Effective measures towards a world free of nuclear weapons

Submitted by Japan

1. Pursuant to United Nations General Assembly resolution 70/33, the United Nations General Assembly decided to convene an open-ended working group in Geneva both to “substantively address concrete effective legal measures, legal provisions and norms that will need to be concluded to attain and maintain a world without nuclear weapons” (operative paragraph 2) and to “substantively address recommendations on other measures that could contribute to taking forward multilateral nuclear disarmament negotiations” (operative paragraph 3).

2. Japan’s basic standpoint on those issues is laid down in the joint working paper entitled “A progressive approach to a world free of nuclear weapons: revisiting the building blocks paradigm,” submitted by Australia and 16 other countries including Japan. This joint working paper illustrates both effective legal measures and effective practical measures. The former includes the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), the early commencement of negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (an FMCT) and on a post-New START Treaty, and the latter includes enhancing transparency, the reduction of the risk of accidental or unauthorized use of nuclear weapons, the reduction of the role of nuclear weapons in security doctrines, all of which are important building blocks necessary to first reach the minimization point and then realize a world free of nuclear weapons.

3. This working paper attempts to complement the above-mentioned joint working paper by first laying out two basic understandings that should be the foundation for advancing nuclear disarmament (paragraphs 5 and 6). It then elaborates, out of various concrete measures listed in the joint working paper, three measures, namely, transparency, the CTBT and an FMCT, which in our view, are, amongst other important measures, next steps for realizing a world free of nuclear weapons. Also, these measures can provide a basis for further cooperation between nuclear-weapon States and non-nuclear-weapon

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1 Established pursuant to resolution 70/33 of the General Assembly of the United Nations.
States since significant and concrete progress have been made in these measures through the engagement of and cooperation between both nuclear-weapon States and non-nuclear-weapon States, which is essential for promoting nuclear disarmament.

4. The recommendations to be produced by the Open-ended Working Group should include the following two basic understandings, as well as three effective legal and practical measures referred to below for further advancement of nuclear disarmament.

Two Basic Understandings

5. Nuclear disarmament must be promoted based on two basic understandings, the first being a clear understanding of the humanitarian impacts of the use of nuclear weapons and the second being the objective assessment of the reality of the security environment. The awareness of the catastrophic humanitarian impact of nuclear weapons fundamentally underpins all nuclear disarmament and non-proliferation approaches and efforts. At the same time, severe security environment, especially that of Northeast Asia as it faces the clear and present security challenges such as the recent nuclear testing and ballistic missile launches by the Democratic People’s Republic of Korea, must always be taken into consideration in promoting nuclear disarmament and non-proliferation.

6. At the first Open-ended Working Group meeting held in February, the view was expressed that the consideration of the humanitarian consequences of nuclear weapons is more important due to its tragic impact rather than national security and that security should be considered in the context of “collective security” (which was the term used at the Open-ended Working Group as the notion of considering the safety and security of people due to the global impact of nuclear detonation) rather than a “narrower” concept of national security of each state. However, an attempt to prioritize one over the other is not, in our view, a constructive approach. Both national security and “people’s” security are intrinsically intertwined and important factors in promoting nuclear disarmament, and the national security must not be ignored. To address the “people’s” security, reducing the risk of accidental or unauthorised use of nuclear weapons is crucial through measures such as reducing the operational status of nuclear weapons systems in ways that promote international security and stability, strengthening the stockpile management and enhancing the nuclear security.

Transparency, strengthening the Treaty on the Non-Proliferation of Nuclear Weapons review process, reporting

7. The principle of transparency, along with the principles of irreversibility and verifiability, are important and indispensable in the process of nuclear disarmament. Indeed, if the baseline number of existing nuclear weapons is unknown, negotiations of reducing nuclear weapons are impossible.

8. Furthermore, the principle of transparency underpins the other two principles; verification and irreversibility. Without transparency, nuclear disarmament cannot be verified, nor would states have complete confidence that nuclear disarmament measures have been accomplished in an irreversible manner. Increased transparency also alleviates mistrust among states and builds confidence and trust at regional and international levels.

9. In the context of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), a treaty of “grand bargain” between the three pillars (nuclear disarmament, nuclear non-proliferation and the peaceful uses of nuclear energy), there exists no specific transparency mechanism for nuclear disarmament obligations of the nuclear-weapon States, while transparency in the implementation of non-proliferation obligations of the non-nuclear-
weapon States is ensured through reports to the IAEA Board of Governors based on the IAEA safeguards. Transparency with a reporting mechanism, in particular through its review process, thus plays an important role in enhancing accountability of the nuclear-weapon States.

10. While transparency together with a reporting mechanism has been a focus of discussions in the context of the NPT, creating a similar reporting mechanism within the framework of the United Nations could also contribute to facilitating nuclear disarmament by the non-State Parties to the Treaty that possess nuclear weapons.

11. Japan proposes that five nuclear-weapon States and non-State parties of the Treaty possessing nuclear weapons submit reports on the nuclear weapons in possession and their nuclear disarmament efforts, in particular the following items, to the extent possible, to the Secretary General of the United Nations twice before 2020, namely in 2017 and 2019, and that the Secretary-General compile them and report to Member States of the United Nations.

(a) The number, types (strategic or non-strategic) and status (deployed or non-deployed) of nuclear warheads;
(b) The number and, if possible, types of delivery vehicles;
(c) The number and types of weapons and delivery systems dismantled and reduced as part of nuclear disarmament efforts;
(d) The amount of fissile material produced for military purposes;
(e) The measures taken to diminish the role and significance of nuclear weapons in military and security concepts, doctrines and policies.

**Comprehensive Nuclear-Test-Ban Treaty (CTBT)**

12. Bearing in mind that CTBT was opened for signature 20 years ago, and recognizing the special responsibility of the nuclear-weapon States as noted in action 10 of the final document of the 2010 NPT Review Conference, the remaining States listed in annex 2 to the Treaty, whose ratification is necessary for the entry into force of the Treaty, should be urged to strengthen efforts to sign and ratify the Treaty without further delay and take individual initiatives to do so without waiting for others.

13. Co-Coordinators of Facilitating the Entry into Force of the CTBT and Friends of the CTBT have been working hard to facilitate the CTBT’s early entry into force through diplomatic engagements with non-signatories and non-ratifiers and cooperation on capacity building for those countries. All states are urged to join these efforts.

14. Banning nuclear testing under the CTBT, which has already achieved near universalization, can be further ensured as an international norm through further promotion of the universalization. Strong condemnation by the international community against the Democratic People’s Republic of Korea after its nuclear tests illustrates the strong normative character against nuclear testing. The international community should continue to respond resolutely against whoever conducts nuclear testing so that the norm against nuclear testing will be further reinforced.

15. In this regard, the international community should stand firm once again and urge the Democratic People’s Republic of Korea not to conduct any further nuclear tests and to sign and ratify the CTBT at the earliest, in addition to complying with all relevant United Nations Security Council resolutions and the 19 September 2005 Joint Statement of the Six-Party Talks.
16. Pending the entry into force of the CTBT, all States that possess nuclear weapons are urged to declare and/or maintain all existing moratoriums on nuclear test explosions and refrain from any action that could undermine the object and purpose of the Treaty. In this regard, issuing political statements individually or jointly by all states that hold nuclear weapons declaring commitment to moratorium on nuclear test explosions will be an important and effective measure to strengthen the norm against nuclear testing.

17. States are encouraged to make further personnel and technical contributions for states in need, in order to further improve the detection capability of nuclear explosions.

18. Another important and effective approach is to spread the awareness of the reality of the use of nuclear weapons at the grassroots level across national borders and generations. It will contribute to deepening the understanding of the importance of early entry into force of the Treaty.

**Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT)**

19. The early conclusion of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT) is the next logical step towards a world free of nuclear weapons.

20. The immediate commencement of negotiations on an FMCT and its early conclusion, based on the consensus report issued by the Group of Government Experts, whose meetings were held in 2014 and 2015, is indispensable. Any issue, including existing stocks, should be dealt with within the process of negotiations.

21. Although FMCT negotiations should preferably take place in the Conference on Disarmament, we should not exclude other possibilities, taking into account its prolonged stalemate. If the Conference on Disarmament continues to fail to commence the negotiations by the end of 2016, every possibility should be sought to commence negotiations on an FMCT, including through creating a forum for negotiations outside of the Conference on Disarmament such as convening an open-ended working group in the United Nations.

22. All States that possess nuclear weapons should be urged to declare and maintain moratoriums on the production of fissile material for use in nuclear weapons or other nuclear explosive devices pending the entry into force of such treaty.

23. All States possessing nuclear weapons should be urged to declare all fissile material designated by each of them as no longer required for military purposes and to place such material as soon as practicable under verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside military programmes.