Canada’s support for Nuclear Deterrence and the Right to Life

Article 6 of the International Covenant on Civil and Political Rights

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The Human Rights Committee in its General Comment 36 of October 30, 2018 stated in part:

*The threat or use of weapons of mass destruction, in particular nuclear weapons, which are indiscriminate in effect and are of a nature to cause destruction of human life on a catastrophic scale, is incompatible with respect for the right to life and may amount to a crime under international law.*

In light of this interpretation it would follow that the policy of nuclear deterrence which threatens under certain, unspecified circumstances to use nuclear weapons is incompatible with the right to life as set out in Article 6 of the International Covenant on Civil and Political Rights (ICCPR).

Canada, in its national policy as well as a member of the North Atlantic Treaty Organization (NATO) has supported the policy of nuclear deterrence.

In its 2017 *Safe, Secure, Engaged: Canada’s Defence Policy* the Canadian Government gives a new prominence to deterrence, stating that “*The return of major power rivalry, new threats from non-state actors and challenges in the space and cyber domains have returned deterrence to the centre of defence thinking”* and declaring that *“Canada benefits from the deterrent effect provided by its alliances (e.g. NATO and NORAD)”.* It is made clear that the reference to deterrence embraces both nuclear and conventional forces (“*Deterrence has traditionally focused on conventional and nuclear capabilities…”).* [[1]](#footnote-1)

Senior members of the Government have stated support for the policy of nuclear deterrence. For example, the Parliamentary Secretary to the Minister of Foreign Affairs, the Hon. Leslie Andrew, stated in the House of Commons “…as members of NATO, we have relied on and stood on the shoulders of others who have nuclear weapon deterrent capabilities, which for good or bad, I think mainly good, prevented an outbreak of nuclear war until now”. [[2]](#footnote-2)

In Canada’s statement last year during the General Debate segment of the UN General Assembly’s First Committee there is an attempt to both espouse nuclear deterrence and nuclear disarmament: “*Canada supports and understands the need for nuclear deterrence, but this does not stop us from advocating tirelessly for policies and practices to eliminate nuclear weapons.*”[[3]](#footnote-3) Canadian efforts to reconcile its nuclear deterrence and nuclear disarmament policies cannot obscure the fact that support for the former brings Canada into contradiction with its obligations under international human rights law and Article 6 of the ICCPR in particular.

In a NATO context, Canada has subscribed to numerous policy statements supporting nuclear deterrence and the inclusion of nuclear forces in NATO’s defence posture. Authoritative examples:

“*Deterrence, based on an appropriate mix of nuclear and conventional capabilities, remains a core element of our overall strategy. The circumstances in which any use of nuclear weapons might have to be contemplated are extremely remote. As long as nuclear weapons exist, NATO will remain a nuclear alliance… The supreme guarantee of the security of the Allies is provided by the strategic nuclear forces of the Alliance, particularly those of the United States; the independent strategic nuclear forces of the United Kingdom* *and France, which have a deterrent role of their own, contribute to the overall deterrence and security of the Allies.”* NATO Strategic Concept, November 2010*.*[[4]](#footnote-4)

*“Allies’ goal is to continue to bolster deterrence as a core element of our collective defence and to contribute to the indivisible security of the Alliance. Following changes in the security environment, NATO has taken steps to ensure its nuclear deterrent capabilities remain safe, secure, and effective. As long as nuclear weapons exist, NATO will remain a nuclear alliance.”* Brussels Summit Declaration, July 2018 [[5]](#footnote-5)

In light of General Comment 36, it is our view that Canada’s support for nuclear deterrence is contrary to its obligation to respect the right to life as set out in Article 6 of the ICCPR. To correct this contradiction, Canada should proceed on a national basis to disavow the policy of nuclear deterrence and cease any activity, within NATO or elsewhere, in support of that policy and the nuclear forces associated with it.

1. *Safe ,Secure, Engaged: Canada’s Defence Policy,* 2017, pg 50 http://dgpaapp.forces.gc.ca/en/canada-defence-policy/docs/canada-defence-policy-report.pdf [↑](#footnote-ref-1)
2. *Hansard,* June 6, 2017 [↑](#footnote-ref-2)
3. Canada’s statement during General Debate of UN General Assembly’s First Committee, October 14, 2020: https://reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com20/statements/14Oct\_Canada.pdf [↑](#footnote-ref-3)
4. NATO *Strategic Concept,* 2010,https://www.nato.int/strategic-concept/pdf/Strat\_Concept\_web\_en.pdf [↑](#footnote-ref-4)
5. Brussels *Summit Communiqué* 2018, https://www.nato.int/cps/en/natohq/official\_texts\_156624.htm [↑](#footnote-ref-5)