

Letter to the Foreign Minister: The NSG, NPT, and the India deal

A letter to the Foreign Minister (from the Hon. Douglas Roche and Ernie Regehr) asking Canada to insist that the 45-member Nuclear Suppliers Group does not have the authority to exempt India or any other country from non-proliferation principles that the 189 members of the Nuclear Non-Proliferation Treaty have collectively and unanimously established. The NSG is scheduled to meet Aug. 21-22 on the issue.

August 5, 2008

The Honourable David Emerson
Minister of Foreign Affairs
125 Sussex Drive
Ottawa, Ontario K1A 0G2
Canada

Dear Minister,

We write out of our concern regarding the forthcoming meeting of the Nuclear Suppliers Group's (NSG) to deal with the request, put forward by the United States and India, that India be granted an exemption from the NSG guideline that civilian nuclear cooperation is to be confined to states that adhere to full-scope safeguards administered by the International Atomic Energy Agency (IAEA).

In particular we write to request that Canada remind the NSG that the full-scope safeguards condition for civilian nuclear cooperation is a fundamental international norm that has been solemnized by all States Parties to the Nuclear Non-proliferation Treaty. In 1995 Canada joined all other States that are Party to the Treaty, including the United States, in adopting a set of principles and objectives that were and are a condition for the indefinite extension of the Treaty. Paragraph 12 of the 1995 NPT decision says: "New supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to non-nuclear-weapon States should require, as a necessary precondition, acceptance of the Agency's full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices."

This 1995 decision was central to winning support for the indefinite extension of the NPT, and thus we ask further that Canada adopt the position that the NSG does not, on its own, have the authority to overturn the 1995 decision of all NPT states acting together.

We thank you in advance for your attention and look forward to your early response. In that response we would welcome your reaffirmation of Canada's ongoing support for the decision on principles and objectives made at the 1995 NPT Review Conference.

Sincerely,

Hon. Douglas Roche, O.C.
Former Canadian Ambassador for Disarmament

Ernie Regehr, O.C.

Adjunct Associate Professor of Peace and Conflict Studies, Conrad Grebel University
College, University of Waterloo

Fellow of the Centre for International Governance Innovation

Co-Founder, Project Ploughshares

CC:

The Hon. Michael Fortier, Trade Minister

The Hon. Bob Rae, Liberal Foreign Policy critic

Paul Dewar, NDP Foreign Policy critic

Paul Crete, BQ Foreign Policy Critic