

Presentation by Mr Paul Meyer, Canada's Ambassador for Disarmament to the United Nations

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Let me first say how pleased and honoured I am to have been invited by Doug Roche and MPI to participate in the Atlanta II Consultations and to be asked to be a respondent to President Jimmy Carter's keynote address. What President Carter's presence here today signifies most to me is high level political engagement in the NPT and its future. A political level engagement that is rarely seen today and which goes some way to explaining, in my mind, the current crisis of confidence the NPT regime is facing.

The NPT, with 189 States Parties, is a bedrock of the global non-proliferation, arms control and disarmament system. It has, in Canada's view, served the international community's security interests well over the years and that is why we are keen to see the Treaty's authority and vitality emerge reinforced after this May's Review Conference. This commitment to the Treaty however has not blinded us to the serious challenges that the NPT has faced in recent years. The unprecedented North Korean decision to withdraw from the Treaty after blatant violation of its core obligations, the grave and sustained non-compliance of Libya and Iran, the revelations of an extensive black market in nuclear weapons related technology and the failure to implement many of the top arms control and disarmament priorities agreed upon at the NPT's 2000 Review Conference; have all contributed to what is sometimes described as a crisis of non-compliance with the NPT.

The response to this crisis on the part of NPT States Parties has been rather spotty and lacklustre. Some dispute that a crisis exists and shrug off the recent assaults on the Treaty as isolated events. Some states acknowledge a crisis of non-compliance, but see that non-compliance as affecting only the non-proliferation

obligations of others under the Treaty and downplay or ignore their own responsibilities. Some find it politically inconvenient to call to account those whose actions undermine the letter and spirit of the NPT: the Pakistan of A.Q. Khan is a valued ally in the war against terrorism; the India that explodes the non-proliferation norm and reneges on its CTBT pledge becomes a coveted "strategic" partner; the Iran that breaches its safeguards obligations is an attractive export market; the Russia that hypes its nuclear capabilities and refuses to address its non-strategic arsenals is a favoured great power and anti-terrorist partner; the China that fails to act on its CTBT rhetoric is a growing major power and a sought-after commercial partner; and the United States, which repudiates long-standing arms control treaties and NPT disarmament commitments is the sole superpower to which others defer out of friendship or fear. It is the seeming complacency of the major powers, or even their complicity, with regard to the crisis of confidence in the NPT that has middle powers, like Canada, concerned. This treaty, which has drawn a red line around nuclear proliferation, is too vital to our own and global security to take it for granted or fail to act to reduce its vulnerability.

The NPT is at the centre of the multilateral non-proliferation, arms control and disarmament regime and that regime is ailing. My Swedish colleague and I serve as our countries' representative to the 65 member Conference on Disarmament, the principal multilateral forum for the negotiation of arms control and disarmament agreements. It is a forum that has failed to fulfil its mandated function for 8 years in a row. Not only has it not been engaged in negotiations for that length of time, but it has not even been able to agree on a Program of Work. If the CD was a business it would have gone bankrupt long ago. All overhead no production. And for those who are concerned with the future of the NPT let me remind you that the bankruptcy of the CD, threatens the solvency of the NPT. The NPT Review Conference of 2000 entrusted to the CD, two priority tasks: the initiation of negotiations on a non-discriminatory and effectively verifiable fissile material cut-off treaty and the establishment of an appropriate subsidiary body to deal with nuclear disarmament. The CD has, five years later, failed completely to realise these taskings. Its failure is part of the broader failure to implement key elements of the

so-called 13 steps for making progress on the nuclear disarmament obligation under Article VI of the NPT.

The perception that the Nuclear Weapon States are not serious about fulfilling their disarmament obligations at the same time that they are calling for the non-Nuclear Weapon States to assume ever more stringent non-proliferation commitments, exacerbates the discriminatory aspects of the Treaty and contributes to an erosion of confidence in its integrity and authority. Hence the need for a revival of political engagement to get the CD out of its rut and to remedy the weaknesses of the NPT and its implementation.

Canada is trying to do its part. A year ago our Foreign Minister wrote to his G8 counterparts seeking their political engagement to overcome the deadlock in the CD. Last September, our Prime Minister in his address to the UN General Assembly appealed for cooperation to return the CD to productive work on pressing issues like the FMCT and the non-weaponization of outer space. These were strong signals of political activism, but unfortunately they found scant echo. I have not undertaken an exhaustive comparison, but it would appear that the stalemate of the CD or the malaise in multilateral arms control did not figure in the speeches of the other Prime Ministers and Heads of Governments attending UNGA. And to return to my opening point, I fear that until greater concern is shown by the world's political leadership in the pathetic performance of multilateral disarmament and the erosion of the NPT's authority (and a greater resolve to do something about it), these corrosive processes will continue.

What does this all mean for the May Review Conference and our approach to it?

>From Canada's perspective, the situation calls for rapid remedial action. This should include ensuring a balanced and practical outcome that reinforces the three fundamental commitments of the NPT: to non-proliferation, to disarmament and to the peaceful uses of nuclear energies. We believe such an outcome should :I) embrace recognition of the IAEA's Additional Protocol as the contemporary safeguards standard under Art III; ii) agree on new approaches to govern sensitive

technologies of the fuel cycle so they cannot be diverted to proscribed purposes; iii) require a compliant status with Treaty commitments prior to any exercise of withdrawal rights and iv) demonstrate significant progress in implementing the agreed "benchmarks" of the 13 steps on nuclear disarmament.

But we also believe that the time has come for the NPT membership to break with the "business as usual" approach and to review our own processes. The NPT for all of its importance to international security is seriously deficient in institutional support. The NPT has no Executive Council, no Conference of States Parties, no provision for emergency meetings, no secretariat and its members can only exercise their decision-making power at the once-in-five-years Review Conferences. We think the Treaty and its membership deserve better. Accordingly, at the last Prepcom in April, Canada set out a plan for overcoming the institutional deficit of the NPT. The plan envisages three key changes: i) replace the current preparatory committee with annual meetings of States Parties with power to debate and decide on any issue relevant to the Treaty; ii) create a small five person standing bureau of the Conference and iii) empower that bureau to convene an emergency session of the Conference of States Parties in the event of a notice of withdrawal or serious violation of Treaty commitments. In our view, such a re-arrangement of the existing time allocated to the Treaty could go a long way to restoring the Treaty's stature and provide its members with a basic "rapid reaction" capacity to defend its interests. If such arrangements had been in effect two years ago when the DPRK gave notice of its intention to withdraw from the Treaty, a very different dynamic may have emerged and the Treaty members would have had an opportunity to be engaged in a diplomatic response to this move, rather than remaining passive observers of a development that seriously impacted their security interests.

Associated with these suggestions for procedural reform, are earlier Canadian proposals for enhanced reporting by States Parties and participation by civil society. In keeping with the obligation to report set out in step 12 of the 13 steps agreed in 2000, we have encouraged all States Parties to submit annually a report detailing how they have contributed to the implementation of the Treaty. This should be an

exercise in participatory democracy on behalf of the Treaty which also promotes key values of transparency and accountability. Given the interconnected nature of the Treaty's provisions, we have suggested that reporting, while highlighting its genesis related to Art VI obligation should also encompass action relevant to the implementation of the Treaty as a whole. In a similar vein, Canada submitted a working paper at the Second Prepcom which described the extent of civil society participation in the NPT vis a vis other major multilateral accords and offered some suggestions for increasing civil society involvement. We would hope to see appropriate decisions taken at the May Review Conference on all three areas: provision for annual and emergency meetings of States Parties; annual reporting on implementation and an enhanced role for civil society.

All of these measures would respond to the call for "Permanence with Accountability" that underpinned the indefinite extension of the NPT a decade ago and would help ensure that this Treaty remains the bulwark against nuclear proliferation and the injunction to realise nuclear disarmament that we want and need it to be.

Thank you