

**STANDING COMMITTEE ON FOREIGN AFFAIRS AND
INTERNATIONAL TRADE**
EVIDENCE

Meeting No. 18

Tuesday, May 8, 2001

The Standing Committee on Foreign Affairs and International Trade met in a joint session with the Senate Foreign Affairs Committee at 3:42 p.m. this day, the Chairs, Bill Graham, (Chair of the Standing Committee on Foreign Affairs and International Trade) and Peter A. Stollery (Chair of the Senate Committee on Foreign Affairs), presiding.

Witnesses: From The Middle Powers Initiative: Thomas Graham, Ambassador and President of Lawyers Alliance for World Security; Dr. Morton H. Halperin, Senior Fellow, Council of Foreign Relations; Dr. Mary Wynne Ashford, Co-President of International Physicians for the Prevention of Nuclear War (IPPNW); Prof. Jennifer Allen Simons, President of The Simons Foundation - British Columbia; Jonathan Granoff, President of the Global Security Institute - San Francisco; Doug Roche, O.C., Senator and Chairman of the Middle Powers Initiative.

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The Co-Chair (Mr. Bill Graham (Toronto Centre—Rosedale, Lib.)): Members, as you know, the foreign affairs committee of the House did a report on nuclear policy some two years ago now. Both Senator Roche and Thomas Graham and, if I may say, the Middle Powers Initiative were very helpful in making sure we were properly briefed on nuclear matters. We're very grateful for that, and we're glad to have this follow-up.

You might be interested to know, Senator Roche, that perhaps as a result of a suggestion of yours and of the Middle Powers Initiative, in our report we recommended that our committee hear from our disarmament ambassador once a year to receive an update on where the nuclear armament situation is going.

Senator Douglas Roche (Chairman, Middle Powers Initiative): Mr. Chairman Graham, Mr. Chairman Stollery, senators, and members of Parliament, it is an honour for the Middle Powers Initiative to be invited back a second time to testify before a joint meeting of the House and Senate foreign affairs committees.

The Middle Powers Initiative sponsored a delegation to Ottawa over these two days, and we were bringing material to the Government of Canada and also to you.

Mr. Chairman, we have presented to the government and will present to you today a brief entitled "13 Action Steps, NATO and NMD".

It has three main points that the Middle Powers Initiative respectfully wishes to bring to your attention: the first is consideration of the 13 practical steps agreed upon by all 187 parties to the Non-Proliferation Treaty at the NPT review in 2000. Those 13 steps were the subject of an examination by a strategy consultation that the MPI held at the United Nations about a week ago.

Out of it emerged what we call the principal points for action in moving the agenda forward, which we're recommending to governments around the world, starting here with Canada. You'll see those points on page 4: de-alerting; preserve and strengthen the ABM Treaty; unilateralism versus the rule of law; irreversibility; non-strategic nuclear weapons; no testing; keep the testing moratorium in effect; bring the CTBT into force; an inventory of all fissile materials; standardized reporting; steps under urgency; and new conferences. We are submitting those points for the consideration of the government and of the two committees.

Secondly, under the section entitled "Canada, NATO and Nuclear Weapons," we commend the Government of Canada for its initiative in instigating the paragraph 32 process of the NATO review. However, we urge that this be continued because of the incoherence between NATO policy at present, which holds that nuclear weapons are essential, and the same countries under the NPT umbrella making an unequivocal undertaking toward the total elimination of nuclear weapons. Those two statements need to be reconciled.

Thirdly, we turn to the national missile defence issue. In the speech made by President Bush last week, we note that the president said that he was not presenting the allies with unilateral decisions already made and that he wants to take into account the views of countries such as Canada. Thus, we lay out some positions there, which we'll spell out in just a moment.

We'll now hear two very brief introductory statements by Ambassador Graham and Dr. Halperin, Mr. Chairman. Then we'll go immediately to questions, at your pleasure. I turn now to Ambassador Graham.

Mr. Thomas Graham (President, Lawyers Alliance for World Security; Middle Powers Initiative): Thank you, Mr. Chairman Graham, Mr. Chairman Stollery, and members of the committee, for this opportunity to appear before you. I'm honoured to have this opportunity to testify before a joint meeting of the Senate foreign affairs committee and the House of Commons Standing Committee on Foreign Affairs and International Trade.

Last week President Bush stated that the United States "must move beyond the constraints of the 30-year-old ABM Treaty" and design "a new framework that allows us to build missile defences". He added that the new framework should encourage "further cuts in nuclear weapons" even though nuclear weapons still have a vital role to play in our security and that of our allies and should be based on a new cooperative relationship with Russia.

Though most of the media coverage of the speech suggested that it set the stage for the United States to abrogate the 1972 Anti-Ballistic Missile Treaty, based on the statement itself, the President is free to move in almost any direction on this issue. The path that is chosen could have a lasting effect on international peace and security in the coming decades.

I urge the international community to choose wisely and let all voices be heard. The spread of nuclear weapons is the single most important threat to international security, a point made most eloquently by Prime Minister Blair, Chancellor Schroeder, and Premier Chirac in their 1999 *New York Times* op-ed article.

This is not only the world's most pressing threat, it is the one that cannot be effectively addressed without international cooperation. Unilateral steps by individual countries seeking to immunize themselves from the dangers posed by nuclear proliferation are destined only to undermine that state's security and have a destabilizing effect on the international community.

One year ago this month, at the 2000 review conference for the Nuclear Non-Proliferation Treaty, the NPT states parties agreed to a consensus document referred to as the final document that included 13 practical steps toward a strong and effective NPT, our principal defence against the spread of nuclear weapons.

These 13 steps, which include, for example, reviving the fissile material cut-off negotiations, jump-starting the start process, pursuing Comprehensive Test Ban Treaty entry into force, as well as maintaining the continued viability of the ABM Treaty, are in effect conditions for a strong NPT. The lack of meeting or maintaining these commitments has had a negative effect on the implementation of others of the 13 steps.

For example, the U.S. drive toward NMD deployment and potential abrogation of the ABM Treaty have contributed to the difficulties confronting the fissile material cut-off negotiations in Geneva. China has linked the two issues, insisting it will not accept fissile material cut-off negotiations onto the Conference on Disarmament agenda until that organization agrees to discuss a ban on weapons in space, an issue closely related to some of the various U.S. NMD proposals.

As a result, despite a commitment by the NPT states parties to complete a fissile material cut-off treaty by 2005, the Conference on Disarmament is, in effect, stalemated, with little hope for progress. I should note that abrogation of the ABM Treaty would itself be a violation of the commitment made last April by all NPT parties to preserve and strengthen the ABM Treaty as the cornerstone of strategic stability.

This language is the same as that in the 1997 Helsinki Agreement on further nuclear arms reductions. While its precise interpretation may differ among the NPT parties, it is clear that the final document makes maintaining the ABM Treaty an NPT-related commitment. Put another way, pursuant to the final document, withdrawal from the ABM Treaty would be contrary to an obligation that is now part of the NPT regime.

Indeed, the record of the nuclear weapons states, particularly that of the United States, with respect to implementing the 13 steps has been poor. But I am confident that with appropriate persuasion from such strong friends as Canada and the other NATO allies, the nuclear weapons states can be encouraged to return to a path toward stability and peace in the long term. That is, they can be convinced to return to a path toward a strong and effective NPT.

This will not happen in a vacuum. It will require hard work and strong leadership from states such as Canada if the nuclear weapons states, particularly the United States, are to be convinced that they need to implement the steps set forth in the final document. U.S. allies, members of the new agenda coalition, and relevant parts of civil society, including the Middle Powers Initiative, must emphasize that preservation of the ABM Treaty, the Comprehensive Test Ban Treaty entry into force, completion of a fissile material cut-off agreement, programs to eradicate stockpiles of excess fissile material, and the rest of the steps in the final document are important to preserving the NPT.

The nuclear weapons states, particularly those in NATO, also must be convinced to make their and NATO's policies on the potential first use of nuclear weapons consistent with NPT-related commitments. This means adopting policies whereby they would pledge never to introduce nuclear weapons into future conflicts.

Strong Canadian leadership—Mr. Chairman, your committee's leadership, two years ago—has led to much progress toward changing NATO's policy. This is leadership for which the government in Ottawa should be commended. But still more work remains.

Finally, America's allies must emphasize that preserving the NPT is essential to international peace and security. They must assert that the nuclear weapons states cannot take the NPT regime for granted, and that no state—I repeat, no state—can be made secure from the dangers of nuclear proliferation without international cooperation.

The future of the world may very well depend upon the ability of states such as Canada to persuade the United States to again lead international efforts to strengthen the non-proliferation regime.

I have painted here today a somewhat bleak picture, but I am as confident as ever that with the proper amount of encouragement, the path of leadership will again be chosen.

The Co-Chair (Mr. Bill Graham): Thank you, Ambassador Graham.
Dr. Halperin.

Dr. Morton H. Halperin (Senior Fellow, Council of Foreign Relations; Middle Powers Initiative): Mr. Chairman, I very much appreciate the opportunity to appear here. I want to say a few words to supplement what Ambassador Graham has said, in particular to focus on the issue of national missile defence.

I start with a proposition that is not often discussed, but that I think is clearly true: namely, that if a nuclear warhead were to explode on the North American continent in the next decade or two, it would almost certainly be a Russian weapon and not a weapon from a rogue state. That is because Russia has a very large number of nuclear weapons, and the rogue states have none.

Russia has ICBMs, which can reach the United States. The rogue states have none. And the Russian missiles, tipped with nuclear warheads, are targeted on the United States and could land

in the United States within a half hour of any inadvertent or deliberate firing by a single person or a group of Russian military officers.

This means that whatever we do to deal with the problem of new missile threats, we must make sure that what we do does not increase the risk that Russian weapons will be fired at the North American continent. Indeed, we should seek to develop measures that will in fact reduce that risk.

National missile defence will increase the risk of Russian weapons being fired. It will not reduce that risk if it is deployed now. Nor is it, in my view, the key to dealing with the Russian or Chinese nuclear capability or with new potential military threats that may arise from Iran, Iraq, or North Korea.

Well, if national missile defence is not the answer, what is? I think the answer in part was given to us in President Bush's speech. He began the speech by talking about the need to fundamentally restructure the American nuclear posture. In my view, that is the urgent first step that needs to be taken.

Many things can be done unilaterally. They need to be done within the context of existing agreements, and they need to be done in ways that reinforce those agreements. But basically, we have far too many nuclear weapons. Too many of them are on alert status, ready to be fired.

We continue to have war plans that assume we will fire very large numbers of nuclear weapons at Russia, either before we are attacked or soon after we are attacked by Russia. As the President suggested, Russia is no longer an enemy of the United States. It does not have forces in the centre of Europe. It is wholly implausible that Russia will launch nuclear weapons against the United States or that it will engage in a conventional attack that might justify the use of nuclear weapons or needs to be deterred by the threat of those nuclear weapons.

So we need to create a different kind of nuclear arrangement with Russia and with China, one that comes closer to our relationship with Britain and France. That is the first step, and in my view the most important step, we can take to reduce the risk that nuclear weapons might land on the North American continent.

The second thing we need to do is find ways to work cooperatively to reduce the risk that North Korea, Iran, or Iraq will develop nuclear weapons. We need to understand that our ability to slow down or prevent that process depends on international cooperation. It depends on continuing to persuade the Russians and the Chinese not to aid those countries in their development of nuclear capability. It depends on persuading the North Koreans not to sell missiles to Iran or Iraq. It depends, in general, on the ability to have international cooperation to deal with efforts by those countries to break out of the NPT, to which they have subscribed, and to move forward towards developing a nuclear or a missile capability.

Certainly it cannot be the case that the safest way to deal with a North Korean nuclear missile threat is not to do anything to try to prevent the North Koreans from getting missiles and nuclear weapons, not to do anything as they build missiles and link them to nuclear warheads, to wait until they fire those weapons at North America and then try to shoot them down. Clearly, we

would be much safer if we could prevent the North Koreans from developing a nuclear capability. That means getting the continued cooperation of the Russians, Chinese, and other countries and seeking to persuade North Korea not to move forward, seeking to prevent the North Koreans from buying the things they need to develop that capability. All of that cooperation would be placed in grave jeopardy were the United States now to withdraw from the ABM Treaty and go off on its own to try to deal with the North Korean missiles threat.

The other thing we clearly need to do is talk to the North Koreans. It makes absolutely no sense to say we're worried about a North Korean nuclear capability, but we are not willing to continue negotiations that are under way with the North Koreans to try to persuade them not to develop a missile capability and to reinforce their agreement not to make nuclear weapons. It may be that we need to explore appropriate verification measures for such an agreement, but we can't know whether the North Koreans will accept that verification unless we talk to them, unless we seek in a serious way to reach an agreement.

Those seem to me the most urgent steps to take to reduce the risk that hostile nuclear weapons, whether from Russia or from third countries, new threats, might affect the security of the United States and its allies.

Once we've done all that, then we can come to what other measures we should take as part of a comprehensive plan. Those measures have to include dealing with efforts to smuggle nuclear weapons in, they have to deal with efforts to deliver nuclear weapons by unconventional means, such as cruise missiles, or by ships off our coast. They also conceivably could include the deployment of a national missile defence, but only if it is done cooperatively, only if it protects allies as well as the American homeland, only if it is done cooperatively with the Russians and the Chinese, and done in a way that doesn't threaten their security and doesn't unravel the existing structure of cooperation.

If we deploy national missile defence in that form, it would be a modest and perhaps useful kind of insurance, if the technology existed, if the cost was reasonable, and if in fact the threat emerges. But at the moment there is no technical feasibility for this program. Cost would be astronomical and unknown, because we don't know what the system would look like.

And there is no threat. There is no Iraq, Iran, or North Korea, nuclear weapons with missiles on top of that. We know that about as well as we know anything about the world.

So our focus should be on reducing the Russia threat, making sure a Chinese threat does not emerge, and trying to find cooperative means to prevent the emergence of new missile threats.

Thank you, Mr. Chairman.

Mr. Co-Chair (Senator Peter Stollery): It seems to many people in Canada that what you've said is self-evident. I'm in favour of the non-proliferation treaties. How could anybody be in favour of nuclear proliferation? But it seems, I think, to a lot of people in Canada, and certainly the Senate foreign affairs committee in our NATO study, that increasingly, to sum it up, the Americans have decided to become unilateralists. So what we say, or what anybody says, doesn't

seem to be really as relevant as it was some years ago. So if a country has decided to act increasingly in a unilateral way and has said it's going to abandon treaties, what can the rest of us do about it, if they have no real interest in what we say?

Mr. Thomas Graham: Mr. Chairman, I would first respond to your question by saying that some in the United States favour a unilateralist course. There are many others who don't. There's a struggle going on within the Administration over this issue to some extent. It currently manifests itself in regard to national missile defence and the ABM Treaty. There was also the Kyoto Protocol exercise earlier. And there's an argument going on within the Washington community. It's perhaps less of a debate outside the Beltway, as we say. I think the majority of the American people, whereas they are inward-looking as far as their day-to-day interests are concerned, are not unilateralists.

I don't think that's where the political future lies. But right now there is this struggle going on, which has been building up for some years, between those who favour unilateralism and those who do not. And it appears, at least to some extent in Washington, that those who favour a unilateralist approach to security issues may have—and I emphasize “may” – the upper hand. Interventions by close friends, such as Canada and other allies, make a big difference in this debate. They strengthen the side of those who do not want to go this way. So I think now, more than ever, what Canada says and does is important for the outcome of future security policies.

Dr. Morton Halperin: Let me just underscore that. I think the Administration is beginning to learn the facts of geography, if they don't know the facts of anything else. Effective national missile defence requires radars to point outside the United States, that means on the territory of other countries, that means, in the current world, it needs the consent of those countries. And I think countries need to make it clear that whatever the government may think, the population of these countries will not permit that if the United States unilaterally tomorrow renounces the ABM Treaty.

Moreover, preventing Iran, Iraq, and North Korea from getting nuclear weapons and missiles depends on the continued cooperation of countries like Russia and China that have missile capability and could easily provide it to these countries if they chose to do so. So creating a world in which Russia and China walk away from commitments to proliferation simply increases the risk, it doesn't reduce the risk.

I think there is a struggle going on in the Administration. Some people I think expected and wanted the President to announce last week that the United States had withdrawn from the ABM Treaty. It did not do so. I think the first round was at least won, and it means our allies have to tell us the truth.

Mr. Jonathan Granoff (President of the Global Security Institute—San Francisco; Middle Powers Initiative): You'll be getting a document. Within this, 13 steps are laid out that are the law to which 187 countries are committed.

Under the United States Constitution, a treaty is the supreme law of the land. Many Americans understand that. The Nuclear Non-Proliferation Treaty articulates a cooperative, multilateral,

legal regime that unambiguously commits the states parties to move toward the elimination of nuclear weapons in a multilateral cooperative framework.

Also in the package you're getting is a document published by the United States Space Command. It articulates a vision in stark relief, in contrast to the legally required set of duties under the NPT. You will see it begins on the first page with a graphic illustration of stark unilateralism that looks like the *Star Wars* scroll at the beginning of the *Star Wars* movie, with the U.S. Space Command "dominating the space dimension of military operations to protect U.S. interests and investment", and "integrating space forces into warfighting capabilities across the full spectrum of conflict". It later says the goal of this quest is what they call "full spectrum dominance". They articulate in the long-range plan that full spectrum dominance means unilateral dominance of air, land, space, and information in the cyberworld.

I would contend, sir, that if the Canadian people and the American people were to know about this vision, they would reject it outright. It is completely contrary to all of the values and traditions America is founded upon—the rule of law, democracy, and respect for the rights of others.

How does this relate to national missile defence and the subject at hand? You will see in the document that this portion of the U.S. military will be the portion responsible for national missile defence. This is their language; they say that the U.S. Space Command will have a greatly expanded role as an active warfighter in the years ahead as the combatant command responsible for national missile defence and space force application. That's not defence, sir, it is offence. It is very hazardous and very dangerous.

I believe, not just as a citizen of the United States, but as a human being, I have a duty to denounce this and to say it is impractical, illegal, and dangerous.

Senator Roch Bolduc (Golfe, PC): We all recall President Clinton's declaration about national missile defence a few years back. I was struck by that. I remember I was looking at the State of the Union Address and heard it. Then last fall, his decision was not to decide on the new program.

Then in January President Bush comes with the same notion, or nearly the same notion, in the State of the Union Address. You have two State of the Union Addresses by two presidents and they go in the same direction on that aspect.

Then a few days ago it's a bit more explicit from President Bush: he's not backing out. What is behind this kind of a curtain that we don't see? Is it a lobbying gesture by the military-industrial complex to spend money, or is it a move by the United States to keep their technological advance, a kind of R and D program by the government, to help private enterprise? In Canada most of the R and D is done by the government.

Third, is it a protection device using the expression "the rogue states as adversaries" to hide the name of China, or is it a negotiation argument for cutting defence expenditure all over the world, including China and Russia?

So you see, for me, and I follow that quite closely, it's not clear at all. It could have four meanings, and that's what I am asking for.

Dr. Morton Halperin: Let me say a couple of things about that. First of all, this is not new. If you go back to 1968, Lyndon Johnson announced a national missile defence deployment. He did not deploy. Then Richard Nixon came in and he announced an entirely different deployment. Johnson's deployment was against China and Nixon's deployment was to defend missile silos.

Later we had Ronald Reagan's Star Wars; and then George Bush's GPALs; and then Bill Clinton's limited, one-site defence against new missile threats. And now we have George W. Bush. So it's a great American tradition. Each president throws away the ABM plan of the previous administration and starts a new one, and thus far it never ends up deploying. I believe this is the same story that will follow with George W. Bush.

The reason I think you have trouble figuring out what the motive is is that there are many different motives. For some people, the purpose of the national missile defence deployment is to break the ABM Treaty so as to destroy the structure of arms control agreements. In fact, I proposed to my Russian friends only half facetiously that they should accept whatever amendment to the ABM Treaty the Administration wants, because once they accept it, the steam will go out of the pressure to deploy the system, because if the system doesn't destroy the ABM Treaty and the arms control regime, then there's no real purpose to it.

There are other people who actually want to build a missile defence against Russia. You see that creeping in. The code words for that are "accidental launches". That means the capability to deal with Russian missiles from anywhere in Russia. These are people who really want to have military dominance over Russia. Then there are people who want to have military dominance over China and for whom this is really still an anti-Chinese ABM system. There are others who really believe in the notion of an emergent threat from Iran, Iraq, or North Korea.

So you have a coalition of different people wanting the system for different reasons. The military, by and large, do not want it because they see it as a threat to their budgets. They're not going to get as much money as they want; they never do, no matter how much they get. They see this as very expensive and taking money away from the military systems that they care about. So this is a civilian-driven program with people having very different motives combining together, but I think it can be defeated, as it was in previous administrations, by simply emphasizing that it is not ready to deploy, that it is too expensive, that there is no threat, and that we need to work on preventing the threat from coming forward and trying to divide the supporters of it so they cannot coalesce around the single system.

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Halperin, I'm interested in some of your comments with respect to Russia. You're suggesting that Russia will increase its nuclear capacity if the ABM Treaty is abandoned? Is that what you're arguing?

Dr. Morton Halperin: No. I think what it's much more likely to do is to try to slow down the speed at which it reduces its missiles. It is likely to renege on its current commitment to get rid of its land-based MIRVed missiles. And most dangerously of all, I think it is likely to increase the

alert status of its forces and reinforce efforts to launch on warning out of a fear that we are developing a capability to disarm them and their only effective answer to this is to increase their capacity to launch on warning. And this in turn increases the risk that they fire the system accidentally or because they fear there's an attack coming when one in fact is not heading towards them.

Mr. Monte Solberg: So not a buildup, just a slower ramping down and an increased readiness, I guess, essentially.

Dr. Morton Halperin: Yes.

Mr. Monte Solberg: You made an interesting point about North Korea where you were arguing that we should do more to prevent them from getting the capacity to arm a missile with a nuclear warhead. But of course that's a difficult thing to do. I think the best example really is Iraq. Here we have them basically surrounded in a way and they still seem to have the capacity to go ahead and do things that we don't want them to do. Even though we have sanctions on them, it's widely suspected, as you know, that they're working on some kind of a nuclear program. I'm wondering what more we could do to prevent a country such as North Korea from getting that capacity.

Dr. Morton Halperin: North Korea and Iraq are two very different cases. North Korea is a much smaller country, a much poorer country. It doesn't have oil. And it's a country that desperately needs and wants assistance from the outside world. It is a country where their political control is much more tenuous and they're really worried about a collapse.

I think there's a lot of evidence that the North Korean political leadership made a decision a few years ago that they were ready to trade their developing nuclear capacity and their missile capacity for security assurances from the United States, for assistance from Japan, the Republic of Korea, and the United States, and entrance into the international financial institutions, particularly the Asian Development Bank.

As you know, the Clinton Administration, which I was a part of, was engaged in serious negotiations with the North Koreans about the conditions under which they would agree not to develop or deploy long-range missiles and would further strengthen their commitment to get rid of nuclear weapons. We had by no means completed those negotiations and we were turning to the hard questions of what kind of verification would we have of that.

But the North Koreans have already shown a willingness to provide much more intrusive verification than the Iraqis are willing to do, even though they're under international obligations to do so. We found a large hole in North Korea, which our intelligence community was persuaded was a secret North Korean nuclear installation. And even though the North Koreans had no commitment under any existing agreement to let us see that tunnel, we went to them and said this whole process is in jeopardy. And they said to us, come and see the tunnel.

So we've now been twice to the tunnel. It's an empty tunnel. There's nothing in it. But they let us go to the site. So I think it is by no means impossible that we will be able to get from the North Koreans a set of inspection procedures, including challenge procedures, that will give us very

high confidence that they are in fact not testing or developing a longer-range missile and not developing nuclear weapons.

In return, we are not giving up our own capacity. This is not a normal arms control agreement, as with the Russians, where we give up testing and they give up testing. What we are giving up is food and access to development assistance and they're making these commitments.

It seems to me that if we can get that agreement with appropriate inspection and verification procedures it's a much more effective and much safer way to keep nuclear weapons from North Korea from landing on the North American continent than building a defence that isn't going to work.

Dr. Mary Wynne Ashford (Co-President of International Physicians for the Prevention of Nuclear War; Middle Powers Initiative): I'd like to speak about my experience in North Korea a year and a half ago, and also to compliment the government for the delegation that went from Canada to the DPRK.

Our goal in the international physicians organization is to use health as a bridge toward peace, to go in to meet with colleagues in North and South Korea, and to bring them out as well to train in the west. We had six cardiologists from North Korea come out to train in Boston for several weeks, two years ago now. We believe that by building bridges through civil society we help to lay the foundation for peace.

We believe that the enormous number of exchanges that occurred between the Soviet Union and the west during the Cold War helped to bring about the opening up eventually of the Soviet Union—although, of course, that's only one of many factors that contributed toward the end of the Cold War.

I think that the hope for stability and relief from this threat from North Korea lies in the direction Dr. Halperin has referred to—that is, trade and incorporation into the community of nations in the world. That's what we would hope to support the Canadian government in doing.

Mr. Stéphan Tremblay (Lac-Saint-Jean—Saguenay, BQ): The Canadian government seems to be saying at this time that it needs more information about the shield before deciding whether or not to support this initiative. You seem to be very well informed about the shield.

Is the government wavering because the public seems to be opposed to the idea, or does it truly need more information before it can make a decision?

Dr. Morton Halperin: The government does need more information. The Bush Administration has not yet said what kind of national missile defence it wants to deploy. It has not said whether the missile defence would protect America's allies as well as the United States. It has hinted at cooperative relations with Russia, but it has not said what those will be.

It has not said how it will deal with China. China was almost absent from the President's speech.

It has not said whether it is determined to proceed unilaterally, or whether it's going to seek the negotiated amendment to the ABM Treaty with Russia, or whether it's going to try to seek Russia's agreement simply to junk the treaty completely. There are vast numbers of questions, and if the Administration has an answer to them, it hasn't given them publicly. Maybe it will give them when it engages in consultations.

My guess is that the President has not made decisions on any of those questions yet, and that the consultation at this point is just on the general principle, to which I think the answer has to be that at the end of the day, after we do everything else, this may be sensible and feasible if it fits into an overall strategy, but to renounce the treaty now would be a disaster. Then Canada has to ask, what is it that you have specifically in mind, and to make a decision based on the answers to those questions.

Mr. Thomas Graham: I agree with what Dr. Halperin just said. I would add that it's not too early for Canada in its discussions with the United States to put markers down. We'll listen to what you have to say about national missile defence, but we would not look with favour on a unilateral approach. We want to see a multilateral approach—a cooperative approach—and we think it would be ill-advised in the extreme for the ABM Treaty to be abrogated.

It's not too early for Canada to mention to its partner to the south that there are certain important issues it cares about in this process.

Even though he's left, I'd like to add a point to the previous question about Iraq and North Korea acquiring nuclear weapons. It's one thing to acquire long-range missiles, and it's one thing to acquire a rudimentary primitive nuclear weapon, which weighs two or three tons and can be delivered perhaps by a truck, but it can't be delivered by a missile. It is not a threat to North America.

But what is a threat is a nuclear weapon that has been miniaturized and then made small enough so that it is deliverable at long ranges by a missile. The only way a nuclear weapon can be miniaturized is in the course of research based on nuclear testing. So the Comprehensive Test Ban Treaty is the true answer to that question.

Senator Eymard G. Corbin (Grand-Sault, Lib.): I'd like to refer to page 10 of your brief to the Government of Canada and specifically to the second from bottom paragraph where you talk about the Russian invitation to join the U.S.—Russia agreement on the establishment of a joint data exchange centre, “turning the proposed Global Monitoring System (GMS) program into the multilateral operation the Russians intended.”

What I'd like to know is what would be the import or impact of that for Canada joining in, and what relevancy does that have to your main concern? Is this just a data-gathering operation, and who else is going to join in that operation? Can anyone give me some information?

Mr. Thomas Graham: I think that increasingly, as was said earlier, we live in a global village—a single world. Whereas this agreement between the U.S. and Russia to share data is certainly a stabilizing step, over time it would be more stabilizing to add other interested

countries to this and have a true global network of data exchange even in this area of missiles and nuclear weapons. Eventually one would hope that perhaps if it is made multilateral, other nuclear weapon states would join. But the idea of endorsing a multilateral system is simply to bring in more sources of information and add to international stability, as I understand it.

Senator Douglas Roche: Senator Corbin, it is, in short, a confidence-building measure that would enable, if it really got under way, the European countries to work together in data exchange and building confidence so that we wouldn't have to move to a missile defence system.

Mr. Jonathan Granoff: I just want to make a short intervention. It's our hope that we would move toward creating an international inventory of all fissile material, because the real threat that we have is not from an intercontinental ballistic missile, which has a return address; the real threat is a device delivered with stealth, accuracy, and some degree of predictability by a non-state actor. The fastest way of controlling that is to control the fissile material. That should be multilateral, because every country has an interest in that.

If we spent any serious portion of the kind of money that's being contemplated for national missile defence on verification and on inventorying the fissile material, we'd be all a lot safer.

Mr. Svend Robinson (Burnaby—Douglas, NDP): I must say I find it tragic, really, that the debate has shifted to some extent to how we might be able to almost accommodate the desire for some form of ballistic missile defence through amending treaties when, just about a year ago by my recollection, 187 countries had recommitted themselves to abolishing nuclear weapons, including the United States and Russia, and had reiterated the importance of the ABM Treaty as a cornerstone in that process.

I find it, frankly, obscene that now the ground has shifted so profoundly. The arms manufacturers, of course, are happy. We've heard on many occasions that once the Soviet Union ceased to exist as an enemy, they'd find new enemies, and of course now they've got that. They've got their rogue states out there waiting to pounce on a vulnerable and defenceless North America.

I've got a couple of questions that arise from this. More than ever, I must say that in the context of what we're witnessing now, I believe Canada should not be participating in NATO or in NORAD. When we look at NATO's reaffirmation that nuclear weapons are essential, there's something perverse about that.

On NMD itself, could you respond directly to the rogue state argument, because this is the one we keep hearing. My colleagues from the Alliance keep repeating this argument that we've got to be prepared for an attack from a rogue state. In fact, they've been arguing that Canada should be signing on to the NMD. The second argument is that somehow we have an obligation under our bilateral NORAD treaty with the United States to support NMD. Indeed, a pentagon analyst in an article in *Time* magazine, the current issue, has said:

If Canada remained opposed to the system, we couldn't run it through NORAD. Then we'd wonder whether NORAD is worth keeping.

Some of us wonder that already. What do the witnesses have to say about Canada saying no to participation in the NMD and maintaining involvement with NORAD?

Professor Jennifer Allen Simons (President of the Simons Foundation, British Columbia; Middle Powers Initiative): We have no obligation to participate in NMD under NORAD, and the Rumsfeld commission report actually says they're redefining their space command and they are calling for a head of that space command other than the commander-in-chief of space, NORAD. So that's really worth looking at, if your committee has this Rumsfeld commission report.

I'd like to express my concern about the U.S.'s planned missile defence system. I'm a Canadian from British Columbia, and I think I speak for a lot of people.

I don't think it's in the best interests of Canada or the peace and security of the world for Canada to support the development of this system, which is actually the first stage of the weaponization of space. We must recognize that it's both an offence and a defence system, because it exacerbates international tensions and it will cause a new arms race. I'm concerned about the U.S.'s desire to abrogate the ABM Treaty. It can't be dismissed as a relic of the Cold War. This does injustice to international law and to all international treaties.

It's my view that while Canada can support some modification to the ABM Treaty, it is the moral responsibility of Canada to ensure that the U.S. does not abrogate this treaty. The abrogation of the ABM Treaty threatens the whole disarmament and arms control regime that has kept the world relatively safe since the end of the Second World War.

Although the U.S. professes a new, positive relationship with Russia, its plan is to create a great structure of national missile defence that will protect NATO members and other U.S. allies, like Australia and Japan, but will exclude Russia. It also appears to be an aggressive action directed at China.

I was a member of the Canadian delegation to the NPT 2000 review conference. We came away with a commitment to 13 steps aimed at bringing about nuclear disarmament, and NMD has thrown this in jeopardy. NATO still adheres to its nuclear posture. Canada, as a member of NATO, has a responsibility to its obligations under the NPT, but membership of NATO is inconsistent with this posture. I really urge this committee, wherever you go next, to urge Parliament and make some policy to have Canada comply with international law.

Senator Douglas Roche: Mr. Robinson, your first point about the tragic manner in which the debate has shifted since last year needs to be underlined. That's a very important point. It is true that all 187 states party to the NPT last year made an unequivocal undertaking to the total elimination of nuclear weapons and entered a program of 13 steps. We've analysed those steps and offered some principal points for action.

The NMD is like a big ominous cloud that has come down on the nuclear weapons debate. The Middle Powers Initiative takes the view that the best response to the missile defence question is to emphasize getting on with the nuclear disarmament agenda. We think that is an essential point

not to be lost. In other words, do we stop talking about nuclear disarmament measures just because the missile defence issue has loomed?

On your question of Canada's participation in NATO, the Middle Powers Initiative did not take a stand on that. The Middle Powers Initiative deals with NATO as an entity, as an ongoing reality.

What we do say is that all the countries within NATO – and certainly now we have the honour of being in Canada, the Canadian government – should work within NATO to ensure that the NATO policies are compatible with international law as espoused by the Non-Proliferation Treaty, which is a legal instrument. We've tried to say that present NATO policies are not coherent with the Non-Proliferation Treaty, which ought to supersede NATO's policies.

This is a real matter of concern to us, and we urge the Government of Canada to get on with eliminating this by working within NATO to change NATO's policies from continuing to call nuclear weapons "essential" to making them compatible with the Non-Proliferation Treaty.

Mr. Jonathan Granoff: I wanted to just underscore the importance of international law in this regard. The International Court of Justice was seized of this issue and issued a very important landmark decision, one which has not really enjoyed full debate within the parliaments of the world. I think we're all bound by that decision.

The decision in essence said that international law at this point in time is unable to determine decisively whether the use or threat of use of nuclear weapons in all circumstances is illegal because they couldn't determine if a use that involved dropping a nuclear device in the Gobi Desert or in the deep sea would violate international law. However, the court did say that any use or threat of use of a nuclear weapon must comply with principles of humanitarian law. Those principles address proportionality and render unacceptable the use of a weapon of indiscriminate effect, a weapon which cannot discriminate between civilians and combatants.

The court said that in order to bring coherence to the policies of the nuclear weapon states, their duties under the NPT, and their obligations under humanitarian law—and the court ruled unanimously – there is a duty to negotiate to completion a treaty on the elimination of nuclear weapons.

Now, that is the ruling of the highest court in the world. It is my position that those 13 steps under the NPT are movement in compliance with that decision, but the quest for a national missile defence goes precisely in the wrong direction.

Mr. John Harvard (Charleswood St. James—Assiniboia, Lib.): I have observations on a couple of areas, and any witness can feel free to respond. I first of all want to touch on this alleged threat from some so-called rogue state. I find it specious. I just can't believe that a small country that can't even feed itself, like North Korea, poses a threat to North America. If after spending billions and billions and billions of dollars on defence and offensive weapons as has the United States and if it's still vulnerable to a small state like North Korea, one would really have to seriously question the defence posture of the United States.

To me, this talk of a rogue state unleashing some terrible attack on, say, North America or the United States smacks of some kind of plot contrived by the arms manufacturers of the world.

However, let's assume for a moment that I was wrong and that there really is a threat, let's say from North Korea. I guess my question would be, would it not be cheaper for the United States—and I mean cheaper in the sense of dollars and cents—to simply buy them off? I would think that the Americans would have to spend billions and billions and billions of additional dollars to come up with some kind of defence to offset this alleged threat from North Korea. If they were to spend that on developing a trade relationship and on developing the infrastructure—be it for education, social services, or whatever in North Korea—that would be a much more effective and certainly cheaper proposition.

We know that the North Koreans are under a communist regime, but after all they're still human beings. I would think that most of the mothers and fathers in North Korea would like to be in the position of feeding their children. I doubt if they spend too much time worrying about whether they can unleash some nuclear attack or an attack of some other kind on the United States or any other country.

Let me just touch on the second area, and then I'll leave it to the witnesses. It has to do with the national missile defence and how Canada—and I'm really speaking now of our government—should deal with it. How should we respond to it, since we now have a Republican administration in the White House? I think that constitutes a significant change. You earlier spoke of the shifting debate, and I don't know whether that has much or everything to do with the fact that there is a Bush presidency now.

I guess my question is this. For those of you who know the Americans better than I do, how vigorous can we be in approaching this issue with the Americans? Is it a real concern that if we were to push too hard, this would prompt some kind of backlash, or can we be very vigorous, very open, and frank with the Americans?

I would hope it would be the latter, but I'm seeking advice from people like you who know this Administration better than I do. So I would like any of you to respond to those two questions.

Dr. Morton Halperin: On the question of rogue states, I share your skepticism about this. I believe that the North Koreans were setting out to develop nuclear weapons and long range missiles, but I also believe that they're clearly willing to forgo that for the right price. The right price is clearly a lot cheaper than the cost of a national missile defence. It's also a lot safer than a national missile defence because all the national missile defence can do is to try to shoot down the missiles after they've been fired.

If we prevent them from developing the weapons, they not only can't fire them at the United States, they can't use them against our allies, our forces in the area, and so on. As the Rumsfeld report itself pointed out, delivery by long-range intercontinental ballistic missiles is only one of the many ways a state or a group that somehow acquired a nuclear weapon could deliver it.

It's much more likely to deliver it in a way so you can't tell where it comes from. This is a lot cheaper to do and doesn't tell you anything in advance. You can't construct a launcher for a long-range missile without the United States knowing about it and without your having to worry that the United States would try to destroy it on the ground, as I assume we would.

If there came to be a state or rogue group that developed nuclear weapons and tried to blackmail the United States or the west, it would almost certainly not do it by beginning to build a long-range ballistic missile. There are so many other ways it could do it. My favourite, described in the Rumsfeld Report, is where you would have a ship off the east coast blow up with just a normal explosion in it, and then a little note would be delivered saying, the next boat that blows up will be with a nuclear weapon. We would not know who had sent it, we would not know where it came from, and we would have no capacity to stop it.

So we have to deal with this problem by cooperative means, to prevent countries from getting this capacity. That means working with Russia and China as well as everybody else, and it means negotiating with these countries, dealing with their real security concerns, dealing with their economic interests, and trying to get them to accept that it's not in their interest to do so. Building a national missile defence is not the solution to that problem.

Now, as to how Canada should respond, obviously that's a decision you have to make here. My view is that it would do no good to say, national missile defence is evil and we're against it under all circumstances. What is much more productive is to say, we are not inherently against it as a form of insurance along with many other things as part of a comprehensive program. The essential elements of that comprehensive program have to be, first, to restructure the nuclear relation with Russia and China on a cooperative basis that takes into account the realities the President described in his speech. The second element has to be a cooperative effort with all countries to try to prevent new states from developing missiles and nuclear weapons.

If those two things fail, we can work on a national missile defence if we have to, as long as the national missile defence is done cooperatively, it protects our allies, it's done cooperatively with Russia and China, and it's deployed in a way that doesn't disrupt the ongoing arms control system. In that case, it's just a question of whether it's worth the cost and the threat has emerged.

The Co-Chair (Mr. Bill Graham): Just to follow up on that for one second, our ambassador for disarmament, Mr. Westdal, as I told you, was in our committee this morning, and he said don't give up hope because Republican administrations have had as much effect on disarmament matters as Democratic administrations. He pointed to Mr. Bush's father, and even Mr. Reagan. Some of the big treaties have been signed under Republican administrations.

Would you agree with that analysis, Ambassador Graham, that there is some light at the end of the tunnel, that there isn't a nuclear train coming down it at us?

Mr. Thomas Graham: I would agree with that. I think George Bush's father achieved more in the arms control field than any other president. I was in the government at the time. I think certainly toward the end of the Reagan Administration there were achievements made, and likewise in the Nixon Administration. Furthermore, Republican presidents can actually get

treaties ratified. I don't think a Democratic president has ever, since World War II, negotiated an arms control treaty and gotten it ratified. President Kennedy is the only Democratic president to get an arms control treaty ratified that he negotiated. In any case, Republican administrations certainly can do it; Democratic administrations can as well.

There's no reason why, if the motivation is there, if it proves to be there over time, this Administration can't do very well with developing sound, practical, and useful arms control disarmament non-proliferation policies. Thus far the early indications are in the other direction, but the game isn't over yet; in fact it's just begun.

So I think it's premature to draw any conclusions as to where it's going to come out. Nevertheless, there is cause for worry here at the beginning of the process.

On the rogue state issue, I share your and Dr. Halperin's skepticism. I am not personally persuaded there is a threat there. I forget if it's the defence budget or the GNP, but annually in North Korea it is about \$2 billion. In any case, it's far less than what we spend annually on missile defence. There's no real indication that North Korea or any other country is anywhere close to developing—even in sight of—capable long-range missiles and nuclear weapons that are small enough that can actually be carried by long-range missiles, which would require nuclear testing.

With respect to Canada's policy, I would agree with Dr. Halperin. Canada should emphasize that it's not against national missile defence in principle, if it's done right and if a reasonable threat is demonstrated, as long as it's cooperative with China, Russia, and the allies, and as long as it's done within the framework of the existing international treaty structure and the ABM Treaty, or the ABM Treaty as amended, is preserved.

Senator Consiglio Di Nino (Ontario, PC): Over the past number of years, and in particular latterly and today, we're certainly hearing a great deal of criticism of the U.S. on these issues. The U.S. is arguably probably the most open democracy in the world, and yet we have seen successive administrations that have looked to this kind of a public policy over the years. My question is very simple: are we suggesting that the Americans are a bunch of warmongers intending to take over the world, or are there other motives? If there are other motives, I'd like to hear about it.

Dr. Mary Wynne Ashford: I'll try to answer that as a fellow Canadian and say that I don't think anyone should be faulted for trying to develop a security system for their country. If there is a genuine threat, you want to make your people secure. As doctors, we're very concerned about the adequacy of any kind of technological response to the issue of how to make your country secure, because technology always has a failure rate.

The predicted failure rate under the Star Wars program of the eighties was about 10%. Even if on this one the Americans could design a system—we don't believe they could—that was 99.75% effective, and one missile got through out of 400 and hit the city of New York, three million people would die immediately. Another million or more would die in the following months

because of radioactivity, and millions across the planet would suffer. We don't see that there's any justification for taking this route to security.

Senator Consiglio Di Nino: So why are the Americans doing it then?

Mr. Thomas Graham: As was explained earlier, there are many different motives. This is an old policy. I agree with the various reasons Dr. Halperin gave, but I think there are some additional underlying reasons that may explain the persistence of this subject.

When I started work at the arms control agency in 1970, my first assignment was to work on national missile defence. The arguments were very similar then to the arguments now. We didn't have rogue states, but we had many of the same arguments. The first national missile defence plan was developed in the 1960s. This is the sixth one. Not a single American president has adopted the plan of his predecessor. I think this is a positive political issue. Most Americans, I believe, favour national missile defence when asked, black or white, are you for it or are you against it?

I think the reason is that Americans long for the days when they were secure behind their two oceans with friendly neighbours to the north and south. The missile age ended all that. National missile defence holds out the hope—the ideological hope—of going back to that. That's one reason it's popular politically.

Then in the 1980s, the Strategic Defense Initiative office from their standpoint very wisely located contracts with contractors in many different congressional districts, in many different states. So there's a strong economic underpinning to this.

I think those two things have been constants for the last 25 years, and that's why the program keeps coming back in different forms – rogue states, the Soviet Union, whatever. It will probably continue to come back for the next 20 years. Also, probably – at least in my opinion – it will never be deployed, because technology will never be found that will really, truly do the job. But we'll have to wait and see about that. That's my view.

There are other reasons people favour the system now, such as dealing with China, dealing with Russia, being against arms control, and so forth. But I think the two reasons I mentioned underlie all of this and will ensure this issue will be with us for many years. The important thing is to be patient and do the best we can to limit the damage as we go along.

Mr. Jonathan Granoff: According to Howell Estes III, the then Commander in Chief of the United States Air Force, in the foreword to the long-range plan of the United States Space Command on the subject:

Space-related industries are growing 20% annually. In a few years, we'll see 1,000+ new satellites and about \$500B spent worldwide on space applications.

Those are real investments, real money that needs to be protected. The choice is whether we will have a cooperative regime protecting those satellites or whether we will have a unilateral regime asserting power through them. That's the choice. But this is a very powerful interest group.

The Co-Chair (Mr. Bill Graham): Thank you on behalf of the committee and many of us who want to thank the Middle Powers Initiative for the tremendous work it's doing in this area. I know you're trying to advance the cause not only of peace but of humanity, and we're all grateful to you for the tremendous work you do. So keep harassing us in this interest.

The Co-Chair (Senator Peter Stollery): On behalf of the Senate, I also would like to thank you very much for involving us in this very important discussion. This is very useful and very important to us. Thank you very much.

Senator Douglas Roche: Thank you, Mr. Chairman Graham and Mr. Chairman Stollery, for this opportunity.

The Co-Chair (Mr. Bill Graham): The meeting is adjourned.