

*Canada and the Treaty on the Prohibition of Nuclear Weapons*

Conference convened by  
Canadians for a Nuclear Weapons Convention

Hosted by  
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**Conference Opening Remarks**

**The Simons Foundation Award Presentation**

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*Founder and President*  
*The Simons Foundation Canada*

Good Evening,

My name is Jennifer Allen Simons. I am Founder and President of The Simons Foundation Canada, and member of Canadians for a Nuclear Weapons Convention – the CNWC – convenor of this conference.

I welcome you on behalf of The Simons Foundation and the CNWC to this evening's event.

First of all, I would like to thank Elaine Hynes - my faithful Assistant and Manager of the Foundation's programmes - who, from her desk in Vancouver, has organized all the practical aspects - of this Conference. – and dealt, with fortitude, all the frustrating ever-changing COVID elements. Thank you, Elaine!

The evening will begin with the presentation of *The Simons Foundation Award for Distinguished Global Leadership in the Service of Peace and Disarmament* to our guest of honour, Ambassador Alexander Kmentt, President-designate of the First Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons, and the Director of Disarmament, Arms Control and Non-Proliferation, Austrian Ministry of Foreign Affairs, who has honored us by accepting our Award.

Following the presentation, I will invite Ernie Regehr, Chair of the CNWC to open the Conference, and to invite Ambassador Kmentt to give the Conference Keynote Speech. We will then adjourn for a Reception which, regrettably, is subject to COVID Regulations.

The first recipient of The Simons Foundation Award was the Honorable Lloyd Axworthy, Companion of the Order of Canada, former Minister of Foreign Affairs, and a lifelong, indefatigable proponent of nuclear disarmament. And regret that, at the last minute, was forced to withdraw from this conference.

As Canada's Minister of Foreign Affairs Lloyd Axworthy introduced Human Security as a new foreign policy paradigm - the transformation from a state-focused security agenda with "war as a legitimate and inevitable instrument of national policy"<sup>1</sup> to a human-centred approach – a moral, ethical, human security political paradigm, shaped and strengthened by International Law.

While this is no longer Canada's foreign policy, Dr. Axworthy's commitment to Human Security has never wavered and his legacy assured for all time – for his responsibility for the key role Canada played in establishing the International Criminal Court; for the Mine Ban Treaty; the Convention on Cluster Munitions; and the UN mandated Responsibility to Protect for the prevention genocide, war crimes, ethnic cleansing and crimes against humanity - all issues so relevant to the Treaty for the Prohibition of Nuclear Weapons.

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<sup>1</sup> Geoffrey Robertson, *Crimes Against Humanity*, 199

The concept of human security has its origins in emerging war law - the 1899 Hague Conventions - International Humanitarian Law – an **oxymoronic concept** of **humane ways to kill people** – banning the use of dum dum bullets because they explode on contact with a human.

Yet, since 1945 to the present - for 77 years - we, the people of world, have lived endangered by weapons of **power so immense** it would cause human and environmental destruction on such an astronomical scale, that the law protecting one individual soldier from a dum dum bullet in war is risible.

It is essential to understand that it is a fallacy to think of nuclear weapons as weapons of war.

In the words of the late Professor Hans Morgenthau: weapons of war prior to Hiroshima were tools of engagement between two warring parties, after which one would be defeated and the other emerge the winner. A nuclear device, he said, is not a weapon but “an instrument of unlimited, universal destruction” – nuclear war is not war, but – to quote him - “**suicide and genocide ... a self -defeating absurdity.**”

We are all collateral damage in the event of a nuclear war, or of an accident, an accidental, malicious or deliberate launch of a nuclear weapon. We are subjected to the false narrative of safety through the policy and practice of Nuclear Deterrence, purported to protect us from nuclear danger, yet in reality, with no foundation in truth.

Nuclear deterrence is an illusion and a dangerous game –involving the potential mass murder of millions of innocent civilians.

Nuclear deterrence **means the threat – the intention to use nuclear weapons**, and because some states have nuclear weapons deployed and on high alert status **this is no empty threat**. Nuclear deterrence is a **chimera**, and a **camouflage** for the research, development, manufacture, and deployment of nuclear weapons; and **an excuse** for states to upgrade and multiply their nuclear weapons.

This policy originated during the Cold War and involved two countries continually vying for dominance, expanding their arsenals; but also engaged in risk management practices which relied on knowledge of each other’s forces, rational calculations – calculations of risk, and of risk-taking; and as new technologies emerged, a constant ever- increasing flow of risk reduction measures.

Instead of two states there are now *nine* states with nuclear weapons all with deterrence policies. So much is dependent - for the safety of humanity - upon the *rationality of nine* leaders who, rather than competing for global supremacy, adhere to the global rules-based order regulated by International Law. Moreover, it is dependent upon the security – *the invulnerability* - of *nine* Command and Control Systems and the arsenals.

During the Cold War weapons and weapon-related technology was the domain of the military. With the digital revolution, innovation and development of war fighting technology has shifted from the military domain to the private sector which creates new uncertainties - new hazards.

Moreover, this rapidly accelerating technological change and innovation has engendered additional dangers – and an unacceptable level of risk. Not enough attention is being paid to these emerging technologies- to “deep fake technology, satellite jamming and spoofing systems,” to dynamic anti-satellite capabilities, and “artificial intelligence-powered cyber operations”<sup>2</sup> all of which are outpacing deterrence policy initiatives and for which there is no ‘quick fix.’

Each new purported deterrence measure - animated by paranoia - thus is always both shield and sword - triggers a chain reaction, fueling the arms race. Each development is followed by its counter; for example, missile defence is countered by anti-satellite weapons, its capability demonstrated recently by Russia; and weapons like the new Chinese missile defence evading super-glide hypersonic missile - and so it goes on.

Deterrence policy and practice demands immense financial, and human resources, requiring employment for thousands engaged in the Sisyphean task of ensuring crisis stability – protecting its vulnerable systems - endeavoring to legislate a never-ending spiral of risk reduction measures,<sup>3</sup> in order to prevent the failure of nuclear deterrence policy that would result in the catastrophic consequences for humanity we so much fear.

At some point it is bound to fail, and the consequence of failure would be a state-engendered crime and intolerable for humanity. Nuclear Deterrence policy and practice is a form of state terrorism which transforms the world - to paraphrase President Kennedy - into a prison in which men, women and children await their execution.

While there are no facts - no grounds for belief - in the success of deterrence theory, **there is** an immense body of proof of the catastrophic consequences if deterrence fails – verifiable, undeniable evidence amassed from the disastrous aftermath – of the manufacture, the use and the testing of nuclear weapons.

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<sup>2</sup> [www.europeanleadershipnetwork.org/commentary/emerging-technologies-and-nuclear-stability](http://www.europeanleadershipnetwork.org/commentary/emerging-technologies-and-nuclear-stability), p.5, p.6

<sup>3</sup> transparency, bridge-building, dialogue, negotiations, treaty development, agreements, codes of conduct, Confidence Building Measures, Declaratory Statements

We have evidence of the consequences suffered by Hanford Munitions factory workers, their families and “downwinders”<sup>4</sup> - “firsthand accounts of radiation exposure and its harrowing lifelong health effects - cancers, thyroid disorders, autoimmune disease, neurological disorders, infertility, miscarriages, stillbirths, and neonatal deaths ... Lambs born with all kinds of horrible deformities ...without eyes, with feet missing, without mouths, some with legs grown together.” And a few years after this particular event, the sheep farmer’s first child was born without eyes.<sup>5</sup>

We have evidence of the consequences from the bombing of Hiroshima. And I will read a segment from former International Committee of the Red Cross, President Jakob Kellenberger’s eloquent and devastating statement, in which he quoted from the report of the International Committee of the Red Cross delegate and the first foreign doctor in Hiroshima, Dr. Junod:

“According to witnesses ... in a few seconds after the blast “thousands of human beings in the streets and gardens in the town centre, struck by a wave of intense heat, died like flies. Others lay writhing like worms, atrociously burned. All private houses, warehouses, etc., disappeared as if swept away by a supernatural power. Trams were picked up and hurled yards away, as if they were weightless; trains were flung off the rails (...). Every living thing was petrified in an attitude of acute pain.”<sup>6</sup>

The entire medical system and services were destroyed. Only 30 Of the 300 doctors in Hiroshima survived. Ninety-three percent of the nurses and eighty percent of the pharmacists died.

We have more evidence from the nuclear weapons tests in Nevada and New Mexico; of children diagnosed and dead from leukaemia. Adults suffered and many died from several forms of cancer. Thousands of sheep died within two months of the tests and their deaths blamed on everything but radioactive fallout.

One and a half million citizens were exposed to the radioactive fallout from the nuclear tests in Kazakhstan. Hundreds of thousands of these people died or suffered from life-long debilitating illnesses. The devastating effects of the fallout altered the genetic code, and has affected the health of three generations so far, and jeopardized the lives of future generations.

Your Excellency Ambassador Kamaldinov, our deepest sympathy to you and to the people of Kazakhstan for the calamitous destruction inflicted on your people and your country.

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<sup>4</sup> from Trisha Pritiken, lawyer survivor, albeit with thyroid cancer, daughter of an engineer in the Hanford Munitions plant

<sup>5</sup> <https://nuclear-news.net/2020/07/11/>

<sup>6</sup> [www.icrc.org/en/doc/resources/documents/statement/nuclear-weapons-statement=200410.htm](http://www.icrc.org/en/doc/resources/documents/statement/nuclear-weapons-statement=200410.htm) , Statement by Jakob Kellenberger, President of the ICRC, [to the Geneva Diplomatic Corps, Geneva, 20 April 2010]

The radioactive fallout from the testing in the Marshall Islands had identical consequences to those of Kazakhstan: destroying essential food sources, livelihoods, and the lives of so many – with deaths from leukaemia, brain tumours, thyroid, other forms of fatal cancers; and the birth of babies so severely deformed that they could not go by that name - but were “monsters” with two heads, entities like bunches of grapes, and jellyfish babies with no bones; and others transparent – their brains and beating hearts visible for the day or two they survived.

Sixty-five years after the final nuclear test in the Marshall Islands -the U.N. Human Rights Council sent a Special Rapporteur on a fact-finding mission. He found the people living like nomads and still suffering from long-term health effects.<sup>7</sup>

I have dwelt at length on this tragic history in an attempt to entrench in our minds these devastating events, because, as psychologists will tell you, the continuous repetition of words - in this case “catastrophic consequences for humanity” – becomes devoid of content, emptied of meaning, of deep, feeling knowledge.

As Albert Schweitzer says “We have talked for decades with ever increasing light-mindedness about war and conquest, as if these were merely operations on a chess-board.”

Human security - that is **humans’ security** -can be no more than an illusion as long as nuclear war strategies are the cornerstones of defence policies and nuclear arsenals exist.

What more evidence do we need to convince our government in Canada and in all countries in the world, that their citizens are held hostage to these genocide weapons – weapons of destruction on such a scale – that **possession** and the **threat of use** goes against the universal norms of ethics and morality – the right to life and the freedom from fear.

Regrettably, because of its support for NATO’s nuclear deterrence policy and its membership in the NATO Nuclear Planning group, Canada is in violation of the Universal Declaration of Human Rights inherent Right to Life principle. Moreover, Canada is not in compliance with Article 6 of the International Covenant on Civil and Political Rights, October 30<sup>th</sup>, 2018 General Comment: *“The threat of use of weapons of mass destruction, particularly 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 the respect for the right to life and may amount to a crime under international law.”*

Canadians citizens do not want to be complicit in Canada’s violation of international law. We do not support the policy of nuclear deterrence and its potential for genocide.

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<sup>7</sup> March 2012

We call on Canada, as a signatory of the International Covenant on Civil and Political Rights, to honour its obligations - to implement its provisions in good faith.

Moreover, to maintain its *principles* - to honour its *legal* Treaty commitments. And we call on Canada to *compromise* on the *political provisions* and withdraw its support of NATO nuclear deterrence – for Canada to sign the Treaty on the Prohibition of Nuclear Weapons and work within NATO to bring to fruition NATO’s commitment “to the goal of creating the conditions for a world without nuclear weapons.”<sup>8</sup> – a goal recommended in 2018 by Canada’s National Defence Committee.

We have to move forward and not rest until nuclear weapons are eliminated. It is time to permanently stand-down all nuclear forces - both the weapons and those Sisyphian humans perpetually engaged in the ever-increasing measures essential to prevent the risks of a nuclear detonation or a nuclear war.

The time has passed for declaratory measures such as the affirmation of Mikhail Gorbachev’s and Ronald Reagan’s joint statement that “A nuclear war cannot be won and must never be fought.” These are empty words. It is time – **past time - for action**. The **only way** to reduce the risk of a nuclear detonation is to eliminate and destroy all nuclear weapons, with stringent transparency and verification measures in place, to ensure that nuclear weapons are gone forever. A first step is signature and ratification of the Treaty on the Prohibition of Nuclear Weapons.

There are treaties committing countries to Nuclear Weapons-Free Zones but this is **not disarmament**. This is non-proliferation and arms control management. There are three other treaties banning nuclear weapons in specific places and interestingly, they are places where there are no humans. Article I of the Seabed Treaty prohibits the emplacement of nuclear weapons and other weapons of mass destruction on the seabed and the ocean floor. However, there is no ban on nuclear-powered submarines armed with nuclear weapons.

Article V of the Antarctic Treaty forbids nuclear explosions or disposal of radioactive waste in the Antarctic. So, the penguins are protected!

Article IV of the Outer Space Treaty prohibits nuclear weapons on the moon and other celestial bodies. So, Martians and other extra-territorial beings, if they exist, are protected.

**We finally have a treaty to protect humans** - the first treaty to recognize the catastrophic consequences to **human beings**.

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<sup>8</sup> <https://today.org/global-outlook/how-nuclear-dependent-states-could-respond-to-the-entry-into-force-of-the-tpnw.html>

The Entry into Force of the Treaty on the Prohibition of Nuclear Weapons on January 22<sup>nd</sup> of this year is the most significant event for **nuclear disarmament** since the Gorbachev/Reagan meeting in October 1986 when they proposed to **eliminate all nuclear weapons**.

Now - thirty-five years later - we have a treaty, and our task is to ensure its universality – to bring the Gorbachev/Reagan proposal to fruition. And thanks in a large part are due to this gentleman here, Ambassador Alexander Kmentt, who will do us honour and accept *The Simons Foundation Award for Distinguished Global Leadership in the Service of Peace and Disarmament*. But before the presentation takes place I would like to tell you about the Award.

*The Simons Foundation Award for Distinguished Global Leadership in the Service of Peace and Disarmament* is presented to an individual who has made an outstanding contribution in **shaping** a more peaceful and just world.

For our Award, we chose the First Nations symbol of The Shaper – a work of art by renowned sculptor Susan Point, of the Musqueam Coast Salish Nation, which hosts Vancouver on its lands.

Susan Point created a Special Edition for The Simons Foundation – a human figure holding up the Earth. The Thunderbirds support the human figure whose hands they shape. The Earth, in turn, has a body which supports both the Thunderbirds and the human figure.

This work, Susan Point says, conveys the notion that all life is inter-related and that the human being – ‘The Shaper’ of this world – must always be guided by this fact if he or she is to be a good caretaker of life and the planet.

She says that humans “mould and make.... The Thunderbird is their protector, the most powerful of all spirits in our Salish legacy. Many legends,” she says, “tell of how the Thunderbird has saved ‘the people’ from natural disaster.”

Our definition of a Distinguished Global Leader is a person who shapes and creates the environment; a person whose leadership skills involve foresight and imagination; a leader who creates the blueprint - the guidelines; who develops and advances the path to a safer, more just, humane world.

**Alexander Kmentt most truly deserves this Award for his invaluable contribution to a nuclear weapon free future.** His outstanding leadership in bringing to fruition - from its embryonic stage - the Treaty on the Prohibition of Nuclear Weapons - is universally acknowledged at the United Nations and in the global peace, disarmament and arms control community.



As one of the architects - and I must add the engineer - of both the Humanitarian Initiative which “dramatically reshaped diplomatic discussions on nuclear disarmament” and the subsequent Treaty prohibiting Nuclear Weapons – he has demonstrated that he is a true Shaper of a safer world, that he is committed to save humanity from one of the most critical dangers we face.

Alexander Kmentt is, in the words of a colleague, a brilliant diplomat. And in my view - I come from a family of diplomats– he is exceptional in his profession – rare in the diplomatic realm – because his global humanitarian approach to security– transcends the conventional national military concept as the protector of states. He understands that national security depends on global security.

He told me, he has the support of the government of Austria, a military neutral country, committed to multi-lateralism with a focus on non-proliferation of weapons of mass destruction and supportive of humanitarian disarmament initiatives. Nevertheless, I imagine his enlightened active approach has gone beyond his government’s expectations, enhances Austrian foreign policy and brings enormous credit to his country.

He holds a degree in Law and a Masters Degree in International Relations. He is a scholar, a fine writer and author of many articles and a book, an exceptional diplomat and – though he does not define himself as such - an activist. In fact he says he is not. Yet, his actions from his youth when he took part in demonstrations against the stationing of nuclear weapons in Europe in the 1980s and against French nuclear tests in the 1990s; and his actions as a career diplomat engaged in reshaping the disarmament discourse, belie this. I imagine he holds the radical view that activists chain themselves to barricades.

His introduction to humanitarian disarmament began when he was Deputy Permanent Representative of Austria to the Conference on Disarmament in Geneva, and engaged in negotiations for a landmine treaty in which Austria played a huge part, providing the first, second and third drafts of the treaty – known as the Ottawa Convention.

Since then he has worked extensively on disarmament and non-proliferation issues, notably as Ambassador and Director of the Department for Disarmament, Arms Control and Non-Proliferation at the Austrian Ministry for Foreign Affairs.

He was responsible for the organisation of, and chaired, the December 2014 Vienna Conference on the Humanitarian Impact of Nuclear Weapons - the third such conference on the Humanitarian Impact of Nuclear Weapons. He embraced the intergovernmental process and is credited with assembling the most inclusive and extensive gathering, bringing together not only non-nuclear weapons states and civil society, but also five of the nine nuclear weapons states. He is the author of the Austrian Pledge – later re-named the Humanitarian Pledge – which, at the United Nations

gained formal support of 135 states and was instrumental, and the genesis of, the Treaty on the Prohibition of Nuclear Weapons.

Ambassador Kmentt is currently serving as President-designate of the First Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons (TPNW) which entered into force on January 20th of this year.

Our deep gratitude to you for your ground-breaking effort to achieve this treaty, and for your forward-looking approach to a better world. You are in a unique position to effectively further influence the disarmament dialogue in the global community, and to continue your quest to universalize this Treaty. And we wish you every success. I invite you now to come forward and to honour us by accepting this Award.

Jennifer Allen Simons, C.M., Ph.D., LL.D.  
November 29<sup>th</sup>, 2021