

Nuclear Weapons Convention and Japan's role A Civil Society Viewpoint on the 2010 NPT Review Outcome

**Presentation at Symposium of Japan Association of Disarmament Studies
Hitotsubashi University, August 28, 2010**

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Thank you very much for giving me the opportunity to take part in this very important discussion today.

I was given the role to present a civil society viewpoint with regard to what the 2010 NPT Review Conference has achieved and how civil society and governments can work together to strengthen the current momentum and to move the disarmament agenda forward.

Reference to a nuclear weapons convention (NWC), or a comprehensive legal framework to achieve and maintain a nuclear-weapon-free world, was the most remarkable achievement in the outcome of the NPT Review Conference. I believe this view is shared among all the major global civil society networks working on nuclear disarmament, including Abolition 2000, the International Campaign to Abolish Nuclear Weapons (ICAN), the Middle Powers Initiative (MPI), Parliamentarians for Nuclear Non-Proliferation and Disarmament (PNND) and International Physicians for the Prevention of Nuclear War (IPPNW) among others.

In my presentation, I will first focus on an NWC and discuss what next steps are expected to be taken. Then I will turn to some policy implications specifically for Japan. I will talk about two specific immediate policy tasks, namely, limiting the role of nuclear weapons in Japanese security policy and the question of Japan-India nuclear cooperation. Finally I will conclude with some remarks on roles of civil society, including cooperation among academics, NGOs and policy makers.

Nuclear Weapons Convention

First let me quote two important parts from the Final Document of the NPT Review Conference. In the “recommendations” part of the Document, “principle and objective” refers to a humanitarian aspect of nuclear weapons:

The Conference expresses its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons and reaffirms the need for all States at all times to comply with applicable international law, including international humanitarian law.

The Document then recommends:

The Conference [...] affirms that all States need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons. The Conference notes the five-point proposal for nuclear disarmament of the Secretary-General of the United Nations, which proposes, inter alia, consideration of negotiations on a nuclear weapons convention or agreement on a framework of separate mutually reinforcing instruments, backed by a strong system of verification.

According to media reports, there was great resistance by nuclear-weapon states to any reference to

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concrete, time-bound actions to implement the UNSG's five-point proposal. Yet it is very significant that such a reference to an NWC, in the context of the SG's five-point proposal, was made for the first time in an NPT review consensus document. I would like to praise the vision and skill of the Chair, Ambassador Cabactulan who managed to make this historic achievement.

This Final Document made clear two important points. The first is that a comprehensive framework is necessary, and all States are urged to make "special efforts" to this end. It recognizes the need for a comprehensive approach for a nuclear-weapon-free world. The second point is that humanitarian perspectives on nuclear weapons and the application of international humanitarian law can be a basis for efforts to eliminate nuclear weapons.

NGOs around the world are now actively conducting strategy consultations on the next steps to be taken. My organization Peace Boat held a consultation seminar on the NWC onboard our ship between Norway and Ireland, in June, right after the NPT Review Conference. A UN officer on disarmament affairs, parliamentarian network members from Europe and NGO campaigners participated. [Copies of the report](#) are available at the table, and I hope you will pick one up. This consultation seminar identified several key dimensions that civil society can focus on to move the agenda forward. Let me point out three - the humanitarian aspect, environmental aspect and economic aspect.

Humanitarian, environment and economic aspects

First, regarding the humanitarian aspect, Japanese civil society already has a huge accumulation of knowledge and information through Hibakusha. However, these should be compiled in a form presentable to the global society to show the inhuman nature of nuclear weapons. For example, focusing not only what happened in August 1945 but also on the long-term radiation effects, including inter-generational questions, would make a convincing case on why such weapons must not ever be used anywhere in the world.

Second, regarding the environmental aspect. Recent scientific studies have proven that a serious climate change would be caused by an exchange of nuclear weapons. The "nuclear winter" effect would threaten all lives on this planet. This danger represents the global nature of the problem. Global citizens can understand that the danger is so serious that governments must not be restricted by their narrowly-defined national interests.

The third is the economic aspect. Focusing on the impracticality of nuclear weapons not only from military but also economic perspectives will make a convincing case for policy-makers in light of the global economic crisis. A Peace Boat seminar participant from the UK parliament stressed that the money for upgrading Trident should be converted to meet the human needs of the public. Today most countries are facing serious budgetary reviews, and even nuclear weapons cannot remain a sanctuary. Norway's 2006 decision of divestment from companies producing nuclear and other inhumane weapons presents a new way of building an economic norm against nuclear weapons.

Last December, the International Commission on Nuclear Non-proliferation and Disarmament (ICNND), initiated by Australia and Japan, recommended to start a preparatory process for an NWC:

Recommendation 73: Work should commence now on further refining and developing the concepts in the model Nuclear Weapons Convention now in circulation, making its provisions as workable and realistic as possible, and building support for them, ...

The Commission further proposed, at its last meeting last month in Vienna, the creation of a Global

Centre that has a mandate of “lead[ing] worldwide research aimed at refining and developing a model Nuclear Weapons Convention, with the object of having a fully worked through draft available to inform and guide multilateral disarmament negotiations as they gain momentum.”

Start the process now

Now is the time for civil society, including NGOs and academics, to play proactive roles to get serious preparatory processes for an NWC started by engaging and helping governments. The Japan Association of Disarmament Studies can play a unique role by facilitating research and dialogue to that end.

Topics to be covered in such preparatory processes should include the following:

1. **Political process** There are many lessons to be learnt from the landmine and cluster munition cases. Actors in the process will not be limited to governments. Collaboration with humanitarian organizations and environmental groups should actively be explored.
2. **Verification** There is much to learn from the UK-Norway study on this topic.
3. **Deligitimization of nuclear weapons** The Swiss government and Monterey Institute for International Studies co-produced a very useful case to delegitimize nuclear weapons based on international humanitarian law.
4. **UNSG five-point proposal** The 2008 proposal covers not only an NWC but also many important measures to ensure international security without relying on nuclear deterrence, namely, rule of law, the role of the UN Security Council, other types of weapons of mass destruction and space weapons. Adequate study for the implementation of the proposal should be carried out at both governmental and non-governmental levels.
5. **Malaysia-Costa Rican Model NWC** Further refining and development of the model convention will be useful.

The step-by-step approach based on the NPT and a comprehensive approach for an NWC is not incompatible. Rather, the step-by-step and comprehensive approaches can go hand in hand. You don't have to wait until the current step-by-step approach reaches a certain condition before a process for an NWC can get started. We can start the process for a NWC now.

Commencing a process for an NWC is important not only for disarmament, but also for non-proliferation. For example, an NWC can engage the nuclear-armed states outside of the NPT, namely India, Pakistan and Israel. Launching a global process for an NWC would build up the norm against nuclear weapons and help deter any country's attempt to go nuclear through breaking out of the NPT.

Limiting the role of nuclear weapons

Now let me briefly touch upon two specific and immediate policy tasks for Japan. The first task is to limit the role of nuclear weapons. Action 5(c) of the Disarmament Recommendation of the Final Document of the NPT Review Conference reads:

To further diminish the role and significance of nuclear weapons in all military and security concepts, doctrines and policies

This “*all* military and security concepts” should be interpreted as indicating including the extended deterrence concept in alliances. A draft version of the Document specifically referred to the military concept of “alliance,” but this was made vague before the final adoption. Despite his keenness to reduce reliance on nuclear weapons in Japan's security policy, Foreign Minister Okada has not yet

abandoned the longstanding Japanese policy that it needs nuclear weapon even to deter non-nuclear threats such as chemical and biological weapons. Japan's official stance is far behind the US, which declared to aim to have a "sole purpose" doctrine in the Nuclear Posture Review Report this April. Even Australia made clear, at the opening of the NPT Review Conference in May, that it would be "comfortable" even if the US adopts a "sole purpose" doctrine. Japan has not even taken this very modest step.

Japan and Australia will launch a new group of countries by holding a ministerial meeting in New York next month. This will be a very good occasion for Japan to declare that it would be no problem for Japan if the US were to commit to a sole purpose or no-first use doctrine. The new group could then be united to encourage nuclear-weapon states to further reduce the role of nuclear weapons.

Japan-India nuclear cooperation

The second immediate policy task for Japan regards the question of Japan-India nuclear cooperation. Action 35 of the NPT Review Conference Final Document reads:

The Conference urges all States parties to ensure that their nuclear related exports do not directly or indirectly assist the development of nuclear weapons or other nuclear explosive devices.

This recommendation also recalls the 1995 decision on principles and objectives, that urged those countries outside of the NPT to conclude a comprehensive safeguard agreement with the IAEA, which India has not yet done.

Japan commenced nuclear cooperation talks with India right after the NPT Review Conference concluded a hard-compromised Document. Japan's nuclear cooperation with India would, at least indirectly, assist nuclear weapons development of the country, violating this agreement. It would worsen the nuclear disorder in the region. Japan and the international community are encouraged to make efforts to ensure that India at least freezes its nuclear weapons development.

Conclusion: improving partnership—NGOs, researchers and policy-makers

My final comment is about the role of civil society, especially about the need to improve partnership among different sectors. I participated in the UN Conference on Disarmament Issues in Saitama over the past few days. There, I had a very interesting discussion with Dr Potter who is here today, and Dr Hitchens from the UN Institute for Disarmament Research. Dr Hitchens emphasized the way researchers can be a bridge between NGOs and policy-makers, by providing accurate information to actors at both grassroots and governmental levels. Academic institutions can also make a bridge between these parties by preparing forums at which different actors can sit together, and facilitating dialogue.

This is exactly the role that the Japan Association of Disarmament Studies can strive to fill. As an NGO campaigner, I would appreciate fellow researchers pursuing such a role of providing information and facilitation. Also, I would appreciate disarmament studies in Japan to be developed further, making the best of the current global momentum, so as it can reach a degree where both NGOs and policy-makers can rely on information and analysis from this community.

Thank you very much.