



**International Commission on Nuclear
Non-proliferation and Disarmament (ICNND)
Japan NGO Network**

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International Commission on Nuclear Non-proliferation and Disarmament (ICNND)

Co-Chair Mr Gareth Evans
Co-Chair Ms Kawaguchi Yoriko
Commissioners
Advisory Board Members

<Second Open Letter>

**Japanese Citizens Expectations and Requests of the International Commission on
Nuclear Non-proliferation and Disarmament (ICNND)
On the occasion of the 3rd Meeting (Moscow)**

On February 6 this year the ICNND Japan NGO Network sent an "Open Letter" conveying our expectations and requests of the ICNND concerning the following four policy issues:

- International framework to outlaw nuclear weapons, including a Nuclear Weapons Convention
- Reducing the role of nuclear weapons in security policies
- New moves responding to civil use of nuclear energy for nuclear non-proliferation
- Building a regional non-nuclear and peace system for Northeast Asia

We are aware that since our first letter the ICNND's deliberations have developed through its meeting in Washington (February) and its regional meetings in Latin America and Northeast Asia (May). We were very pleased that a session was held at the Washington meeting in which the Commissioners were able to speak with Hibakusha from Hiroshima and Nagasaki. We were also pleased that Japanese NGOs and civil society were able to contribute to the preparations for that session. Since then, we have learnt from comments in the media about the status of ICNND discussions concerning preparation of the report. We also had the privilege of hearing the views of and exchanging opinions with Co-Chairs Ms Kawaguchi and Mr Evans in separate roundtable discussions held in late May.

Through this, we have developed a strong sense that Japan can and should play a major role in the achievement of the ICNND's goals. We, members of Japanese civil society, wish to do our utmost towards this end.

The nuclear test carried out by North Korea on May 25 showed that the danger of nuclear

proliferation is becoming a reality in Northeast Asia. This tells us that efforts must be accelerated to reaffirm the norm that nuclear weapons are unacceptable in anyone's hands and to create a system to universalize this norm and make it legally binding. We sincerely hope that the ICNND's report will give encouragement to such efforts and that it will make recommendations that can become guiding principles for the international community.

We are sending you this second "Open Letter" in order to convey our expectations and requests concerning the report to be produced after the ICNND has held meetings in Moscow and Hiroshima. This letter basically follows the lines of the four policy issues identified in the February 6 letter, taking into account information that has come to hand since then, including through our meetings with both ICNND Co-chairs, and also taking into account changes in international circumstances. We submit it as an expression of the shared voice of Japan's NGOs and civil society.

1. Establish the elimination of nuclear weapons as a clear goal

- Seen from a human perspective, nuclear weapons are ethically totally unacceptable. Led by the Hibakusha, for over 50 years Japanese civil society has called for the elimination of nuclear weapons. This call arose from the strong conviction that the horrors of Hiroshima and Nagasaki must never again be repeated anywhere on earth. You have already heard this sentiment expressed by the Hibakusha who attended the ICNND's meeting in Washington. The norm that nuclear weapons are unacceptable in anyone's hands must become firmly established globally and be made legally binding. We strongly request that the ICNND's report convey the conviction and hope to the Hibakusha that nuclear weapons will be eliminated, not in the distant future, but within their lifetimes.
- We understand that the ICNND is discussing a three-stage approach to nuclear disarmament. We respect the fact that careful consideration is being given to the measures to be taken at each stage. However, if this step-by-step approach to disarmament becomes too biased towards discussion of a so-called "Vantage Point", or interim stage, there is a danger that the Commission's goal will become obscure. Both the vision and the means of achieving it are important for the Commission. We request that the Commission clearly establish its goal as the elimination of nuclear weapons and that it chart a road map to reach this goal.
- Mayors for Peace, led by the Mayors of Hiroshima and Nagasaki, are calling for the elimination of nuclear weapons by 2020. Their call has broad support not just in Japan, but also throughout the whole world. The Hibakusha and people throughout the whole world will be deeply disappointed if the ICNND only focuses on a 2025 "Vantage Point", without showing firm resolve and a time frame towards the elimination of nuclear weapons.
- Even if setting a clear goal of eliminating nuclear weapons is regarded as ambitious, it would nevertheless gel with the Commission's aim of producing a report that has strong political impact. Making clear the goal of elimination will help to rally the people. A hopeful goal brings

out the wisdom and strength in people. A readily understandable message to the general public and a road map towards elimination will resonate with international civil society and the media and generate political and social impact.

2. Encourage consultations on a Nuclear Weapons Convention

- We believe that, as a path to the elimination of nuclear weapons, a Nuclear Weapons Convention (NWC) which comprehensively outlaws nuclear weapons is both necessary and achievable. We strongly hope that the ICNND's report will encourage consultations towards the realisation of an NWC. As the Secretary-General of the United Nations, Ban Ki-moon, indicated in October 2008 in his "5 Point Action Plan", an NWC is one of the top priority issues to be seriously considered for a nuclear free world. Pursuit of a comprehensive NWC is not inconsistent with existing step-by-step approaches to nuclear non-proliferation and nuclear disarmament. Rather, it supplements and reinforces them.
- We recognize that, as both Co-chairs have suggested, efforts to achieve an NWC face many political, legal and technical challenges. However, an NWC is not the end point of the elimination of nuclear weapons. Rather, it should be thought of as a process to make this possible. Now, when there is active debate about nuclear weapons, encouragement from the ICNND of discussions directed towards the realisation of an NWC could exert great influence on the international political environment. It could become a "game changer".
- Even if immediate commencement of negotiations on an NWC is difficult, there is nothing preventing the commencement of consultations concerning the contents and methods of achieving an NWC. Commencing consultations on an NWC would spread the awareness that nuclear weapons are unacceptable. It would make all countries aware that possession of these shameful weapons does nothing to raise their national esteem, but rather lowers their international status. This would strengthen the norms of nuclear non-proliferation and nuclear disarmament. We request that you recommend commencing consultations on an NWC as a short-term goal for the international community.
- We request that the ICNND Commissioners conduct substantive consultations concerning an NWC during the Hiroshima meeting and give consideration to the possibilities and issues involved. If the Commission undertakes such a task, Japanese NGOs and NGOs from around the world will do their utmost to cooperate and contribute.
- Bearing in mind an NWC, it is necessary to pursue a nuclear disarmament process that involves all nuclear weapon possessing countries. In regard to negotiations between the US and Russia for a successor treaty to START, we request that you strongly urge a rapid reduction in the number of nuclear weapons to the level of a few hundred. This is an essential requirement to expand the nuclear disarmament process to include other nuclear weapon states.

3. Start from the norm of non-use of nuclear weapons

- According to the Advisory Opinion of the International Court of Justice, the threat or use of nuclear weapons would generally be contrary to the international rules of humanitarian law. We believe that in order to eliminate nuclear weapons it is of the utmost importance to go beyond this and establish a norm that the use of nuclear weapons is not permitted under any circumstances.
- As a first step towards establishing a firm norm of non-use of nuclear weapons, in addition to raising the threshold for the use of nuclear weapons, it is important to reduce the value of nuclear weapons in security policies.
- We understand that, as a short-term goal, ICNND is promoting limiting the role of nuclear weapons to deterring other nuclear weapons – i.e. a no first use policy. We support this goal. A declaration of no first use by the United States and other countries with nuclear weapons would have an extremely significant effect on the international nuclear disarmament process.
- We request that you recommend, not as a medium-term goal, but as a short-term goal, that nuclear weapon states de-alert their nuclear weapons (reduce the alert status). This, along with no first use declarations, is an important measure to raise the threshold for the use of nuclear weapons.
- Likewise, as short-term goals, we request that you make recommendations about the need to make legally binding negative security assurances by nuclear weapons states towards non-nuclear weapons states, and that you propose methods for that purpose such as nuclear weapon free zone treaties.
- There are many ways in which the norm against the use of nuclear weapons could be strengthened, including through International Criminal Court regulations, United Nations Security Council resolutions, and bilateral and multi-lateral no first use agreements. We hope that the Commission will examine these options.

4. Rethink extended nuclear deterrence

- By recommending that the role of nuclear weapons in security policies be reduced, ICNND will exert a major influence on the United States of America's Nuclear Posture Review. This will in turn influence anticipated reviews by NATO and other allies of their nuclear policies.
- Australia and Japan, the two countries hosting the ICNND, both clearly articulate in their respective Defence White Papers their reliance on nuclear weapons for their security. The Japanese government has gone further indicating that it takes the view that there is a role for nuclear weapons in responding to non-nuclear threats, including from biological, chemical and conventional weapons. Under these circumstances, a strong recommendation by the ICNND that extended deterrence should be reviewed and the role of nuclear weapons in the security policies of alliance countries should be reduced will have a major international impact.
- We question whether the nuclear dependent policy adopted by the Japanese government

accurately reflects the will of the Japanese people. The Mayors of Hiroshima and Nagasaki, along with the many nuclear-free local authorities in Japan, are calling for a Northeast Asia Nuclear Weapon Free Zone. This suggests that support for a security system that is not dependent on nuclear weapons has broad support within Japanese society. If the ICNND were to call for a review of extended deterrence and a reduction in the dependence of alliance countries on nuclear weapons, this would no doubt find sympathy among civil society and decision makers in these countries and exert great political influence.

- Nuclear weapon free zone treaties play a large role in reducing the role of nuclear weapons. As a short-term goal, please recommend regional discussions to expand nuclear weapon free zones. Nuclear weapon free zone treaties, based on the three pillars of verifiable de-nuclearisation, negative security assurances and bodies to verify compliance, anticipate the conditions for a nuclear weapon free world and become regional frameworks for threat reduction, confidence building and common security building.
- In particular, establishment of a nuclear weapon free zone in Northeast Asia will provide a sure solution to the danger of proliferation associated with North Korea. It is important as a method for building sustainable peace in this region. We request that the ICNND make this issue a focus of its report. Great strides have been made on this issue in regard to solidarity between NGOs, centered in Japan and South Korea. Interest among political decision makers in Japan is also growing.
- Nuclear weapon dependent security is still stuck in Cold-War thinking. The world must abandon this type of thinking as soon as possible. Dependence on nuclear weapons can be greatly reduced by threat reduction and trust building through dialogue and verification. We hope that the ICNND will show the world the clear logic of how reduction of dependence on nuclear weapons will accelerate us along the path towards the elimination of nuclear weapons.

5. Strengthen non-proliferation in the civil use of nuclear energy

- We share the Commission's view that the more we move towards a nuclear weapon free world, the more the control of nuclear material and technology will become a serious regional issue. This vigilance must also be directed towards the risks inherent in the current civil use of nuclear energy.
- Recently many countries, including countries in regions of tension, have expressed interest in constructing nuclear power plants. In regard to the nuclear proliferation threats that this gives rise to, it is necessary to draw attention to the many limitations of the existing system of safeguards and export controls. In addition to inherent technical limitations, the IAEA safeguards system suffers from a serious lack of resources and a lack of legal authority. These issues should be addressed frankly and fairly and an objective assessment of the current situation should be carried out before any proposals are made to fix the problems.
- International control of the nuclear fuel cycle is an important item on the agenda, but many

of the existing proposals suffer from technical, economic and political difficulties. The Commission should not downplay these problems. We hope the Commission will examine the issues cautiously and objectively. At the same time, the Commission should focus on measures that can be taken now to reduce the dangers posed by highly enriched uranium (HEU) and plutonium.

- The use of HEU to produce radioisotopes for medical and other civilian purposes is a significant proliferation hazard. It is technically possible to phase out the civil use of HEU. The obstacle is a lack of political will. The Commission should make recommendations in support of a phase out of HEU use.
- Reprocessing spent nuclear fuel produces vast amounts of plutonium. The Commission should carefully consider whether reprocessing is necessary or desirable in the first place. At the very least, we request that the Commission call for a moratorium on reprocessing until a solution is found to the problem of existing plutonium stockpiles.
- The international community's decision to grant an exemption for India from nuclear export guidelines undermined the fundamental principles on which the international non-proliferation regime is based. Negotiations with India failed to extract conditions such as ratification of the CTBT, or a cessation of the production of fissile materials. Responsible states should refrain from nuclear-related exports to India until it complies with these international norms. Also, the Nuclear Suppliers Group should take steps to close the loopholes in its guidelines. We request that the Commission debate this issue thoroughly and reflect its conclusions in its recommendations.
- It is important that the Commission exchange views with representatives of nuclear industry about a nuclear non-proliferation code of conduct. We are keen to see how these discussions develop. However, in order to address the broad range of issues mentioned above, we strongly urge you to hold meetings with experts who have a wealth of knowledge and experience in relation to the various dangers arising from the civil use of nuclear energy, but who are independent of the nuclear industry. We can recommend suitable experts to you.

October Hiroshima Meeting – further cooperation between ICNND and civil society

We in the ICNND Japan NGO Network will give our utmost support for the success of the October meeting in Hiroshima. We also intend to use the opportunity to generate a groundswell of support and reactivate public opinion in favour of the elimination of nuclear weapons. We hope that, in addition to opportunities for the Commissioners to profoundly experience the reality of the atomic bombings, including witness from the Hibakusha, the program will also include a forum to discuss with civil society the path to the elimination of nuclear weapons. Japanese NGOs are making preparations for such a forum, in consultation with the Ministry of Foreign Affairs, City of Hiroshima and NGOs from around the world. This process will have a great influence in helping to arouse public opinion in the lead up to the 2010 NPT Review Conference. We request the active participation of ICNND Co-chairs, Commissioners and Advisory Board Members.

Issuing a message and follow-up

We have heard that the Commission does not plan to issue an interim report. However, we would like the Commission to provide appropriate information and to send a message to the world indicating the direction of the Commission's deliberations. This could take the form, for example, of a statement from the Co-chairs. Policy reviews are proceeding in all countries amidst the new global current towards nuclear disarmament. It is important for the Commission to exert influence on this process, which is taking place at this very moment, in a timely fashion. This will also contribute greatly to generating interest and attracting the attention of civil society.

We request that you consider issuing such a statement at the Hiroshima meeting. Issuing a statement from the A-bombed city of Hiroshima will play an extremely important role for the international community.

It is also very important for the achievement of the Commission's goals that after the report is released a body be established to follow up implementation of the recommendations. We sincerely hope you will give consideration to an effective mechanism for this purpose.

June 14, 2009

ICNND Japan NGO Network

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Japan Confederation of A- and H- Bombs Sufferers' Organization. (Nihon Hidankyo)

Co-Chair Tomonaga Masao

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