Thank you Mr. Chairperson, the discussion yesterday and today are very helpful.

I refer to Working Paper nine to discuss further the subject of effective legal measures, legal provisions and norms. Working Paper nine, the Progressive Approach paper, outlines a series of effective practical measures that can be taken to advance towards a nuclear weapons free world. A combination of these, which includes both legal and non-legal measures, represents the best chance we have at real, verifiable and concrete progress on nuclear disarmament.

In addition to reinforcing established legal measures, such as the NPT, it considers other effective legal measures including, among others, 1.) achieving finally the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and 2.) negotiating a Fissile Material Cut-Off Treaty (FMCT).

At the outset, I’d like to address comments made yesterday to the effect that an FMCT amounts to a measure to fill a so-called ‘legal gap’. As we explain in greater detail in our Working Paper number 20 on the question of whether there is a legal gap, Canada does not agree with arguments made in favour of the existence of a legal gap. As a result, we do not believe there is anything to ‘fill’.

In Canada’s view, the relevant and appropriate legal framework for nuclear disarmament exists already in Article VI of the NPT. In this context, as key components identified in the 2010 NPT Action Plan, an in-force CTBT and FMCT are not “gap-fillers” but rather concrete steps in pursuit of the full implementation of the NPT’s disarmament obligation.

In my remarks today, I wish to address the FMCT in greater detail. Last year, 179 UN Member States supported the resolution calling for immediate negotiations of an FMCT in the Conference on Disarmament (CD). Only one state voted against it. There is near
universal agreement that this treaty is ready to be negotiated and many countries firmly believe that the negotiation of an FMCT is the next logical legal measure to be pursued on the road to comprehensive nuclear disarmament.

Discussions about an FMCT have been ongoing for decades, but we have so far failed to succeed in launching its negotiation in the Conference on Disarmament. Given the ongoing stalemate in that forum, a Group of Governmental Experts or GGE was instituted in 2014-15 to examine concrete aspects of a future FMCT.

The GGE engaged in technical and fact-based discussions on the potential aspects of a future treaty and concluded its work by unanimously adopting a consensus report, containing the most in-depth discussions held to date on the topic.

As you know, Canada chaired that GGE, and there are several takeaways from that experience that I would like to share with you.

I will highlight only three:

First, in addition to productive discussions on treaty aspects, such as definitions and legal and institutional provisions, the GGE made important headway on the hitherto contentious issue of scope. The GGE thoroughly unpacked the notion of fissile material ‘stocks’ and demonstrated that there exists a variety of ways in which stocks could be addressed in negotiations.

To reiterate, the GGE demonstrated that we have moved past an era where debate over the scope of an FMCT can be simplistically summarized in a ‘stocks’ vs ‘no stocks’ argument. Consistent with our longstanding interpretation of the Shannon Mandate, Canada expects that the spectrum of stocks analysed by the GGE will be considered during FMCT negotiations. In this regard, Canada wholly considers the FMCT as an effective measure for both non-proliferation and disarmament.

Second. Another lesson from that experience, important for our deliberations: While important differences in perspective among experts remained, we believe they left the GGE experience with the realization that positions are not as divergent as originally thought. This understanding undoubtedly buttressed the GGE’s unequivocal conclusion
that the various positions of states should not be an obstacle to the commencement of negotiations.

These outcomes were possible because the GGE fostered constructive dialogue between a number of states that both possess nuclear weapons and those that do not.

In short, the GGE confirmed what we have believed for some time. The FMCT is the only non-proliferation and disarmament initiative currently ready for negotiation that involves all key stakeholders and can achieve realistic and concrete progress on our common objective of a world without nuclear weapons.

And finally, another reason for proceeding with fissile material treaty negotiations is a very practical one. The GGE agreed that a future FMCT would require a strong verification regime that provides confidence that no further prohibited production of fissile material is taking place.

Building on the groundwork laid by the GGE, the scientific and technical study that would go into developing such a verification regime would greatly support broader international disarmament verification efforts.

In other words, such work would bolster other disarmament verification initiatives in helping to fill critical verification knowledge gaps that are still significant impediments to further progress on disarmament.

Of course, an FMCT is not an end in itself, nor will it immediately bring about a nuclear weapon-free world. It will, however, at the very least, make a concrete contribution by halting vertical and horizontal proliferation and effectively and legally cap the amount of fissile material available for use in nuclear weapons.

It should also considerably increase the difficulty for new states, or non-state actors, to acquire weapons-usable nuclear material or weapons through theft or diversion.

In conclusion, we maintain that starting FMCT negotiations is the most critical legal measure in our future of non-proliferation and disarmament efforts that needs to be started immediately to build momentum.
We ask that the importance of proceeding with this legal measure be duly reflected in the final report of the OEWG.

Thank you.