

Statement by Hon. Douglas Roche, O.C.
Briefing for Senators/Senator Marilou McPhedran
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At 8:15 on the fateful morning of August 6, 1945, as World War II was drawing to a close in the Pacific, an American atomic bomb exploded 580 metres above the heart of Hiroshima, Japan. Thermal rays emanating from a gigantic fireball charred every human being in a two-kilometre circle. Old and young, male and female, soldier and civilian – the killing was utterly indiscriminate. In the end, 140,000 people were dead. Three days later, similar atomic carnage obliterated Nagasaki, killing 74,000 people. That was the beginning of the nuclear age.

The Japanese people who survived the atomic attacks are called *hibakusha*; soon there will be no one left on Earth with direct memory of the horror of mass destruction. Hiroshima and Nagasaki will be but history. Yet the names of these two cities signify far more than history. They are symbols of the most indiscriminately inhumane weapons ever devised. And with 13,400 nuclear weapons possessed today by nine countries, they are a living reality.

It was fear of widespread proliferation that drove nations to construct the Non-Proliferation Treaty, which came into force in 1970. The NPT stands on three pillars: non-proliferation, disarmament, and the peaceful use of nuclear energy. The treaty was essentially a bargain:

non–nuclear weapons states would forsake any attempt to acquire them in return for the nuclear weapons possessors to negotiate their elimination. Article VI of the NPT is explicit on this point: “Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.” There have never been such negotiations.

For decades, the nuclear weapons states have claimed that nuclear disarmament can be done only in the context of general and complete disarmament. But in 1996, the International Court of Justice, the highest legal authority in the world, ruled that nuclear disarmament is distinct from general and complete disarmament and that there is an obligation not only to *pursue* negotiations for nuclear disarmament but to *conclude* them. The Court also ruled that any use of nuclear weapons would generally contravene international humanitarian law. Since the Court’s decision came in the form of an Advisory Opinion, the nuclear weapons states have blithely ignored it. They are now modernizing their nuclear arsenals and intend to maintain them for decades to come.

The never-ending circle of twisted logic drives the nuclear arms race, which is at its highest level of peril since the end of the Cold War. In 2020, the U.N.’s top official on disarmament affairs, Izumi Nakamitsu, said that the risk of use of nuclear weapons deliberately, by

accident or through miscalculation “is higher than it has been in decades.”

This dire situation has led to the development of a humanitarian movement against nuclear weapons to push back against the powerful states. Led by such progressive countries as Mexico, Ireland and Austria and by an informed civil society coalition centred on the International Campaign to Abolish Nuclear Weapons (ICAN), the movement succeeded in the U.N. adopting, in 2017, a Treaty on the Prohibition of Nuclear Weapons. The treaty was hailed by U.N. Secretary-General Antonio Guterres as “historic.”

For the first time, nuclear weapons have been unconditionally stigmatized as standing outside international humanitarian law. Article I is specific: “Each state party undertakes never under any circumstances to develop, test, produce, manufacture, otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices.” The treaty recognizes the “catastrophic humanitarian consequences” of any use of nuclear weapons, which would pose grave implications for the environment, for the global economy, for the health of current and future generations, and for human survival itself.

Now ratified by the requisite 50 countries, the Prohibition Treaty will enter into force on January 22. But the nuclear weapons states all oppose it, claiming that it will undermine the Non-Proliferation Treaty.

Nothing could be farther from the truth. The new treaty recognizes the NPT as the “cornerstone” of nuclear disarmament.

No one thinks the Treaty by itself will eliminate nuclear weapons. But it does outlaw them for all who join it, and it directly challenges the military doctrine of nuclear deterrence. The Treaty recognizes that there is not an ounce of morality or law to justify the continued possession, by any state, of weapons that threaten to annihilate humanity. The strength of the Treaty is that it raises the global norm against nuclear weapons and prepares an institutional path toward their elimination. It strengthens the NPT and opens the door to comprehensive negotiations – eventually – between the U.S., the U.K., France, Russia and China and the remaining members of the nuclear club.

NATO, still claiming that nuclear weapons are the “supreme guarantee” of security, persists in denigrating the Treaty, and thus no NATO country has yet joined it. Canada is on the horns of a dilemma. It wants to implement the NPT, which leads to the elimination of nuclear weapons; and it wants to stay loyal to NATO, which insists on maintaining nuclear weapons indefinitely. These are contradictory goals.

Canada should support in principle the Prohibition Treaty and work to change NATO’s policies. The credibility of our country in pursuing nuclear disarmament is at stake. This dilemma should be debated in both the House of Commons and the Senate.

World opinion is split between those who believe nuclear deterrence is necessary to preserve peace and those who hold that nuclear weapons, with their immense destructive power, are the major threat to peace. The majority of countries have shown that they want to build a global security architecture without nuclear weapons. Canada should join this new march towards a nuclear weapons-free world.

