

Much has happened since those days when the "nuclear nightmare" seemed to trouble us all. Historic bilateral arms reduction agreements have been signed between the USA and Russia, the most recent of which, START II, will reduce to less than 7,000 by the year 2003 the total number of the strategic nuclear warheads of Russia and the USA. Canada is encouraging Russia to ratify START II and believes that this would provide the basis, already expressed by the US, for further reductions—a START III.

In Europe, NATO has made substantial reductions in nuclear forces over the past 5 years. The land-based nuclear stockpile in Europe has been reduced by over 80% since 1991, and by an even larger proportion from the Cold War peak levels; further reductions will be completed in the next two years.

The French have recently taken some positive unilateral steps with regard to their nuclear arsenal, reducing the numbers of nuclear warheads and delivery vehicles, closing down its nuclear testing facility.

The signing by France, the US and UK earlier this year of the Protocols to the African and South Pacific Nuclear Weapons Free Zone Treaties are further positive signals. Currently over half of the world's surface and more than half of the countries of the earth are covered by the terms of various NWFZs. These are signs that countries are committed to meeting their nuclear non-proliferation and disarmament objectives.

For Canada, the most recent critical event was the 1995 agreement to indefinitely extend, or to make permanent, the NPT. The key thing about the extension decision is that permanence enshrines the Treaty's values. The global community is now unequivocally committed to nuclear non-proliferation, disarmament and safeguarded peaceful use. These are not principles we are going to reconsider every once in-a-while; they are now among the permanent proclaimed values of the world community.

At that NPT Conference, it was also agreed that a Comprehensive Test Ban Treaty (CTBT) and a Convention to cut-off the Supply of Fissile Material for weapons purposes were priorities and represented critical steps on the road towards nuclear disarmament. One of those objectives was met on September 10, when the United Nations General Assembly endorsed the CTBT treaty. Minister Axworthy will sign that treaty on Sept 24. The CTBT will put an end to nuclear explosive testing, in any environment, and for all time. And regardless of the problems we will face in terms of getting the treaty to enter into force, it will represent an overwhelming legal and moral force in the world—simply put, it establishes a global norm against nuclear testing that every country, whether it has signed or not, will be loathe to violate.

The process leading to the international community's decision to make permanent the NPT has created a new dynamic in favour of nuclear disarmament. This trend was reinforced by the worldwide outcry against French and Chinese nuclear testing in which people around the

world, by their words and actions, made it clear that nuclear testing was simply no longer acceptable. The outcome of CTBT negotiations, in which India was unable to rally any significant ally in its fight against the treaty, in spite of its flaws, confirms the strength of this global movement.

The momentum behind nuclear disarmament continues to build. A number of recent and upcoming developments, particularly the International Court of Justice decision on the legality of nuclear weapons, the report of the Canberra Commission, the resumption in 1997 of the NPT preparatory process and recent proposals to establish nuclear weapons free zones in Central and Eastern Europe will ensure that policy-makers in this country will face difficult decisions over the coming months and years on nuclear issues.

In its advisory opinion issued on July 8, 1996, the ICJ addressed the question of the legality of the threat or use of nuclear weapons. As expected, the Court did not make a definitive statement on the illegality of nuclear weapons. The Court found that, generally, the threat or use of nuclear weapons would be contrary to international law, in particular the law of armed conflict. However the Court left open the question of whether the threat or use of nuclear weapons would be contrary to international law in "extreme circumstances of self-defence", in which the very survival of a State would be at stake. The Court unanimously reaffirmed the obligation on states, contained in Article VI of the NPT to "pursue in good faith and bring to conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control".

The 17-member "Canberra Commission on the Elimination of Nuclear Weapons", a group of eminent individuals from around the world, had a mandate to propose "practical steps towards a nuclear free world". The Commission tabled its report on 14 August. While many of the report's recommendations are consistent with longstanding Canadian nuclear disarmament policy (support for CTBT, Cut-off, improved verification, further nuclear reductions beyond START II),

Canada cannot fully endorse some of the analysis and conclusions.

The flipside of the disarmament coin is the security dimension. Canada is a member of NATO — an Alliance which contributes to Canadian security. It is an Alliance in transition. Canada, as a NATO ally, has a voice in that evolution.

In the immediate post-Cold War period in 1991, NATO held that nuclear weapons were "weapons of last resort". Currently, NATO views nuclear forces as "political" instruments designed to preserve peace and prevent coercion and war. The change is considerable. These are weapons not meant to be used.

From the beginning of his tenure, Minister Axworthy has called for a dialogue on these issues between government and the public. This is partly because he recognizes that these are challenging decisions. Thoughtful Canadians need to ask themselves what is a sensible