

Minister
of Foreign Affairs



Ministre
des Affaires étrangères

Ottawa, Canada K1A 0G2

September 16, 2020

Mr. Roy Culpeper
Chair Group of 78

Mr. Robin Collins
Chair, G78 Working Group on Peace and Security
group78@group78.org

Dear Mr. Culpeper and Mr. Collins:

Thank you for your correspondence of March 27, 2020, with which you attached a copy of your letter addressed to Prime Minister Justin Trudeau concerning peace and security issues. I appreciate your sharing this letter with me and taking the time to bring to my attention the views of the Group of 78 on these important issues. I regret that I was unable to reply to you sooner due to the extraordinary circumstances brought on by the COVID-19 pandemic.

As you are aware, Canadians and the global community are facing significant challenges to public health and economic stability due to the COVID-19 pandemic. I firmly believe there is an opportunity for us to emerge from this crisis with even stronger international collaboration and cooperation. As one of the government's top foreign policy priorities, strengthening the rules-based international order has become more important than ever.

With regard to your organization's recommendations on the arms trade, during the parliamentary debate on Bill C-47, An Act to amend the *Export and Import Permits Act* and the *Criminal Code* (amendments permitting the accession to the Arms Trade Treaty and other amendments), the idea of an oversight committee was proposed in Committee as an amendment to the Bill. After careful consideration, Committee members rather opted to embed the Arms Trade Treaty (ATT) criteria directly in the *Export and Import Permits Act*. Committee members and parliamentarians decided that such an approach would both further enhance the rigour of Canada's export control system and provide appropriate checks and balances.

On April 9, 2020, I announced the creation of an arms-length advisory panel of experts that will review best practices regarding arms exports by state parties to the ATT to ensure that our system is as robust as possible. I also announced that Canada will spearhead multilateral discussions on means to strengthen international compliance with the ATT, toward the establishment of an international inspection regime.

Canada 

I can assure you that the Government of Canada is currently hard at work in implementing Bill C-47, which received royal assent in December 2018, and its associated regulations. Shortly thereafter, officials launched public consultations on the implementation of the legislation. Over the consultation period, government officials met with over 190 participants and received 217 written submissions. The consultations provided insight that contributed to the strengthening of Canada's export controls program. For instance, officials have elaborated and are using an enhanced risk assessment framework for evaluating export and brokering permit applications. Questions in that framework were formulated in consultation with the public. Officials are now also implementing Canada's brokering controls, which have been in operation since September 1, 2019.

In 2018, the government ordered officials to review export permits to Saudi Arabia. While that review was ongoing, no new permits were issued. Officials from Global Affairs Canada have carefully assessed whether military goods exported to Saudi Arabia would be used in a manner consistent with the ATT and Canada's domestic legislation.

Canada has one of the strongest export controls systems in the world, and respect for human rights is enshrined in Canada's export controls legislation. If there is a substantial risk that an export would be used to violate the criteria in that legislation, including international humanitarian and human rights law, the Minister cannot issue a permit for that export. The review by officials concluded that exports authorized to date, and exports proposed under permit applications received and assessed to date, are not at substantial risk of being used contrary to Canadian law. Nevertheless, permits must be evaluated on a case-by-case basis and will not be issued automatically. Now, because of Bill C-47, permits will also not be issued where the Minister determines there to be substantial risk that they could be used to commit or to facilitate serious violations of international humanitarian law, international human rights law, or serious acts of gender-based violence.

Advancing nuclear disarmament and arms control in a concrete and meaningful way remains an essential pillar of preserving and reinforcing the rules-based international order and is a priority for the Government of Canada. Canada unequivocally supports the goal of global nuclear disarmament and remains fully committed to pursuing pragmatic initiatives and taking concrete steps toward a nuclear weapon-free world.

The Treaty on the Non-proliferation of Nuclear Weapons (NPT) is the principal multilateral framework for achieving this goal. While the 2020 NPT Review Conference has been postponed to a date to be determined, Global Affairs Canada officials continue to actively prepare to work with all state parties toward an outcome that further advances the NPT's implementation across all three of its pillars of disarmament, non-proliferation and peaceful uses of nuclear energy.

In support of the NPT process, Canada is working within several international coalitions to advance concrete progress on disarmament. For example, through the Non-Proliferation and Disarmament Initiative, Canada contributes actively to efforts related to transparency on implementation of NPT obligations, strengthening the NPT review process, de-alerting, and disarmament and non-proliferation education.

Canada is also engaged in the ministerial-level Stockholm Initiative on Nuclear Disarmament, which on February 25, 2020, issued the “Berlin Declaration” and a list of “stepping stones”—short-term, achievable and meaningful actions—to advance nuclear disarmament. Among these was a call on the United States and Russia to extend New START and to engage in talks on its possible expansion. Canada has joined partners in diplomatic efforts to encourage other states to support this initiative. Despite COVID-19, this work continues apace virtually. Most recently, Parliamentary Secretary Rob Oliphant participated in the Stockholm Initiative’s third ministerial meeting on June 9, 2020, and joined partners on July 9, 2020, in a ministerial exchange of views in support of the Comprehensive Nuclear-Test-Ban Treaty and the global moratorium on nuclear testing.

In addition to these efforts, Canada is focusing its efforts in a range of priority areas within non-proliferation and disarmament. These include championing or supporting several actions set out in the UN Secretary-General’s Agenda for Disarmament, such as advancing negotiations on a fissile material cut off treaty, supporting efforts on nuclear disarmament verification, and championing gender equality and women’s leadership in peace and security. Canada also continues to use cross-regional forums at all levels to break the deadlock on disarmament, such as through the United States-led Creating the Environment for Nuclear Disarmament initiative, which seeks to address factors in the international security environment that inhibit progress on disarmament.

Canada acknowledges that the negotiation and signature of the Treaty on the Prohibition of Nuclear Weapons speak to the desire of countries, activists and communities to accelerate the pace of nuclear disarmament. The Government of Canada shares this sentiment and recognizes the legitimacy of criticisms regarding progress toward realizing a world without nuclear weapons. However, we must consider that the Treaty on the Prohibition of Nuclear Weapons has further exacerbated divisions within the international community, at a time of already heightened global tensions. To make progress toward a world free of nuclear weapons, united action is needed.

Thank you for your organization’s recommendations regarding Canada’s role in shaping the nuclear policy of the NATO alliance. Canada remains fully committed to pursuing pragmatic initiatives both within and outside of NATO to help realize a world free of nuclear weapons and to achieve our non-proliferation and arms-control priorities. Canada recognizes that arms control, disarmament and non-proliferation have made, and should continue to make, an essential contribution to achieving the NATO alliance’s security objectives and for ensuring strategic and collective security.

I would also like to thank you for your interest in my mandate commitment to establish the Canadian Centre for Peace, Order and Good Government. The establishment of the Centre will expand the availability of Canadian expertise and assistance to those seeking to build peace, advance justice, promote human rights and democracy, and deliver good governance. Options for establishing the Centre are currently under development and plans for engaging partners and stakeholders are being revised due to the current circumstances. I look forward to hearing your views as we proceed.

In these challenging times, Canada recognizes the need to redouble efforts to protect, revitalize and promote the rules-based system and the norms established over many decades. Canada has a long history of working with diverse partners in this effort. Personally, I deeply appreciate the work of many stakeholders, including civil society organizations such as the Group of 78, in creating the conditions for continued progress on nuclear disarmament, security and peace.

Thank you for writing.

Sincerely,

A handwritten signature in black ink, appearing to read 'F. Champagne', with a stylized flourish at the end.

The Honourable François-Philippe Champagne, P.C., M.P.