquennial Review Conferences. Annual Meetings would provide coherence, continuity and forward momentum to the NPT process.

## Proposal 2

- The Treaty, in its current form, also suffers from a lack of structured guidance and leadership. Unlike other multilateral undertakings, the NPT has no overarching political body to see it through its five-year review cycle.
- This could be ameliorated by the creation of a Standing Bureau, comprised of the two immediate past chairs and the current chair. With this composition, the Standing Bureau would always have representation from each of the three regional groups.
- Its members would be able to share best practices and pass along recommendations to incoming chairs, as well as acting as stewards of the Treaty and providing continuity throughout the review cycle.
- This Bureau would also be empowered to convene extraordinary, decision-making sessions to address events that threaten the integrity or viability of the NPT – for example, a notification of intent to withdraw or the violation by a State Party of its obligations under the Treaty.
- A standing bureau could also interact with other diplomatic entities or processes relevant to the Treaty's purpose (for example, on the Six-Party Talks), thereby representing the NPT membership in the period between Review Conferences.

## Proposal 3

- The above proposals would benefit from a dedicated NPT support unit housed within the UN Office of Disarmament Affairs – in some ways analogous to those employed by the BWC's Implementation Support Unit.
- At present, there is only one officer in the ODA who is responsible for the NPT and this is only one aspect of that officer's job portfolio. One or two additional officers would work on NPT matters in a dedicated fashion and help to facilitate NPT meetings.
- Such a unit would offer reinforcement and provide the substantive, administrative and representative support to the bolstered system. It would

advise the incumbent chair and Standing Bureau, as well as providing logistical and administrative support to States Parties.

- With the projected savings from a revised meeting schedule, a support unit of professional officers such as the one proposed herein could be accommodated within the existing voluntary contributions of NPT States Parties.

## Conclusion

- We all have a responsibility to ensure that the 2010 RevCon successfully discharges its mandate by strengthening the Treaty's implementation and setting realistic and achievable goals for the future.
- I believe that the 3 proposals put forward relating to the review process would help us better advance the NPT's mandate. I look forward to our discussion.