

# **CANADA**

## **STATEMENT OF MR. TARIQ RAUF ADVISOR TO CANADA'S NPT DELEGATION**

### **TO THE INFORMAL PLENARY ON A STRENGTHENED REVIEW PROCESS, AT THE SIXTH REVIEW CONFERENCE OF THE STATES PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS**

**New York, Friday, 5 May 2000**

**AS DELIVERED**

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## **Statement**

### **Reinforcing the Strengthened Review Process**

**Mr. President:**

**The delegation of Canada greatly appreciates your decision to allocate time at this Review Conference for a consideration of the strengthened review process for the Treaty. My delegation is committed to working with you, as well as with other delegations, in completing our consideration of a review of the review process with a view to formulating clear and precise guidance governing the work of the next – the 2005 – NPT Review Conference and of its Preparatory Committee which will commence in the year 2002.**

**Canada accords fundamental importance to the concept of a “strengthened review process” as initiated by the 1995 Review and Extension Conference. For the past four years, we have been operating in the belief that the effective implementation of a well-designed, results-oriented, strengthened review process is central to the fulfilment of the principle of “permanence with accountability”.**

**The review process, comprising the Preparatory Committee sessions, the Review Conference itself, and any other mechanisms agreed by the States parties should address two basic questions: for what are States parties accountable; and how that accountability is to be exercised? Canada has come to this Review Conference prepared to address both of these questions. With your leadership, Mr. President, as well as with the cooperation of other delegations with a similar commitment to enhancing the strengthened review process, we are confident that we shall be able to craft and agree to a formulation that both clarifies and enriches the 1995 Decision on a “Strengthened Review Process for the Treaty”.**

**Mr. President:**

**We draw your attention to two Canadian working papers, the first entitled, “Reinforcing the strengthened review process” – NPT/CONF.2000/WP.5 of 2 May 2000 – and the second, with the title, “Further enhancing the strengthened review process for the Treaty” – NPT/CONF.2000/PC.III/3 of 3 May 1999.**

**For Canada, the NPT always has been, and will always remain, a Treaty of commitment, not convenience. We are dedicated to seeking the full implementation**

of all of the provisions of the Treaty, as well as those of the Decisions and the Resolution adopted in 1995. As we have maintained since 1995, the objective of the on-going strengthened review process is the preservation and enhancement of the authority and integrity of the NPT. It is in that regard that Canada set out in 1997, in 1998, and in 1999 – and is setting out again in 2000 – three principles to guide its work:

- permanence with accountability;
- a qualitatively strengthened on-going review process that both evaluates and is forward-looking; and
- pragmatism and dynamism on an evolving basis.

In this context, it is our view that the Review Conference and its Preparatory Committee must both consider and evaluate the operation and implementation of the Treaty and the 1995 decisions and resolution and identify possibilities for further progress toward their complete implementation. The strengthened review process must be “product-oriented” and structured to facilitate the attainment of that objective.

### The Preparatory Committee

The Preparatory Committee has completed its first cycle in the context of the strengthened review process. It is now possible to draw some conclusions from the experience of the 1997, 1998 and 1999 sessions. Overall, the exercise succeeded in completing practically all of the necessary procedural arrangements. This should not come as a surprise, as ours is a mature Treaty with well developed procedures. However, completing procedural arrangements is not a sufficient accomplishment.

That said, the Preparatory Committee was unable to agree on recommendations to the 2000 Review Conference on substantive issues, despite having tried different modalities in each of its three sessions. Many such substantive issues, as well as principles, objectives and ways to promote the full implementation of the Treaty were discussed, but these discussions were not fully reflected in the reports emanating from each session. This does not represent progress over past practice. And it certainly does not represent the fulfilment of a strengthened review process or of permanence with accountability.

We do not share the view that it is too early to reach any conclusions on the operation of the Preparatory Committee. We are not prepared to accept a qualitatively different preparatory process that is devoid of substantive results.

Permanence with accountability entails accountability by us all for our compliance with and fulfilment of undertakings under the Treaty and the 1995

**Decisions and Resolution.** The vitality and substance of the strengthened review process itself are of great importance to Canada. This process must be able to deal on an on-going basis with substance, not just process. Unless this is clearly recognized and robust measures undertaken to reinforce the strengthened review process, the NPT regime could fail to realize the enhanced potential set out in the 1995 package.

In Canada's view, the Preparatory Committee process should carry out substantive deliberations along three lines.

**First**, as an integral part of the strengthened review process, Canada believes that Preparatory Committee sessions should consider and report on the operation and implementation of the Treaty and of the 1995 Decisions 1 and 2 and the Resolution. Given time limitations, it may not be always possible for each session to consider all of these provisions. Hence, each session of the Preparatory Committee should issue a substantive report relevant to those considered at that session, in addition to reporting on procedural preparations. Such a report would be prepared and transmitted on the authority of the Chairman.

**Second**, as another integral part of the strengthened review process in the context of permanence with accountability, Canada believes that each session of the Preparatory Committee may also discuss, evaluate and on the basis of consensus reach conclusions and recommendations for further action on recent international issues and events pertaining to the operation, implementation, authority or integrity of the Treaty as well as of the 1995 Decisions 1 and 2 and the Resolution. It is simply unacceptable that at the 1999 session of the Preparatory Committee, we were unable to collectively state for the record anything regarding 11 nuclear detonations carried out in South Asia – not one paragraph, not one sentence, not a single word! It is as well unacceptable that NPT States Party should have to wait for an entire quinquennium in order to render comments, judgements or recommendations regarding international developments that strike at the very core of the Treaty. Some might be content to wait for five years; Canada certainly is not. We support Japan and Australia's proposal, in this context.

**Third**, Preparatory Committee sessions as non-negotiating – i.e. non-decision-making forums should summarize both their procedural and substantive deliberations and forward those summaries to successive sessions. These summaries made on the authority of the Chairman, along with the reports referred to above, could culminate at the last session of the Preparatory Committee in recommendations on matters of substance to the Review Conference for action by that body to promote the full implementation of the Treaty and the 1995 outcomes, as well as of its universality.

In accordance with Decision 1 of 1995, the Preparatory Committee will meet in each of the three years prior to a Review Conference and, if necessary, a fourth meeting may be held in the year of the conference. In this regard, we support the proposal made by the Netherlands and Norway.

### **The Review Conference**

In addition to evaluating the period under review and taking a forward-look, each Review Conference should also consider the efficiency, effectiveness and operation of the review process itself. The last line of paragraph 7 of the 1995 Decision 1 clearly provides for such an outcome: “Review Conferences should also address specifically what might be done to strengthen the implementation of the Treaty...”.

A review of the review process to learn from past experience of omission or commission, to define and clarify it, and to improve its efficiency, effectiveness and operation, will contribute to enhancing the relevance, authority and integrity of the Treaty and the 1995 outcomes. In this context, it may be appropriate at some point in the future to structure a balanced review on an article-by-article basis, instead of the present overlapping and somewhat inefficient “cluster approach”. In 1995, Canada agreed to the continuation of the present three main committee structure on the understanding that the work of the committees could be organized and coordinated in terms of an article-by-article review, such that the substantive responsibility for the preparation of the report with respect to each specific issue is undertaken in only one committee. The review process should be a “living process”, responsive to the needs of the membership of the Treaty. One way to carry this out might be through establishing Subsidiary Bodies to Main Committees, as pioneered by this Review Conference. In this regard, we support the proposal submitted by Myanmar recommending Subsidiary Bodies at future NPT Review Conferences.

### **Public Profile**

As an integral part of the strengthened review process, Canada believes that each session of the Preparatory Committee should continue to report publicly on its work pertaining to the operation and implementation of the Treaty. As my Foreign Minister noted in his plenary speech last week, if we are to have real accountability then we need to have real transparency. Welcome moves in this regard are the inclusion of NGO advisors on a number of delegations to this conference – including two on Canada’s delegation – and the opportunity provided to the NGO community to make its views and recommendations known directly to this Review Conference.

The issues of nuclear disarmament and non-proliferation have been democratized. These are no longer the exclusive purview of military officials, diplomats and government scientists. Several NGOs include as members retired arms control negotiators, former weapons scientists, academic experts and individuals from many different walks of life. Our experience in this context, going at least as far back as 1985, demonstrates that the commitment and expertise of NGO advisors can do a great deal to enhance the openness and public accountability of our work, to involve civil society in our important issues, and to mobilize public support for and participation in our efforts directed at achieving the complete

**elimination of nuclear weapons.**

**With the global reach of the Internet and its associated revolution in information technologies, we are very ill-advised to ignore NGOs and civil society. Citizen verification and information distribution are valuable tools in countering proliferation. We recommend that each Review Conference, including its full Preparatory Committee process, encourages greater transparency, including increased NGO access and participation and enhanced media awareness.**

**In practice this would involve enhancing the present level of access and participation provided to NGOs. We recommend that NGOs should be allowed, upon request, to attend most meetings other than those designated as closed consultations. In addition, NGOs should be permitted to make presentations to each of the Main Committees at Review Conferences as well as to meetings at the Preparatory Committee devoted to specific subject areas.**

**Such enhanced access and participation would be open to eligible NGOs working in the field of nuclear non-proliferation and nuclear disarmament. The eligibility of NGOs may be decided by the President of the Review Conference and Chairman of a Preparatory Committee session, on the basis of a list provided by the United Nations Department for Disarmament Affairs. NGO participation could be considered on the basis of geographic representation, but with each NGO having a demonstrated record of appropriate work in this field.**

**Mr. President:**

**We welcome the two working papers on strengthening the review process, within the general structure of Decision 1 adopted in 1995, submitted respectively by Japan and Australia, and by the Netherlands and Norway, as well as some of the views expressed by other delegations on this theme. We firmly believe that any proposals put forward to the Review Conference should enhance the 1995 Decision.**

**We have carefully studied these two working papers and are pleased to find that there are several common themes between them and our paper. These working papers share a commitment to enhancing accountability through a reinforced strengthened review process with regard to the Preparatory Committee. Canada and the four countries noted above are interested in achieving, *inter alia*:**

- **a better focus to the substantive work of the Preparatory Committee;**
- **an improved structuring of the work programme;**
- **an appropriate substantive reporting format;**
- **a capability to address and report on international and regional issues or events having a bearing on the authority and integrity of the Treaty; and**

- **overall improvements in the process leading up to Review Conferences.**

**We are confident that any draft working paper produced by you, Mr. President, based on the views expressed here and the working papers introduced at this informal plenary session, will comprehensively capture the common themes identified in the preceding paragraphs. May we suggest that you consider organizing on-going informal consultations, with respect to inviting comments on a draft working paper, on a strengthened review process that you would prepare following this particular session. In this regard, we pledge to provide you with all the assistance that you and your staff may require.**

**Mr. President:**

**We can either continue to “muddle through” or we can opt for a “construction for the future” – for us, there is only one clear choice: that of contributing to a “construction for the future” leading to a stronger Treaty regime.**

**Thank you.**