



The Group of 78
Le Groupe des 78



**Joint Submission of the Group of 78 and the Rideau Institute to
the Defence Policy Review
July 29, 2016**

PeaceQuest is a co-signatory and provided input to this joint submission to the Defence Policy Review by the Group of 78 and Rideau Institute.

A Shift to Sustainable Peace and Common Security

We believe that a defence policy review should be developed from the priorities established by the Canadian government's foreign and international development (ODA) policy framework. We live within the constraints of the current global economic and political climate, but the new Canadian government also has an opportunity to offer constructive leadership on several fronts through our careful selection of defence priorities.

With no direct military threat to Canadian territory, we should restore and expand emphasis on war prevention and peaceful conflict resolution and give priority to building the United Nations envisaged by its Charter. Canada can be a beacon of hope in an unsettled world by pursuing and promoting, wherever possible, conflict prevention, the peaceful resolution of disputes and sustainable peace-building. We can press for multilateral over unilateral responses. We can be a constructive, innovative problem solver, striving to bring conflicting parties closer together to resolve their differences. We can thereby stave off or hasten the repair of breaches of the peace, limit human suffering and environment degradation and minimize costly military interventions.

This year the United Nations proposed a refreshing reorientation towards prevention of armed conflict by embracing the language and perspective of sustainable peace¹. Prevention costs 60 times less than late response and often futile or counterproductive military interventions.²

¹ [Freeing Prevention from conflict: Investing in Sustaining Peace](#) (Youssef Mahmoud , IPI) 2016.
See also: [Concurrent Resolution #2282 of UNSC and UNGA \(2016\)](#)

² Carnegie Commission on Preventing Deadly Conflict, 1994.

Additionally, 85 per cent of armed conflicts do not end on the battlefield but through negotiated settlements.³

We urge Canada to forthrightly embrace this framework, work for cooperative solutions to violent conflict, and help proactively to guide others towards this shift to a sustainable, common security outlook. Common security puts a premium on the machinery and diplomacy of international cooperation; there is less reliance on the competitive pursuit of national security at the expense of others. It is therefore a more perfect reflection of the UN Charter provisions against the use of force, and in favour of the peaceful resolution of disputes and of the equal right to security of all states.

Because prevention of armed conflict should be our first priority in reaching towards global sustainable peace, Canada should also increase overseas development assistance (ODA) towards the target of .7% of our GDP. Canada should ensure that its ODA, as well as its policies on trade, investment and migration, contribute to the Sustainable Development Goals (SDG) articulated in the UN's Agenda 2030. Too often, international aid, trade, and investment initiatives have stoked economic, social and political turmoil by undermining livelihoods, dislocating populations, degrading the environment, and fueling conflict over resources. A coherent foreign policy - involving diplomacy, development, defence, trade, investment and migration - aimed at achieving the SDGs will help to limit negative outcomes and achieve the very positive goals of Agenda 2030.

Institution-Building and Civil Society Engagement: As one of the few leading OECD members without such an institution, Canada should establish an expert, arms-length, nonpartisan, domestic Institute for sustainable common security, with long-term financial viability. Its mandate should include the possibility of the government seeking its advice on relevant peace and security issues of the day. Its Board of Directors should be diverse and include academic, non-governmental and international expertise.

Making UN Peacekeeping and Sustainable Peace a Canadian Defence priority

Canada has limited resources. Attempting to do everything means we end up doing little efficiently or nothing sufficiently well, squandering valuable defence dollars in the process. We do have special skill sets, and the world is more globalized and integrated than ever. We need to set priorities and identify specializations. How best, then, for Canada to harness collective responses and coordinate effective solutions to global crises?

We do so by giving priority to multilateral, UN-led and UN-authorized peace and security efforts.

³ Disarming Conflict: Why Peace Cannot Be Won on the Battlefield (Ernie Regehr, 2015).

Full Re-engagement in UN Peacekeeping

The UN has learned that effectively addressing violent conflict is a complex, long-term process of helping the conflicting parties not only to end the violence but also to create the necessary conditions – political, economic, security – for a sustainable peace. At the centre of this effort is the peace process. Complex political problems lie at the heart of violent conflict and require *political* solutions, negotiated and agreed to by the parties. A robust security element may be essential in both the negotiation and the implementation phases but it is a *supporting* element nonetheless.

The main comparative advantages for UN-led peace operations in building a sustainable peace are: (1) its integrated command structure under civilian authority, which in turn reflects the primacy of the peace process and therefore the centre of gravity for the supporting military element, and which thereby facilitates unity of purpose; and (2) the fact that the UN is the only organization through which the forces of the P5 and all major powers (including the rising and regional powers) can jointly participate. Only the UN therefore offers the option of a politically diverse and operationally capable mission.

Accordingly UN peace operations and broader UN peace and security initiatives and responses should be elevated to a Canadian defence priority. This in turn means Canada must put in place a comprehensive peacekeeping policy framework, develop the necessary training infrastructure, identify and procure relevant equipment and actively advocate for strengthened UN rapid response mechanisms. Significantly more Canadian troops must be made available for UN missions and resources need to be re-allocated to support the UN peacekeeping priority.

Criteria for Canadian Military Intervention Abroad

Canada's defence policy must be firmly grounded in our steadfast support of the UN Charter and the principles of international law – a framework that privileges conflict prevention and the peaceful resolution of disputes.

Canada's political and military decision makers must keep foremost in their minds the acute limitations of, and risks inherent in, foreign military intervention, as Iraq and Afghanistan so graphically illustrate. Military intervention, outside a clearly defined UN-led peacekeeping context, must be invoked only as a last resort, when Canada's national security is directly threatened, and in full accordance with international law. Canadian military participation in "robust" peacekeeping, variously called peace support and/or security assistance operations – that is, military operations of *choice* – must be regulated by the following:

Canada should establish clear criteria to guide a decision on whether to participate with military forces in a specific UN authorized international security assistance operation. These criteria should include:

- A strong international *legal* framework for intervention based on a clear UN mandate and ideally under UN command; clear rules of engagement and rigorous UN oversight mechanisms;

- A UN-led and broadly agreed *political* framework for the intervention, ideally in the form of a comprehensive peace agreement or, at a minimum, a broadly agreed negotiating framework to this end;
- Clear Canadian objectives, benchmarks and timelines for Canadian participation;
- Timely public and parliamentary debate and full transparency with respect to the application of the criteria in the specific case under consideration; and
- Regular reporting to Parliament on the progress of the mission and any adjustments in light of changed circumstances.

Leadership in international peacekeeping training requires a world class international training centre at home.

Peace operations have evolved dramatically since Canada was last engaged in any significant way and continue to do so. The demand for UN peacekeepers has never been greater. There are currently more than 125,000 military, police and civilian peacekeepers in the field, an all-time high, with most of the current 16 peacekeeping missions operating under Chapter VII of the UN Charter.

Modern complex, multidimensional UN peace operations require in-depth training and education. Canada is currently far behind other nations in its military readiness to support the United Nations and to train for modern peacekeeping.

If the Government of Canada is to fulfill its election promise for Canada to lead “an international effort to improve and expand the training of military and civilian personnel deployed on peace operations”, a commitment that was included in the mandate letter of the Minister of Defence, then we must urgently re-establish our own capacity to undertake world class multidisciplinary peacekeeping training here in Canada, for Canadian and international military, police and civilian peacekeepers.

The multidimensional nature of the UN peacekeeping mission requires that a diverse array of international actors (both inside and outside the UN mission) work effectively together and in relation to the equally diverse array of local actors, many of whom they are mandated to directly or indirectly support. One of the key tasks of pre-deployment training is to help prepare the military, police and civilian components of the mission for this vital cooperation, the essential first step being not only an understanding of the scope of one’s own role, but also how it relates to the role of the other components of the mission, and to other international and local actors outside the mission. Ideally then, each training programme would include military, police and civilian participants from both developed and developing countries.

The aim will be to create an international training institute, accredited by the United Nations, which both utilizes and contributes to the latest doctrine, practice and procedures for UN-led international peacekeeping and early peacebuilding/sustaining peace, including protection of civilians and the gender dimension of peace operations. The core concept for peacekeeping would be two-fold – the multidimensional nature of peacekeeping operations and the centrality of the peace process and therefore of the political/diplomatic role in peacekeeping and how all other elements of the mission, including the security components, support the mission’s centre of gravity – the peace process.

Accordingly we urge Canada to establish a Canadian International Peace Operations Training Centre under civilian leadership, arms length from government, with reliable funding and clear links to, and support from, the Department of National Defence and Global Affairs Canada.

This training establishment should be complemented by an International Peace Operations Forum where a broad range of expertise from defence, security, academic and civil society communities can be accessed, shared and evaluated.⁴

Improve UN Rapid Response Mechanisms

Responding to violent crises before they spiral completely out of control and providing early support for the implementation of fragile peace agreements will be impossible without significantly ramping up the UN capacity for rapid response.

UNEPS: Canada should support and advocate for the creation of a standing (permanent) United Nations Emergency Peace Service (UNEPS) for rapid deployment to prevent atrocities.

With the creation of UNEPs, effectively a “first responder” for complex emergencies – the UN would finally have a rapid, reliable capacity to help fulfill four of its toughest assigned tasks: (1) to help prevent armed conflict and genocide, (2) to protect civilians at extreme risk, (3) to ensure prompt start-up of demanding peace operations, and (4) to address human needs where other actors cannot or will not.⁵

Standby High-Readiness Brigade and RDMHQ: Canada should work to improve other UN rapid response mechanisms including revitalizing support for the Standby High-Readiness Brigade⁶ and advancing the proposal for a UN Rapidly Deployable Military Headquarters (RDMHQ).⁷

UN, NATO and Terrorism

We believe that terrorism is not defeated primarily with military measures but by a comprehensive approach which privileges rule of law and good governance, in order to effectively address root causes and underlying grievances rooted in political, economic or social

⁴ Such a forum could build on the excellent collaborative work of civil society and government in the days of the Canadian Peacebuilding Coordinating Committee, which later became Peacebuild/Paix Durable.

⁵ See Annex on UNEPS for further elaboration.

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https://www.academia.edu/8868537/Improving_the_United_Nations_Capacity_for_Rapid_Deployment, page 4. See also: <http://publications.gc.ca/collections/Collection/E2-234-2000E.pdf>⁷
Ibid., page 4.

exclusion. This in turn means that, where a security component is required, the most effective approach will be through a UN-led peace operation/peacekeeping mission.

Where this approach is not immediately possible, and bearing in mind the heightened risk of failure where alternative mechanisms are employed, it is essential that any other approach, for example a NATO-led operation, be fully in accordance with international law and, insofar as Canadian military participation is concerned, meet the criteria set out earlier in this document for UN-led peace operations.

Weapons System Choices

It is hard to overstate the urgency of setting defence equipment priorities given the veritable “procurement abyss”⁷ the Canadian Forces currently faces. Happily, Canada has the luxury of facing no direct military threats to North America, such that, outside basic shared North American responsibilities, we can prioritize multilateral, particularly UN-led, contributions to international peace and security.

Weapons choices should be based on our modest national requirements and our specialization in UN peace operations. We should look to choices that enhance our domestic and cooperative (bilateral, UN and NATO) objectives. We should strive for complementarity not interoperability to give flexibility as well as facilitating cost effectiveness and burden sharing with Allies and in the broader UN context.⁸

Defence of Canada: Canada’s primary defence priority is protection of its own territory and includes domestic border controls on land and at sea, with sufficient monitoring and security. In the Arctic region we should maintain and celebrate the non-military character of cooperative security that is in place, and focus on small, self-sufficient rapid response units in support of the work of locally based Rangers. We should highlight search and rescue capabilities when making personnel and equipment choices.

Canada – USA and North America: A cooperative security community requires evolving and updating regional security agreements and commitments. A NORAD goal should include reaching out to Mexico and expansion of the early warning role to include surveillance of all North American continental environments: air, land, sea, space and cyber. We should continue our relationship with the United States in cooperatively monitoring our respective airspaces for unauthorized civilian aircraft. Air defence remains relevant but we should avoid the complete integration of Canadian sovereign capabilities into American strategic systems. Cooperation, not full integration, should be Canada's goal. We should support improved continent-wide collaboration, while leaving control and enforcement to national authorities and commands.

⁷ See [Smart Defence: Rebuilding Canada’s Military](#) (Michael Byers, Rideau Institute and Canadian Centre for Policy Alternatives publ.) 2015 at page 11.

⁸ Op cit., [Smart Defence: Rebuilding Canada’s Military](#) (Michael Byers, Rideau Institute and Canadian Centre for Policy Alternatives publ.) 2015 at page 35.

Full integration into a single North American structure is incompatible with Canadian sovereignty and sometimes differing Canada/US perspectives⁹ and needs despite our shared values and web of cooperative mechanisms. Likewise insofar as military equipment is concerned, as emphasized above, we must aim for complementarity not interoperability.

We should continue to strongly advocate for the non-weaponization of space, but support satellite use for verification within cooperative security arrangements.¹⁰

Why does Canada need fighter Jets?

Former Deputy Minister of Defence, C.R. (Buzz) Nixon makes a compelling case against the possibility of any realistic scenario in which Canada would need a new generation of fighter jets.¹¹ Given the extraordinary costs involved, the Government of Canada should provide equally compelling arguments as to why Canada needs new fighter jets – if such arguments can be found. At a minimum, the government must demonstrate that it has identified the most cost effective option for Canada. On the basis of life-cycle¹² costs and the serious problem¹³ of single versus dual engine, this would appear to effectively rule out the problem-plagued F-35.

Weapons Systems and International Law

Beyond these considerations, it is essential that weapons choices for the Canadian military reflect our steadfast support for international humanitarian and human rights law and the principles of the Geneva Conventions, to which we are bound to comply. Canada must vigorously support the international control of weapons, and a ban on “problem” weapon groups involving weapons that cause indiscriminate or disproportionate harm to civilians. In accordance with our obligations under the Nuclear Non-proliferation Treaty, Canada should eschew participation in, or support for, nuclear weapons modernization. We should also avoid participation in other destabilizing weapons systems like American strategic ballistic missile defence.

⁹ Canada’s decision not to participate in the USA-led invasion of Iraq is a compelling example of potential differences over global issues of peace and security.

¹⁰ [The Politics of Space](#), Presentation to UK Colloquium (Paul Meyer, 20 Nov 2015).

¹¹ [Canada does not need fighter jets, period](#) (Charles Nixon, Globe and Mail, 08 July 2014).

¹² [The Plane that Ate the Canadian Military, Life-Cycle Cost of F-35 Fleet Could Reach \\$126 Billion](#) (Michael Byers, Rideau Institute and Canadian Centre for Policy Alternatives publ.) 2014.

¹³ [One Dead Pilot: Single-Engine F-35 a Bad Choice for Canada’s Arctic](#) (Michael Byers, Rideau Institute and Canadian Centre for Policy Alternatives publ.) 2014. ¹⁵ [Disarm and Modernize](#) (John Mecklin, FP.com) 2015.

Work to reduce and eliminate NATO reliance on nuclear weapons

Canada is a non-nuclear weapons state party to the Nuclear Non-proliferation Treaty and is therefore obligated under its Article VI to pursue good faith negotiations with the goal of nuclear disarmament. At the same time we are a member of a collective defence alliance, NATO, which under its Strategic Concept, purports to rely on nuclear weapons for their alleged deterrent value.

At this time of growing Russia-NATO tensions and with major nuclear weapons modernization programs underway in the USA and other nuclear weapons states, former American Defence Secretary William Perry has cautioned that the threat of nuclear catastrophe is greater now than during the Cold war, and rising.

In the updated NATO Strategic Concept, NATO member States “are resolved to seek a safer world for all and to create the conditions for a world without nuclear weapons...” as well as to play their part “in reinforcing arms control and promoting disarmament of both conventional weapons and weapons of mass destruction....”. (para 26).

Instead five NATO member states, where American tactical nuclear weapons are currently stationed, are poised to receive updated weapon versions with lower yields and more precision, exactly the characteristics that the US Congress said back in the 1990’s created the “illusion of usability” and on the basis of which they denied the Pentagon authorization to develop them.¹⁵

Accordingly, it is urgent that Canada re-enter and re-vitalize the debate within NATO on the role of nuclear weapons with a view to agreeing to their removal from Europe as a first step toward NATO adopting a deterrent posture that is not reliant on and excludes nuclear weapons. Such actions are in keeping with a Canadian approach to the alliance wherein we support diplomacy first, reassurance and de-escalation, and thereby reflect the "sustainable peace" measures we embrace through cooperation within the United Nations.

The Humanitarian Pledge, now signed by 127 states, declares that the catastrophic humanitarian harm that would result from the explosion of a nuclear weapon far outweighs any security benefit alleged by nuclear weapons states. No NATO member state has signed the Humanitarian Pledge. Canada should work to reverse this disgraceful logjam by signing the Pledge and cooperating in efforts to stigmatise, prohibit and eliminate all nuclear weapons.

Provide global leadership in nuclear abolition

Consistent with Canada’s traditional leadership role in promoting nuclear abolition, we urge Canada to take the following actions:

- Sponsor a resolution in the 71st session of UN General Assembly that seeks a mandate to negotiate a comprehensive, legally binding Convention that prohibits nuclear weapons and requires their verifiable elimination; and

- Seek to undertake negotiations as a matter of urgency, in a forum that is open to all UN member states, employs democratic rules of procedure and welcomes the engagement of civil society.

Do not seek participation in American Ballistic Missile Defence

USA strategic ballistic missile defence for North America should not be a Canadian defence priority for the following reasons:

- The American BMD system (called GMD or ground-based mid-course missile defence) is not reliable despite 30 years of investment and 40 billion dollars spent.¹⁴
- Strategic BMD is an incentive for Russia and China to build ever more and better offensive systems in order to overwhelm these defences, in case they should ever work and be directed at them. (It is infinitely cheaper to build more offensive systems.) In other words, BMD has very negative international security implications.
- There is no ballistic missile threat to Canada or North America. Any potential future threat from North Korea is most effectively addressed as a non-proliferation challenge, as was so effectively done in the case of Iran.
- There is very little likelihood that Canadian participation in missile defence would give Canada the much sought after “seat at the table”. In 2004 the United States made the decision to locate the ballistic missile defence command in NORTHCOM not NORAD and, during our subsequent negotiations on participation, would not provide Canada with any guarantee of a meaningful operational role in BMD nor even a guarantee that Canadian cities would be defended.
- There will be significant financial costs to Canadian participation, at a time when the Department of National Defence is facing a bow wave of delayed procurement, not to mention a potentially major modernization of the North Warning System in about 10 years.
- Given the specific history of Canadian negotiations with the USA over our participation in BMD, wherein we have twice declined to participate (in 1985 and 2005 respectively), the potential for this issue to needlessly sour Canada-USA defence relations is a risk that is simply not worth taking.

Work to curb and eliminate excessively injurious weapons

Explosive Weapons in Populated Areas: Explosive weapons use blast and fragmentation to kill and injure people in the areas where they detonate, as well as to damage objects, buildings, and

¹⁴ [Report: U.S. Missile Defense Program, Exempt from Standard Oversight Procedures, is Costly and Unreliable](#) (Union of Concerned Scientists, 14 July 2016)

infrastructure. When used in populated areas they cause high levels of harm to individuals and communities. Canada should support and actively participate in the ongoing process to create a political declaration on curbing the harm caused by explosive weapons used in populated areas.

Landmines: Canada should resume its status as a “top 5” donor country for mine action and return to an international leadership role on completing the universalization and full implementation of the Ottawa Treaty. To support these efforts the Canadian Forces should provide qualified military personnel for military to military dialogue with countries that have not yet joined the Ottawa Treaty.

Cluster Munitions: Although Canada has banned cluster munitions, our domestic implementation legislation created a loophole that could see Canadian Forces personnel assisting Allies currently outside the treaty in their use of these weapons. Canada needs to repair its flawed cluster munitions implementation legislation to categorically prohibit any form of aid or assistance in the use of these banned weapons and to make explicit the positive obligations on states to suppress their use. Canadian implementing legislation should also prohibit investment in enterprises associated with the development, production and/or use of these weapons.¹⁵

Lethal Autonomous Robotic Weapons: Any use of a category of weapons must be assessed through existing legal requirements of International Humanitarian Law, and especially the restrictions of proportionality, precaution and distinction. Autonomous robots would lack the human judgment and ability to understand context that is necessary to apply these fundamental principles governing the weapons of war. Therefore, Canada should declare a moratorium on the development and deployment of lethal, fully-autonomous weapon systems and leverage Canadian expertise in artificial intelligence, robotics, engineering, international law and other relevant areas to lead an international initiative to bring about a ban on them.¹⁶

Armed Drones: Canada must support the establishment of an international control regime for armed unmanned aerial vehicles and other armed drones. Canada should actively pursue, preferably through the United Nations, the creation of a tight international regulatory regime for the restricted deployment and use of these weapons. This regime should build on current international law, be rooted in the principles of responsibility, transparency and accountability, and focus on protection of civilian populations and property.

Arms Trade Treaty and Export Policy: We support the Canadian government’s intention to join with more than 130 other states that have signed the Arms Trade Treaty. We also applaud its intention to consult with civil society on developing arms brokering regulations, as required by the ATT. The Canadian government should also initiate a broad public review of military export policy, with a view to the establishment of an independent expert committee to ensure that

¹⁵ See Annex on Cluster Munitions for further elaboration.

¹⁶ See for example: [Campaign to Ban Killer Robots](#); See also: Briefing on [Banning Autonomous Weapons](#).

the sales of Canadian-made weapons abroad are consistent with both the ATT and Canada's own export policies.

Enhance sovereignty and security in an interdependent world

Canada, with no direct threats to its territory and a web of bilateral, regional and multilateral cooperative security arrangements to draw on, is in a unique position to help build the United Nations as envisaged by its Charter. That visionary document highlights the interdependence of human rights, human development and international peace and security. It places conflict prevention and the peaceful resolution of disputes in accordance with international law at the heart of its architecture. It limits the national use of force to self-defence and even then only so long as UN-led collective action has not been brought to bear. Canada can give high priority to using our military assets, human and materiel, to strengthen the UN's capacity for rapid response in times of crisis, its ability to shore up fragile peace processes and to implement comprehensive peace agreements which lay the foundation for sustainable peace.

Our careful choice of weapons systems and other military equipment can give value to taxpayers at home while enabling us to best serve UN-led peace and security operations abroad. Our work to curb and prohibit those systems that are excessively injurious or cause undue harm to civilians will help expand the reach of, and respect for, international humanitarian law and human rights law.

Our work within NATO to reduce reliance on nuclear weapons to zero, and to secure their removal from Europe, will contribute to urgently needed efforts to step away from the nuclear brink and begin meaningful, comprehensive negotiations for nuclear disarmament. These actions by Canada aimed at strengthening international peace and security will, in turn, enhance Canadian sovereignty and security in the interconnected world we all share.

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Annexes on UNEPS, [Space & Verification], Cluster Munitions attached.

United Nations Emergency Peace Service (UNEPS)

The proposal for a permanent [United Nations Emergency Peace Service](#) (UNEPS) stemmed from the Government of Canada's (joint DND/DFAIT) study, [Towards A Rapid Reaction Capability For The United Nations](#).

With this one development – effectively a ‘first responder’ for complex emergencies – the UN would finally have a rapid, reliable capacity to help fulfill four of its tougher assigned tasks. The UNEPS option was specifically designed to help prevent armed conflict and genocide, to protect civilians at extreme risk, to ensure prompt start-up of demanding peace operations, and to address human needs where other actors either cannot or will not.

Ten core principles characterize the UNEPS proposal. It's to be:

- a permanent standing, integrated UN formation; ○ highly trained and well-equipped;
- ready for immediate deployment upon authorization of the UN Security Council; ○ multidimensional (civilians, police and military);
- multifunctional (capable of diverse assignments with specialized skills for security, humanitarian, health and environmental crises);
- composed of 13,500 dedicated personnel (recruited professionals, selected, trained and employed by the UN);
- developed to ensure regional and gender equitable representation; ○ co-located at a designated UN base under an operational headquarters and two mobile mission headquarters;
- at sufficient strength to operate in high-threat environments; and, ○ a service to complement existing UN and regional arrangements, with a first responder to cover the initial six months until Member States can deploy.

Aside from a military formation to deter aggression and maintain security, there would be sufficient police to restore law and order, as well as an array of civilian teams to provide essential services. Thus, a UNEPS would clearly be a more reliable and rapid first responder; one that could also serve as a vanguard, strategic reserve and a modest security guarantor, both to deter violent crime and respond, when necessary, to prevent and protect.

A UNEPS would inevitably entail major start-up and recurring costs. Given a full complement of 13,300 personnel, the start-up costs would be in the range of \$3 billion (U.S.), with annual recurring costs of approximately \$1.5 billion and, incremental costs for field operations of approximately \$1.2 billion. These costs would likely be shared proportionally among 193 Member States as part of each nation's assessed share of the UN regular budget.

A UNEPS would not only help to prevent the escalation of volatile conflicts and deter groups from armed violence; it could also drastically cut the size, the length and the frequency of UN operations. Even with success in just one of these areas, it should provide a substantive return on the investment.

Unlike previous proposals, the objective is to complement the existing foundation for UN peace operations by providing prompt legitimate help in complex emergencies, with an array of useful services. As such, it would remain dependent on existing national standby resources and partnerships for prompt replacement and rotation, as well as augmentation and extraction if necessary.

Annex on Cluster Munitions

We recommend that the Government of Canada amend Canada's domestic legislation on cluster munitions in order to render it compliant with States Parties legally binding obligations under the *Convention on Cluster Munitions*.

I - This will entail, *inter alia*, the removal of all "exceptions" contained in Section 11 of Canada's legislation that currently allow Canadian military or related personnel, during combined military operations with Non-party States to:

- (i) Direct or authorize an activity that may involve the use, acquisition, possession, import, export transfer or ownership or control of cluster munitions;

- (ii) Transport or engage in an activity related to the transport of cluster munitions, explosive sub-munition or explosive bomblet that is owned by, in the possession of, or under the control of that state (unless for purposes of their destruction);
- (iii) Aid, abet, counsel, conspire with, receive comfort or assist another person, knowing that other person has committed or has aided or abetted in the commission of an act prohibited to States Parties under the Convention, if it would not be an offence for that other person to commit that act.

II - It is also recommended that Canada's legislation include the positive obligations contained in the *Convention on Cluster Munitions*, including:

- (i) To provide technical, material and financial assistance to States Parties affected by cluster munitions to enable them undertake clearance and destruction of cluster munitions, to provide all necessary support and assistance to victims, and to provide risk education to prevent further injury and death due to cluster munitions; (*Ref. Article 6 of the Convention*);
- (ii) To encourage States not party to the Convention to ratify, accept approve or accede to the Convention, with the goal of attracting adherence of all States to the Convention (*Ref. Article 21 of the Convention*);
- (iii) To notify the governments of all States not party to the Convention of its obligations under the Convention, to promote the norms it establishes and to make best efforts to discourage States not party to the Convention from using cluster munitions (*Ref. Article 21 of the Convention*);

III - Although not explicit in the Convention, in keeping with the spirit of the Convention and the action already undertaken by several other States Party, it is recommended that Canada's legislation explicitly prohibit the investment in enterprises that are associated with the development, production and/or use of cluster munitions.