

**“How should Canadian diplomacy approach the Treaty on the Prohibition of Nuclear Weapons?”** – Remarks by Paul Meyer to Senate briefing, January 19, 2021

Thank you Senator McPhedran and your colleagues for this opportunity to offer views as to how Canada should respond to the Treaty on the Prohibition of Nuclear Weapons (TPNW). As of this Friday the TPNW enters into force for its state parties and becomes a new legal reality in the international arena.

Alongside the existing 1970 [Nuclear Non-proliferation Treaty](#) (NPT) the TPNW represents a further enhancement of the global nuclear disarmament and non-proliferation regime by setting out a clear route to achieving the nuclear disarmament goal specified in the NPT’s Article VI. The TPNW complements the NPT by providing a comprehensive prohibition on nuclear weapons akin to that applied in the past to the other categories of weapons of mass destruction (namely chemical weapons and biological weapons). By so doing TPNW proponents see the treaty as filling the “legal gap” that has distinguished the treatment of nuclear weapons under international law with that accorded other weapons of mass destruction.

The treaty’s prohibitions, unlike those of the NPT, extend to the use or threat of use of nuclear weapons. In that way the TPNW is incompatible with a policy of nuclear deterrence, such as that maintained by NATO, which threatens the use of nuclear weapons under certain unspecified contingencies. And herein lies the crux of the problem for the nuclear weapon possessing states and their allies, including Canada, which shelter under their “nuclear umbrella”. All these states are committed to policies of nuclear deterrence, and as a result they have rejected the TPNW from the beginning. These states have engaged in dubious tactics in boycotting the UN General Assembly mandated negotiations which produced the TPNW and claim that they will never sign on to it.

Despite its self-identity as a good “multilateralist” Canada did not participate in the negotiations that produced the treaty, thus depriving itself of the opportunity to influence its contents. Once adopted, the Canadian Government was quick to condemn the TPNW, [stating](#) that “the ban treaty has contributed to a further divide in the international community”. Fundamentally, the Government has been unable to resolve the conflict between its support for nuclear disarmament (and the goal of a “world without nuclear weapons”, which is also an explicit goal of NATO) and its reliance on an Alliance that still espouses nuclear deterrence.

Canada has continued to advocate a “step-by-step” approach for nuclear disarmament despite the fact that in recent years those “steps” have either gone backwards or are stalled. Although a nuclear arms race is once again underway, exacerbated by the dismantlement of many existing arms control agreements, Ottawa is often a silent bystander to these disturbing developments. It is time for Canadian diplomacy to drop the spurious objections to the TPNW and develop a positive and activist agenda that recognizes the TPNW as a constructive addition to international efforts to advance the nuclear disarmament endeavour.

Whether the nuclear weapon states like it or not, with the entry into force of the TPNW a new norm is established with respect to nuclear weapons, one that renders these weapons not only immoral but also illegal. The supporters of the TPNW are in for the long game. They recognize that the treaty's blueprint for nuclear disarmament will not be realized in the short term, but that the treaty's *stigmatization* of nuclear weapons will gradually put pressure on the nuclear states to modify their policies. Suffice it to recall how the 1997 Ottawa Convention banning anti-personnel landmines has still not been signed by powers such as China, Russia and the United States, but the behaviour of all these states has been positively influenced by the widely supported prohibition norm established by the Convention.

Some Canadian civil society organization, such as the Canadian Pugwash Group, have suggested a position on the TPNW for Canada to take which would help put it on the right side of history and morality. We recommend that Canada should express its support for the treaty and its core goal of nuclear disarmament while working nationally to enable Canada to accede to the treaty as soon as possible. Canada should persist in efforts to persuade NATO to bring its nuclear policies into conformity with the treaty. If NATO's policy can't be altered (its decisions are made on a consensus basis), then Canada has the option of disavowing support for nuclear deterrence. Prime Minister Pierre Trudeau terminated Canada's nuclear weapon role in NATO and several member states have dissented from various aspects of Alliance nuclear policy over the years. It is important to note that NATO's nuclear policy is just that, a policy subject to change, and it doesn't feature in the legal basis for NATO membership as set out in its 1949 founding treaty.

It is time for Canadian diplomacy to embrace the TPNW as positive contribution to the nuclear disarmament endeavour and a truer reflection of its values and interests than the dangerous doctrine of nuclear deterrence.

*Paul Meyer is Adjunct Professor of International Studies and Fellow in International Security at Simon Fraser University and is the Chair of the Canadian Pugwash Group ([www.pugwashgroup.ca](http://www.pugwashgroup.ca)). He can be reached at [pmeyer@sfu.ca](mailto:pmeyer@sfu.ca)*