

- The Opinion has shifted the burden of proof of the legality of nuclear policies onto the nuclear states.
- Lawyers and judges are "nitpicking" the finer points of the decision. The ICJ demanded a conclusion of negotiation on nuclear disarmament. The problem now is there is no enforcement of their decision so it has returned to the political arena. Citizens must press their governments to accept their obligations under international law and to pursue in good faith negotiations towards nuclear disarmament.
- The ICJ Opinion has required the international community to negotiate a convention for the complete elimination of nuclear weapons. As a consequence, the nuclear abolition movement is now legitimized. Ambassador Roche stated, "it is not a dream, it is a commanding reality in light of current international law."
- Despite the ICJ Opinion, the nuclear powers and NATO continue to ignore or flout international law.
- The legal obligations resulting from the ICJ Opinion must take political form. We need systematic progress toward nuclear disarmament defined within a comprehensive framework.

In his concluding comments Ambassador Roche proposed that the Canadian government review the Nuclear Weapons Convention which will be released during the NPT PrepComm; immediately ask for clarification of NATO's policy, seek a formal public debate on this issue and push to form a coalition of like-minded states to press for the comprehensive negotiations demanded by the ICJ.

Question/Discussion Period

The Chair then opened the floor to discussion. One participant said Canada should be encouraged to take the same creative approach to nuclear disarmament as it has to the elimination of landmines, by first trying to deal with practical issues such as inspection and de-targeting. She added that Canada has been a leader on "socio-political elements" such as devising confidence-building measures between combatants. Today, it could host nuclear and aspiring nuclear nations to talk about the concerns and fears that drive their policies.

Cdr. Robert Green asked Prof. Keating how he would interpret the British Foreign Office assertion that NATO's nuclear capacity "is essential to the process of forging new relationships with Russia." Prof. Keating responded that the statement made no sense to him, since the key to diffusing the Russian nuclear threat is to diminish the sense of threat that Russia itself feels. He added that the current strategic situation means the west can now afford to offer incentives to Russia for new co-operative ventures.