

# Japan's Disarmament and Non-Proliferation Policy (Fifth Edition)

Edited by Disarmament, Non-Proliferation and  
Science Department, Ministry of Foreign Affairs

# **Disarmament and Non-Proliferation Policy of Japan 2011**

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Science Department, Ministry of Foreign Affairs of Japan

(Note)

This document summarizes the state of international affairs and the efforts of the Government of Japan related to disarmament and non-proliferation since the fourth edition of this publication. It covers the period from March 2008 until the end of October 2010, but also includes items of particular importance up to the end of February 2011. The titles of individuals and the names of countries and international organizations mentioned in this document relate to the above mentioned period.

# Message from the Minister for Foreign Affairs



Koichiro Gamba  
Minister for Foreign Affairs

The state of global disarmament and non-proliferation has undergone considerable change since the speech by US President Barack Obama in Prague in April 2009. On the one hand, the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was held May 2010 amid fierce confrontation between the nuclear-weapon states and non-nuclear-weapon states. Described as a watershed moment with the future of the international nuclear non-proliferation regime at stake, the conference successfully adopted the Final Document, which included a concrete plan of action. The United States of America and the Russian Federation, which together possess the vast majority of nuclear weapons in the world, signed the New START Treaty to reduce strategic nuclear weapons. This Treaty entered into force in February 2011.

On the other hand, the international nuclear non-proliferation regime based on the NPT, which marked its 40th anniversary since entering into force, continues to face significant challenges including the slow progress on nuclear disarmament, nuclear issues of North Korea and the Islamic Republic of Iran, the threat of nuclear terrorism, and the necessity to strengthen controls on nuclear materials due to the expanding use of nuclear power.

As the only state that has suffered the horrific effects of atomic bombings, Japan must play a leading role in the international community's discussions on nuclear disarmament and non-proliferation, aimed at the realization of "a world free of nuclear weapons." Based on this position, Japan has been taking concrete action to call upon all nuclear-weapon states to take steps for nuclear disarmament while improving transparency in their armaments. At the NPT Review Conference, Japan took the joint initiative with Australia to present specific proposals that would form the basis for consensus in the Final Document, which made a significant contribution to the success of the conference. Furthermore, the foreign ministers of Japan and Australia co-chaired in September 2010 the Foreign Ministers Meeting on Nuclear Disarmament and Non-Proliferation, out of which a new cross-regional group was launched. This group, NPDI(Non-Proliferation and Disarmament Initiative), aims to steadily implement the action plan included in the Final Document of the NPT Review Conference, and to make substantial contributions toward the steady reduction of nuclear risks. Last September, I co-chaired the third Ministerial Meeting of the NPDI and appealed for the need to take an action-oriented approach toward the 2012 first preparatory committee of the 2015 NPT Review Conference.

The fourth Ministerial Meeting will be held in April. Japan will also vigorously advance efforts in cooperation with concerned countries that share the same aspirations. Additionally, in October 2011, Japan submitted together with an unprecedented 98 other countries its draft resolution on nuclear disarmament to the United Nations General Assembly, which calls for steady implementation of the outcomes of the May 2010 NPT Review Conference. This resolution was adopted with the support of an overwhelming majority.

Through these various efforts, Japan attaches great importance to steadily taking realistic steps toward “a world without nuclear weapons.” As the first step toward this goal, the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the immediate commencement of negotiations on a fissile material cut-off treaty (FMCT) are tasks of utmost urgency. There is no time to lose for the international community.

Also, in the area of weapons of mass destruction other than nuclear weapons, namely biological weapons and chemical weapons, and in the area of conventional arms, such as small arms and light weapons, mines, and cluster munitions, which pose an urgent challenge in various fields including humanitarian affairs and development, Japan is playing a pivotal role in international efforts by contributing to the implementation and universalization of related treaties and international norms, and by supporting local projects.

Japan is also working to strengthen and improve the efficiency of safeguards by the International Atomic Energy Agency (IAEA), which is at the center of the nuclear non-proliferation regime. At the same time, Japan actively participates in and contributes to the international export controls regimes, which are the frameworks for cooperation in export controls, and the Proliferation Security Initiative (PSI), which is an initiative for preventing the proliferation of weapons of mass destruction.

In order for the government to effectively advance diplomacy for disarmament and non-proliferation, the enthusiasm and interest of civil society is absolutely necessary. In particular, Japan has a responsibility for passing across borders and generations the knowledge about the tragic consequences of the use of nuclear weapons. The Government of Japan will cooperate with civil society to strongly promote education on disarmament and non-proliferation, including through the initiative of “Special Communicators for a World without Nuclear Weapons” which was established in 2010.

This publication was designed to inform, in an easy-to-follow format, the people of Japan and the world about the situation surrounding disarmament and non-proliferation, as well as the present state of Japan’s foreign policies in these areas. It is my sincere hope that this publication will serve to aid your understanding.

March 2012

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# I Texts





# **Part I**

## **Overview**



# Part I. Overview

## Global Efforts for Disarmament and Non-Proliferation

### 1. The concept of disarmament, arms control, and non-proliferation

The regulation of armaments first came to be recognized as a global issue at the end of the 19th century. Arms reductions (disarmament) became a primary issue on the agendas of international meetings, alongside attempts to limit war as a means for resolving international conflicts. Later, Article 8 of the Covenant of the League of Nations prescribed arms reductions, and later still, Article 11 of the Charter of the United Nations positioned disarmament and the regulation of armaments among the general principles of co-operation in the maintenance of international peace and security, and defined the authority of the General Assembly to deliberate with regard to these principles.

The term ‘disarmament’ is frequently used outside of the UN Charter. In general, it refers to the reduction, curtailment, or abolition of a variety of armaments and weaponry through international agreement. The term ‘arms control’ emerged during the Cold War to refer to the regulation, inspection, verification, and building of confidence with regard to weapons and armaments, as well as the restriction of movements of conventional weapons. Arms control was born out of nuclear arms control negotiations between the United States and the Soviet Union in the 1970s, and has mainly been used as a concept for building efforts to control nuclear arms between nuclear superpowers.

In contrast, ‘non-proliferation’ refers to the prevention and control of the spread of weaponry, especially weapons of mass destruction such as nuclear, biological, and chemical weapons, as well as their means of delivery (e.g. missiles). In addition, the term also covers the prevention and control of the spread of materials and technologies related to weaponry. During the Cold War, Western countries worked to prevent the transfer of strategic resources, particularly high technologies, to communist states. Following the end of the Cold War, the proliferation con-

cern of states or terrorists developing or attempting to acquire weapons of mass destruction and related materials and technology has heightened. To counter proliferation, the international community has implemented export controls and Security Council resolutions, and strengthened efforts such as the Proliferation Security Initiative (PSI).

Through measures such as the above, disarmament, arms control, and non-proliferation are paths towards improving the security environment through the establishment of international norms on armaments, weaponry, and related materials and technologies, and regulating and controlling them based on these norms. In some cases, a country may choose to pursue disarmament unilaterally.

### 2. Why has Japan promoted disarmament and non-proliferation?

After the Second World War, Japan demonstrated its determination for peace, and “resolved that never again shall we be visited with the horrors of war through the action of government” (Preamble of the Japanese Constitution). Never again to become a military power, Japan would use its strengths for the peace and prosperity of the entire world. This principle is the country’s basic policy. War threatens peoples’ lives and property, destroys their livelihoods and culture, and brings forth unthinkable tragedies. Japan’s post-war diplomacy has been built upon the desire of Japan’s citizens to live in peace and safety and to have a peaceful world.

Sadly, in the world in which we live, deep mistrust exists between countries and between peoples. Tension and confrontation have not disappeared. In many regions, religious and tribal conflicts, territorial disputes, and other problems carry the possibility of escalating into armed conflict.

Nearly all countries recognize the necessity of armaments for securing their borders, and defending themselves against the threat of military incursions from other countries. Efforts for disarmament and non-proliferation

must recognize this grave reality.

Even if armaments are required to ensure a country's security, all countries benefit from mutual cooperation to reach a suitable, and ideally, reduced level of armament. Countries engaged in an arms race with the sole purpose of maintaining supremacy will expand their armaments without limit. To avoid such situations, it is becoming increasingly accepted that countries should limit or adjust the scale and capabilities of their weaponry.

Above all, arms races and the proliferation of weapons cannot but threaten the maintenance of international peace and security. Even if no country intends to threaten another militarily, the limitless growth of weapons and arms induces mistrust and fear, destabilizing international relations, and even inducing unnecessary armed conflict. This is the reason why Article 11 of the UN Charter places

disarmament and arms regulation among the challenges for international peace and security.

From an economic standpoint, massive military expenditures place pressure on government finances. Unnecessary arms races also waste valuable resources. Therefore, one of the goals of disarmament and non-proliferation is to restrain military spending so that resources can be better allocated in national budgets towards economic development and social welfare.

International efforts for disarmament and non-proliferation have been pursued, first beginning with the humanitarian perspective for arms regulation dating from the 19th century, and now also because of the need to maintain world security and to foster more efficient and effective economic development.



Attendants at a Hiroshima Peace Memorial Ceremony



## Chapter 1

# Japan's Basic Position on Disarmament and Non-Proliferation

Japan has promoted disarmament and non-proliferation based on the following fundamental principles. First, the Japanese Constitution expresses that Japan is founded on the ideal of pacifism. Furthermore, as the only country to have suffered from atomic bombings and with a duty to speak out against the tragedy of their use, it is important for Japan to make international efforts towards the creation of a world without nuclear weapons. Second, from the perspective of ensuring Japan's peace and security, and in order to maintain regional stability, Japan must avoid escalating regional arms races and prevent the proliferation of weapons of mass destruction. Third, with the growing destructiveness and lethality of weaponry, and the consequent intensification of misery inflicted by war, there is an increasing humanitarian need for disarmament and non-proliferation. Fourth, one of the pillars of Japanese diplomacy has been the realization of 'human security', which bears a strong connection to disarmament and non-proliferation. Japan's basic position on disarmament and non-proliferation is explained further below.

### 1. Japan's desire for peace and its mission as the only country to have suffered the devastation caused by the use of atomic bombs

One of the reasons that Japan has pursued disarmament and non-proliferation as a pillar of its diplomatic policy is its strong desire to maintain world peace. After the Second World War, Japan chose to become a pacifist nation as a result of its strong resolve to avoid repeating the horrors of war. These ideals are enshrined in the Constitution of Japan. Rather than pursuing military strength, Japan has placed importance on achieving peaceful economic expansion and improving the welfare of its citizens. In order to reach these goals, the peace and stability of the international community is essential. Japan's accomplishments are evident both at home and abroad and a source of great pride. Moreover, as the only country to have suffered from nuclear weapons, Japan has made it its duty to communicate to the world that the tragedy caused by the use of nuclear weapons must never be repeated and they

must be abolished.

Japan's primary achievements in disarmament and non-proliferation are some of its most important diplomatic assets, and its ongoing efforts in this area are to a certain extent an attempt to spread the Japanese model for peace and prosperity to the rest of the world.

### 2. Japan's security outlook

Given the regional security environment surrounding Japan, it is important for Japan to vigorously promote disarmament and non-proliferation.

A large amount of military power, including nuclear weapons, is concentrated in the region around Japan, and many countries are modernizing their armed forces and increasing their military activities. Furthermore, unpredictability and uncertainty persists in regional territorial and maritime disputes, as well as on the Korean peninsula and in the Taiwan Strait.

On 5 April 2009, North Korea launched a missile, which was followed by the announcement of a nuclear test on 25 May, its second since 2006. On 5 April in Prague, the Czech Republic, the President of the United States, Barack Obama, delivered a clear statement calling for concrete and realistic measures to create a peaceful and secure world without nuclear weapons. North Korea's military actions constitute a serious and present destabilizing element to the region including Japan, and a significant challenge for international non-proliferation efforts. Under these circumstances, Japan has taken the basic stance of ensuring its peace and security through diplomatic efforts to maintain regional and international stability, as well as improving national defense capabilities and adhering to the Japan-United States security arrangement.

Doubts are often raised because Japan seeks nuclear disarmament while relying on the nuclear deterrent of the United States. However, as long as nuclear weapons exist, the United States nuclear deterrent plays a central role in nuclear non-proliferation efforts. At the same time, Japan has pursued realistic nuclear disarmament and non-proliferation measures in order to minimize nuclear risks

and to create a stable international security environment in which the nuclear deterrent will become unnecessary. Far from being a contradiction, Japan's current reliance on nuclear deterrence is consistent with its pressing duty to stabilize the country's security environment and its pursuit of nuclear disarmament.

### 3. Humanitarian approach

With the intensification of misery caused by war due to the improvement in the destructivity and lethality of weapons, the humanitarian approach in the field of disarmament and non-proliferation has been gaining significance. For example, the Anti-Personnel Mine Ban Convention (the Ottawa Convention), which entered into force in 1999, and the Convention on Cluster Munitions (the Oslo Convention), which entered into force in 2010, are two disarmament treaties that strongly reflect the humanitarian perspective. In addition to security requirements, Japan also places strong emphasis on the humanitarian approach, which led Japan to signing the Ottawa Convention in December 1997 and to ratifying it in September 1998 and to ratifying the Oslo Convention on 14 July 2009. In the area of nuclear disarmament and

non-proliferation, too, the importance of the humanitarian approach has been stressed in the final document of the May 2010 NPT Review Conference (see "Conclusions and recommendations for follow-on actions," section I.A.v), which expressed a deep concern regarding the humanitarian consequences of the use of nuclear weapons and re-confirmed the need to respect international humanitarian law.

### 4. Human security perspective

Disarmament and non-proliferation are also extremely significant from the viewpoint of human security. "Human security" is a concept that "places emphasis on each individual and on realizing the abundant potential that exists in every person through the protection of, and the empowerment of, individuals". Even after armed conflicts, anti-personnel mines and small arms threaten the safety and livelihoods of people living in the affected areas. Addressing these problems is important for the establishment of safety as an important pre-condition for peace and reconstruction, and it is also essential for realizing human security.



Dedicating name lists of atomic bomb victims at a Hiroshima Peace Memorial Ceremony



## Chapter 2

# The current state of Disarmament and Non-Proliferation, and the Efforts of Japan

After the publication of the fourth edition of Japan's Disarmament and Non-Proliferation Policy (March 2008), from April 2008 to 2010 the international disarmament and non-proliferation regime was faced with many issues and challenges. On the other hand, the Prague Speech in April 2009 by the President of the United States, Barack Obama, helped to enhance opportunities for pursuing nuclear disarmament. The key developments in disarmament and non-proliferation since the fourth edition of this publication and Japan's efforts are outlined below.

### 1. Regional Non-Proliferation Issues (see Part II)

#### (1) North Korea

The North Korean nuclear weapon and missile issue represents a major threat to the peace and security of the international community, and it poses a grave challenge to the international nuclear non-proliferation regime based on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). In April 2009, North Korea carried out a missile launch, which was followed by the announcement of a nuclear test one month later. In June 2009, North Korea announced that it was beginning work to weaponize its entire stock of newly enriched plutonium and that it had begun the process of enriching uranium. In July 2009, it launched multiple ballistic missiles, and in September 2009 North Korea submitted a letter addressed to the Chair of the UN Security Council announcing that its experimental uranium enrichment program had entered the final stages. In November 2009, North Korea announced its success in reprocessing spent nuclear fuel rods. In this way, North Korea had been taking an increasingly tougher stance. In November 2010, former US Special Envoy for the six party talks, Charles Pritchard, and Stanford University professor Siegfried Hecker (former Director of Los Alamos National Laboratory) visited Yongbyon. They reported that North Korean officials had allowed them to visit an experimental light water reactor construction site and a uranium enrichment facility.

Japan has continued to demand that North Korea

steadily takes measures to "abandon all nuclear weapons and existing nuclear programs" as stated in the Joint Statement of the Six-Party Talks in September 2005. Japan will continue working with the United States, South Korea, and other concerned states to achieve the denuclearization of North Korea.

#### (2) Iran

The Iranian nuclear issue which started in 2002 with the revelation of undeclared uranium enrichment activities also poses a grave challenge to the international nuclear non-proliferation regime based on the NPT. Iran's uranium enrichment activities had gone unreported to the International Atomic Energy Agency (IAEA). With the discovery of the construction of a new uranium enrichment facility in September 2009, and the start of production of up to 20% enriched uranium as fuel for the Tehran Research Reactor (TRR), Iran continues to expand its uranium enrichment activities contrary to UN Security Council Resolutions. In response to these movements, in November 2009, the IAEA Board of Governors adopted its first resolution since February 2006. The resolution called upon Iran to fully cooperate with the IAEA and to assure the IAEA that no undeclared activities and reported construction of nuclear facilities was taking place. In addition, the UN Security Council adopted Resolution 1929, which strengthened sanctions against Iran. In October 2009, the IAEA issued a proposal for the fuel supply of the TRR, following discussions between Iran and the EU3+3 countries (the UK, France, Germany, the US, Russia, and China). Under this proposal, low-enriched uranium would be transferred from Iran to Russia for further enrichment, and then sent to France to be processed into fuel, after which it would return to Iran. The US, France, and Russia accepted this proposal, but in November of that year, Iran insisted that low-enriched uranium and nuclear fuel be exchanged simultaneously within Iran. In May 2010, Iran, Turkey, and Brazil reached an agreement on the foreign transfer of nuclear material outside of Iran (the Tehran

Agreement), but no further progress was made in the main negotiations by December 2010.

Japan will maintain its efforts to achieve a peaceful and diplomatic solution to the nuclear issue, continuing its close cooperation with the countries involved, while urging Iran towards progress through its own channels.

### (3) India and Pakistan

India and Pakistan, which conducted nuclear tests in 1998, have yet to sign the NPT and the Comprehensive Nuclear-Test-Ban Treaty (CTBT) despite approaches to them by Japan and other countries. Japan has continuously urged India and Pakistan to accede to the NPT and sign and ratify the CTBT.

During Indian Prime Minister Manmohan Singh's visit to the United States in July 2005, the leaders of both countries achieved the agreement that the US would make efforts in implementing civil nuclear cooperation with India in exchange for India's efforts in taking various measures on disarmament and non-proliferation. In March 2006, when President George W. Bush visited India, both leaders reached an agreement that required India to place its 14 nuclear reactors under the IAEA Safeguards in stages between 2006 and 2014. The agreement also stipulated that the United States should revise its domestic laws and make efforts within the Nuclear Suppliers Group (NSG) for the NSG to adjust its guidelines to allow for full civil nuclear cooperation with India (the so-called "US-India Civil Nuclear Cooperation Agreement"). In December 2006, the Henry Hyde Act, which enables such cooperation with India, was adopted in the United States. In July 2007, negotiations on the US-India bilateral agreement were completed. At an extraordinary plenary meeting of the NSG in September 2008, a consensus was reached regarding the "Statement on Civil Nuclear Cooperation with India," which provided for an Indian exemption in the NSG Guidelines. In 2010, after careful consideration of various factors such as India's strategic importance and increasing energy demands, and impacts on the international disarmament and non-proliferation regime, Japan began negotiations on a nuclear agreement with India.

## 2. Nuclear Disarmament and Non-Proliferation (See Part II, V, and VI)

### (1) Nuclear disarmament

The goal of the NPT Review Conference held in May 2010 was to increase the unifying power of the NPT and to strengthen the NPT-based international non-proliferation regime. During the conference, there was a great deal

of uncertainty about whether all the countries who are party to the treaty would reach a consensus. On the last day, however, a final document was produced that included a concrete action plan for the future regarding the three pillars of the NPT (nuclear disarmament, nuclear non-proliferation, and peaceful uses of nuclear energy). This was a very meaningful outcome in terms of maintaining and strengthening the reliability of the NPT and promoting nuclear disarmament and non-proliferation. Japan's proposals, including a joint proposal with Australia on disarmament and non-proliferation measures, received broad support from many countries, and were reflected throughout the final document.

In addition, Japan has submitted a draft resolution on nuclear disarmament to the UN General Assembly every year since 1994. Building upon the final document that was adopted at the 2010 NPT Review Conference (the first in a decade), Japan's resolution that year was entitled "United Action towards the Total Elimination of Nuclear Weapons". In comparison to previous years the resolution called for more comprehensive and concrete actions to be taken towards the goal of nuclear disarmament.

With respect to the CTBT, Colombia ratified the treaty in January 2008, but since nine countries out of the required 44 have not yet ratified the treaty, as of January 2011 it has still not entered into force. The CTBT is a crucial pillar of the NPT-based nuclear disarmament and non-proliferation regime, and Japan is continuing its diplomatic efforts towards the countries that have yet to ratify the treaty with a view to bringing the CTBT into force as soon as possible.

### (2) Non-proliferation

As mentioned above, the nuclear issues of North Korea and Iran pose grave challenges to the international nuclear non-proliferation regime based on the NPT. The NPT regime is facing a crisis, and the role of the IAEA is gaining greater importance from the perspective of nuclear non-proliferation, as an organization charged with promoting the peaceful use of nuclear energy and preventing the diversion of nuclear power to military uses. Amid such a situation, and as a designated member of the IAEA Board of Governors, Japan has continued to make contributions of human and financial resources to IAEA activities. In the election of the IAEA Director General in July 2009, Mr. Yukiya Amano, then Ambassador to the Permanent Mission of Japan to the International Organizations in Vienna, was elected and appointed by the Board of Governors. After the

approval of his appointment by the General Conference in September, Mr. Amano took office as the 5th Director General of the IAEA in December, the first Japanese and, indeed, Asian DG (See column “Accession to the IAEA Director General of Yukiya Amano”). At the 2010 NPT Review Conference, Japan submitted a working paper on the strengthening of IAEA safeguards, which play a central role in international nuclear non-proliferation regime. In addition, given the significance in nuclear non-proliferation of the Additional Protocol, which provides the IAEA with enhanced authority for verification checking if there are no undeclared nuclear activities, Japan has engaged with those States without an Additional Protocol at various meetings to encourage them to conclude an Additional Protocol. Japan has supported the efforts of the IAEA, such as providing human and financial assistance to regional seminars designed to facilitate the conclusion of the Additional Protocol. In June 2010, the first plenary meeting of the Asia-Pacific Safeguards Network (APSN) was held in Indonesia, with the participation by 14 countries, including Japan, and their relevant organizations. The APSN was established, based on an Australian proposal, for exchanging information on safeguards in the Asia-Pacific region and promoting regional cooperation.

Japan is also engaged in other diplomatic efforts to strengthen and maintain the non-proliferation regime. The international export control regime is a framework for coordinating export controls among countries which support non-proliferation and possess the capacity to supply weapons and related dual-use items and technologies. Japan contributes to and participates in all of the multilateral export control regimes for nuclear weapons, biological and chemical weapons, missiles, and conventional arms. To prevent the proliferation of weapons of mass destruction and related items and technology, Japan is closely following the Proliferation Security Initiative (PSI), which aims to discuss and implement possible transfer and transport prevention measures through international and domestic laws among participating countries. The first meeting of the Operational Experts Group (OEG) was held on 1 and 2 November 2010 and broadly discussed future PSI activities. Japan has also been strengthening efforts and promoting understanding of the non-proliferation regime among other countries, particularly in Asian countries. Japan has hosted both the Asian Senior-level Talks on Non-proliferation (ASTOP) since 2003, and the Asian Export Control Seminar since 1993 – taking the lead in the reinforcement of regional initiatives.

### (3) Nuclear security

Since the terrorist attacks in the United States on September 11, 2001, the international community has strengthened its efforts in the field of nuclear security so that nuclear technology and radioactive sources, which have been widely utilized for peaceful purposes, not only for power generation but also for medical care or agriculture, should not fall into the hands of terrorist organizations.

The IAEA has continued and strengthened efforts to protect nuclear materials and nuclear facilities by utilizing its Nuclear Security Fund. International treaties and regulations for improving nuclear security are progressing, through amendments to the International Convention for the Suppression of Acts of Nuclear Terrorism and Convention on the Physical Protection of Nuclear Materials, and revisions to IAEA Recommendations on Physical Protection of Nuclear Materials and Nuclear Facilities. Simultaneously, efforts for international cooperation for improving the capacity to respond to nuclear terrorism are moving forward under the framework defined by the Global Initiative to Combat Nuclear Terrorism. In addition, the first leaders’ summit on nuclear terrorism measures – the Nuclear Security Summit – was held in April 2010, confirming the political will to improve nuclear security.

Through the IAEA Nuclear Security Fund, Japan has contributed to the improvement of international nuclear security, and with the IAEA, held the Seminar on Strengthening Nuclear Security in Asian Countries in Tokyo in January 2010. The Nuclear Security Summit resulted in the presentation of four initiatives as an international contributory measure for strengthening nuclear security: the creation of the Integrated Support Center for Nuclear Non-Proliferation and Nuclear Security; research and development into the measurement and detection of nuclear materials, and nuclear forensics; greater financial and human contributions to IAEA nuclear security programs; and the holding of the World Institute for Nuclear Security (WINS) conference in Japan.

### (4) Japanese Assistance for denuclearization of the former republics of the Soviet Union

With respect to the program for the dismantlement of decommissioned nuclear submarines in the Russian Far East, named “Star of Hope,” the dismantling of 6 submarines was completed as of December 2009. Currently, Japan is cooperating to construct an on-shore storage facility for reactor compartments of the decommissioned

submarines. Also, Japan is aiding a nuclear security strengthening project in Belarus as well as similar projects in Kazakhstan and the Ukraine.

### 3. Biological and Chemical Weapons (See part III)

With recent developments in science and technology, various types of chemical substances and microbes, including bacteria, have been used for civilian purposes. However, these substances can also be used as chemical and biological weapons causing tremendous damage and threatening human life as weapons of mass destruction. The Biological Weapons Convention (BWC) and the Chemical Weapons Convention (CWC) are significant in terms of international security since they are multilateral treaties that comprehensively prohibit two entire categories of weapons. Japan and other states have been making efforts to increase the number of states parties to these conventions (achieving universality) and to encourage treaty implementation (strengthening national implementation). For international cooperation, Japan offers assistance mainly to Asian countries through the holding of workshops or the dispatching of experts to, for example, help establish national implementation laws.

As the use of biological and chemical weapons by non-state actors, such as terrorist organizations, has become a real threat today, Japan also supports the activities of other countries to cope with biological and chemical terrorism. For instance, Japan joined the United States, Australia, and Malaysia in hosting the Southeast Asia Bio-terrorism Workshop (May 2008) at the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT).

### 4. Conventional Arms (See part IV)

In recent years, efforts have been underway to restrict or prohibit the possession or use of anti-personnel landmines, cluster munitions, and illegal small arms and light weapons, and to destroy or remove them. These efforts are made based on the humanitarian view that the possession and use of conventional arms that cause inhumane harm to civilians, as well as leave a serious impact on post-conflict societies and economies, must be prohibited.

With regard to anti-personnel landmines, the Second Review Conference of the Anti-Personnel Mine Ban Convention (the Ottawa Convention) was held in November and December 2009 in Colombia. This conference resulted in the Cartagena Action Plan, which provides a guideline for actions for the next five years, and the Cartagena Declaration.

The use, possession, and production of cluster munitions were banned by the Convention on Cluster Munitions (the Oslo Convention). It went into effect in August 2010 (Japan ratified the Convention in July 2009). At the same time, negotiations to regulate cluster munitions were conducted under the framework of the Convention on Certain Conventional Weapons (CCW).

Japan has called for the ratification of the Ottawa and Oslo Conventions by States not Party in order to achieve the universalization of these conventions. Japan also recognizes the grave humanitarian problems caused by unexploded remnants of war, including cluster munitions and anti-personnel landmines, and has adopted measures to support victims and clear unexploded munitions. In addition, Japan has undertaken small arms and light weapons-related projects in affected countries, and has organized symposia to raise awareness and understanding of these issues among concerned parties in the international community.

To control the international trade of conventional arms and to create an international treaty to ensure their responsible transfer, a UN conference on the Arms Trade Treaty (ATT) is expected to be held in 2012. Additional to its role as a member of the preparatory committees and a constructive participant in the UN meetings on this treaty, Japan also hosted regional workshops to enhance discussions on the ATT.

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# **Part II**

# **Nuclear Disarmament and Non-Proliferation**





# Part II Nuclear Disarmament and Non-Proliferation

## Chapter 1

# The Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

### Section 1. Overview of the Treaty

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) designates the United States, Russian Federation, the United Kingdom, France, and China as the “nuclear-weapon states.” While the Treaty aims to prevent the spread of nuclear weapons to other “non-nuclear-weapon states,” it also aims to advance negotiations on nuclear disarmament among the nuclear-weapon states, and to promote cooperation in the peaceful uses of nuclear energy. It is important to maintain and strengthen the three pillars of the NPT – nuclear non-proliferation, nuclear disarmament, and the peaceful uses of nuclear energy – to support the NPT regime. In other words,

the NPT (1) recognizes the “inalienable right” of states parties to use nuclear energy for peaceful purposes; (2) obliges both nuclear-weapon states and non-nuclear-weapon states to prevent nuclear proliferation, and nuclear-weapon states to negotiate on nuclear disarmament; (3) stipulates non-nuclear-weapon states to undertake to accept IAEA safeguards for verifying the peaceful uses of nuclear energy. The Treaty was opened for signature in July 1968 and entered into force in March 1970 (Japan signed the NPT in February 1970 and ratified it in June 1976.) There are 190 States parties to the treaty (India, Pakistan, and Israel have not joined as of October 2010.)

### Section 2. Outcome of the 2010 NPT Review Conference and Future Issues

#### 1. Overview of the 2010 NPT Review Conference

Article VIII, paragraph 3 of the NPT provides for a conference every five years to review the operation of the treaty, with a view to ensuring that the purposes of the preamble and the provisions of the Treaty are being realized. With regards to the circumstances surrounding the NPT regime, at the 2005 NPT Review Conference, due to confrontations between the nuclear-weapon states and the non-nuclear-weapon states over nuclear disarmament and non-proliferation, as well as between developed countries and developing countries over the peaceful uses of nuclear energy, there was no progress in nuclear disarmament or non-proliferation. Consequently, the 2005 NPT Review Conference was unable to adopt a final document. Recently, North Korea and Iran have been further developing their nuclear technology, and there have also been growing concerns about the spread of weapon-related

nuclear technologies and the possibility of nuclear materials being employed in acts of terrorism (nuclear terrorism). Amidst these international circumstances the 2010 NPT Review Conference was held in New York from 3 to 28 May at the UN Headquarters.

The goals of the 2010 NPT Review Conference were to enhance unity among NPT states parties and to strengthen the NPT-based international nuclear non-proliferation regime. The review conference discussed disarmament, including ways to achieve consensus on concrete and practical nuclear disarmament measures leading to the total elimination of nuclear weapons. The review conference also tackled nuclear non-proliferation issues, including the Additional Protocol of the IAEA, which can strengthen monitoring of undeclared nuclear activities; possible responses from the international community to states parties that withdraw from the NPT; the North

Korean and Iranian nuclear issues; and the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction. On peaceful uses of nuclear energy, the review conference reaffirmed the right of all states to the peaceful use of nuclear energy, and explored possible international cooperation in specialized technologies and human resource development to benefit developing countries.

At the same time, the Conference was marked by a great deal of uncertainty about whether all the states parties to the treaty would be able to reach a consensus. However, a final document that included concrete recommendations for the future regarding the three pillars of the NPT – nuclear disarmament, nuclear non-proliferation, and peaceful uses of nuclear energy – was adopted on the last day of the review conference.

Notable parts of the final document include the following:

### 1. Nuclear Disarmament

- Reaffirmed “the unequivocal undertaking of the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament,” which was agreed in 2000.
- Committed all states parties to apply the principles of irreversibility, verifiability, and transparency (in relation to the implementation of their treaty obligations).
- Called upon nuclear-weapon states to promptly engage in concrete nuclear disarmament measures, and report their undertakings to the 2014 Preparatory Committee for the 2015 NPT Review Conference.
- Encouraged all the nuclear-weapon states to agree as soon as possible on a standard reporting form and to determine appropriate reporting intervals (for the purpose of voluntarily providing standard information without prejudice to national security).
- Encouraged all states to implement the recommendations contained in the report of the Secretary-General of the United Nations regarding the United Nations study on disarmament and non-proliferation education.

### 2. Nuclear non-proliferation

- Strongly urged North Korea to fulfill its commitments under the Six-Party Talks, in accordance with the September 2005 Joint Statement and fully

implement all relevant nuclear non-proliferation and disarmament obligations.

- Encouraged all states parties that have not yet done so to conclude and to bring into force additional protocols as soon as possible and to implement them provisionally pending their entry into force, and encouraged the IAEA to further facilitate and assist the states parties in this regard.
- Encouraged the IAEA to continue to assist the states parties in strengthening their national regulatory controls of nuclear material, including the establishment and maintenance of state systems of accounting for and control of nuclear material.

### 3. Peaceful uses of nuclear energy

- Encouraged all states in a position to do so to make additional contributions to the initiative designed to raise \$100 million dollars over the next five years as extra-budgetary contributions to IAEA activities.
- Ensured that, when developing nuclear energy, including nuclear power, the use of nuclear energy must be accompanied by commitments to and ongoing implementation of safeguards as well as appropriate and effective levels of safety and security.
- Underlined the importance of continuing to discuss further, under the auspices of IAEA, the development of multilateral approaches to the nuclear fuel cycle.

### 4. Resolution on the Middle East

- Endorsed a conference in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, to be convened by the Secretary-General of the United Nations and the co-sponsors of the 1995 resolution – the United States, the United Kingdom and the Russian Federation – and to be attended by all states of the Middle East.

### 2. Japan's Efforts

Tetsuro Fukuyama, Vice-Minister for Foreign Affairs, attended the 2010 Review Conference as the head of the delegation of Japan. At the review conference, Vice-Minister Fukuyama delivered a statement focused on practical nuclear disarmament and non-proliferation measures included in the joint proposal submitted by the governments of Japan and Australia. In addition to this pro-



posal, Japan also submitted a working paper addressing issues such as disarmament and non-proliferation education for communicating the horrors of nuclear weapons to new generations, strengthening IAEA safeguards, and technical cooperation with the IAEA for peaceful uses of nuclear energy. This working paper received broad support from many countries, and its recommendations were widely reflected in the review conference's final document. In negotiations leading to the adoption of the final document, Japan closely collaborated with other states parties and made important contributions inside and outside of the meeting room with nuclear-weapon states and members of the Non-Aligned Movement (NAM) to ensure a consensus. An initiative by Katsuya Okada, Minister for Foreign Affairs, in the final stages of the conference, resulted in the "Ministers' urgent call for the unity of State Parties", which involved the foreign ministers of Australia, Austria, Germany, the Republic of Korea, and New Zealand.

Takeshi Nakane, Ambassador to the Permanent Mission of Japan to the International Organizations in Vienna, served as the chairman of the Main Committee III on peaceful uses of nuclear energy. Despite the antagonism between developed and developing countries, Ambassador Nakane's tenacious efforts with states parties created the foundation for a final document acceptable to both sides.

Disarmament and non-proliferation education was an area led by Japan throughout the 2010 review process, and was included in the final document of the review conference for the first time. Japan's working paper emphasized the role of civil society in disarmament and non-proliferation education, and the necessity of partnerships between governments and civil society. Also, an initiative led by Japan produced a joint statement signed by 42 countries, which affirmed the importance of education, and the necessity of collaboration between government, civil society and international organizations, including the United Nations.

### 3. Future Issues

The 2010 NPT Review Conference was characterized by a sense of heavy pressure that repeating another 2005 NPT Review Conference must be avoided. Moreover, all of the participating states had the clear political will to produce a final document by any means necessary. This solidarity in the international community resulted in the first adoption of a final document in a decade, and marked a very significant turning point for the NPT regime as it



Vice Minister Fukuyama delivering a speech at the 2010 NPT Review Conference

emerged from a treacherous period. The 2010 final document represents a common starting point from which the NPT states parties can work to pursue nuclear disarmament, non-proliferation, and the peaceful uses of nuclear energy.

Going forward, the states parties must resolutely implement the action plan laid out in the final document, which will strengthen the international NPT-based non-proliferation regime.

At the September 2010 Foreign Ministers meeting on nuclear disarmament and non-proliferation, Japan and Australia launched a new cross-regional group that included Canada, Chile, Germany, Mexico, Netherlands, Poland, Turkey, and the United Arab Emirates. The group's activities focus on implementing the action plan agreed upon at the NPT Review Conference and formulating proposals for reducing global nuclear risks. The group is continuing talks for collective action to ensure the immediate commencement of negotiations on a fissile material cut-off treaty (FMCT), early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), and greater transparency in nuclear disarmament. The 2<sup>nd</sup> and the 3<sup>rd</sup> Foreign Ministers meeting took place in 2011, and were opportunities for the group to communicate news about these efforts to the international community.

## Chapter 2

# Comprehensive Nuclear-Test-Ban Treaty (CTBT)

### Section 1. Overview of the Comprehensive Nuclear-Test-Ban Treaty (CTBT)

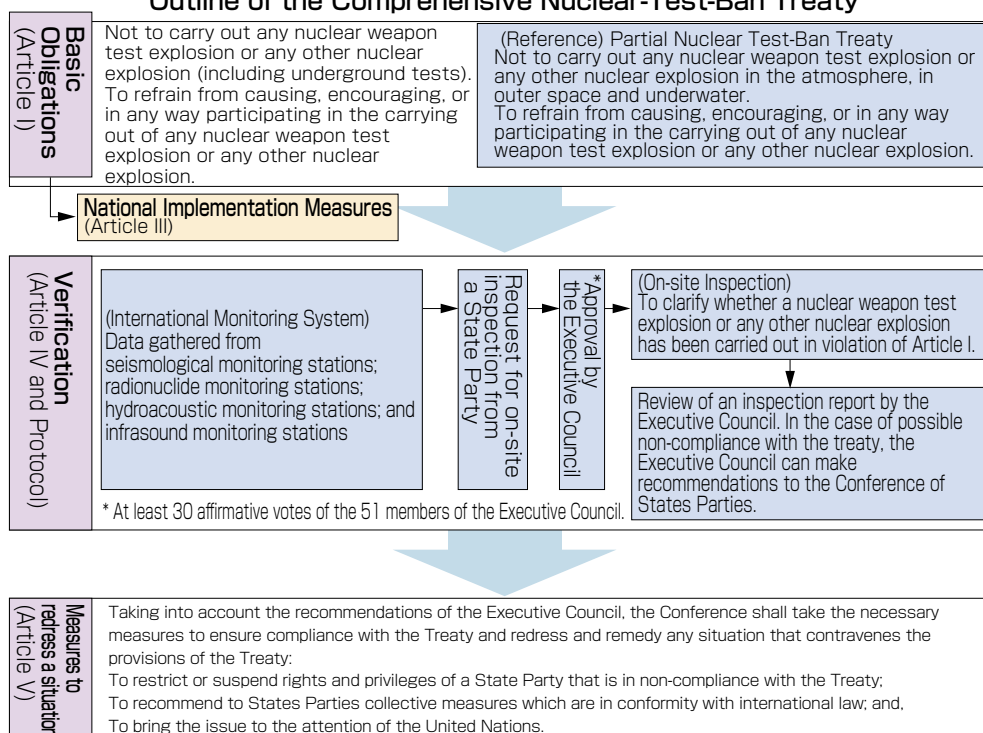
Nuclear tests are considered indispensable for the development of nuclear weapons. Therefore, to ban nuclear tests is of great significance for promoting both nuclear disarmament and non-proliferation. Although the Partial Test-Ban-Treaty (PTBT) entered into force in October 1963 after the trilateral negotiations between the United States of America, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, underground nuclear tests were excluded from the scope of prohibition of the PTBT. A ban on all nuclear tests, including underground nuclear tests, was deemed one of the primary tasks of the international community. The Comprehensive Nuclear-Test-Ban Treaty (CTBT) is a treaty on nuclear disarmament and non-proliferation that bans all nuclear tests at any place.

Negotiations on the CTBT started at the Conference on Disarmament (CD) in Geneva in January 1994. After two and a half years of difficult negotiations, the draft text of

the CTBT was not adopted at the end of the CD, which operates by consensus, due to the opposition of India. In response to this situation, Australia and other states submitted the final draft text to the UN General Assembly in September 1996, and it was adopted by an overwhelming majority (In Favor: 153, Opposed: India, Bhutan, Libya, Abstention: Cuba, Syria, Lebanon, Tanzania, Mauritius).

The CTBT enters into force once it is ratified by 44 specified states (the so-called “Annex 2 States”), which are considered to have the potential to develop nuclear weapons. Possessing nuclear reactors is, for example, regarded as having such potential. However, the CTBT has not yet come into force as nine of the Annex 2 States as of February 2011 have not signed or ratified the treaty. Japan is one of the Annex 2 States, and it signed and ratified the treaty in September 1996 and July 1997, respectively.

#### Outline of the Comprehensive Nuclear-Test-Ban Treaty



## 1. Major Elements of the CTBT

Besides prohibiting all nuclear test explosions (any nuclear weapon test explosion or any other nuclear explosion), the CTBT provides for the establishment of the CTBT Organization (CTBTO) in Vienna and the international verification regime in order to verify compliance with the Treaty. This international verification regime includes, for example, the International Monitoring System (IMS) consisting of 321 monitoring stations and 16 radionuclide laboratories around the world to detect nuclear test explosions, on-site inspections, and confidence-building measures. The CTBT also foresees measures to be taken in the event that a State Party conducts a nuclear test explosion and fails to fulfill a request by the Conference of States Parties or the Executive Council to redress a situation raising problems with regard to its compliance. These measures include restriction or suspension of the State Party's rights and privileges under the CTBT, and recommendations to State Parties concerning collective measures in conformity with international law.

## 2. Verification Systems

In order to verify compliance with the Treaty, the CTBT provides a verification regime comprising (1) the IMS, (2) consultation and clarification, (3) on-site inspections, and (4) confidence-building measures.

(1) The "IMS" is designed to monitor nuclear weapon test explosions or any other nuclear explosion, which are prohibited under the CTBT, with four types of monitoring stations installed at 321 locations around the world: seismological monitoring stations (Note 1), radionuclide monitoring stations (Note 2), hydroacoustic monitoring stations (Note 3) and infrasound monitoring stations (Note 4). The effectiveness of these systems, especially seismological monitoring and radionuclide monitoring (noble gas monitoring in particular), was proven on the occasion of the proclaimed nuclear test by North Korea in October 2006. Data obtained by monitoring activities is sent for processing to the International Data Center, located in Vienna.

(2) "Consultation and clarification" is a process by which State Parties clarify and resolve, among themselves or with or through the CTBTO, any matter which may cause concern about possible non-compliance, in the event that a State Party is suspected of conducting a nuclear weapon test explosion or any other nuclear explosion. This process includes the provision of clarification by a suspected State Party.

(3) "On-site inspection" is performed by an inspection

team sent to a State Party to clarify whether a nuclear weapon test explosion or any other nuclear explosion has been carried out in violation of the CTBT, and, to gather to the extent possible all the facts that might assist in identifying any possible violator. The decision to approve the on-site inspection shall be made by at least 30 affirmative votes of the 51 members of the Executive Council.

(4) "Confidence-building measures" include cooperation with the CTBTO, such as reporting to the CTBTO Technical Secretariat chemical explosions carried out in a mine, so that such explosions will not be misinterpreted as nuclear test explosions.

(Note 1) Seismological monitoring stations monitor nuclear explosions through the observation of seismic waves.

(Note 2) Radionuclide monitoring stations monitor nuclear explosions through the observation of radionuclides in the atmosphere.

(Note 3) Hydroacoustic monitoring stations monitor nuclear explosions through the observation of acoustic waves propagating underwater.

(Note 4) Infrasound monitoring stations monitor nuclear explosions in the atmosphere through the observation of very low-frequency sound waves in the atmosphere.



Radionuclide detection equipment used during a field exercise of an on-site inspection

## Section 2. Toward the Early Entry into Force of the CTBT

### 1. Current Status of Signature and Ratification

The CTBT has been signed by 182 states and ratified by 153 states as of February 2011. Of the 44 Annex 2 States, 41 have signed and 35 have ratified the treaty as of February 2011. The Annex 2 States that have not yet signed are India, Pakistan, and North Korea and the Annex 2 States that have signed but not yet ratified are China, Egypt, Indonesia, Iran, Israel, and the United States as of February 2011.

### 2. Developments among the Annex 2 States, which have yet to sign or ratify the Treaty

(1) In his April 2009 address on “a world without nuclear weapons” in Prague, Czech Republic, US President Barack Obama stated that he will “immediately and aggressively pursue U.S. ratification of the CTBT.” President Obama’s stance is a reversal of the Bush Administration’s passive and negative attitude towards the CTBT. The prospects for the US ratification of the CTBT are unclear, since it failed to be ratified in the Senate under the Clinton Administration, which supported the CTBT. In addition, the number of the Democratic Party’s Senate seats declined to 53 as a result of the November 2010 mid-term elections (ratification requires 67 votes in favor).

(2) At the May 2010 NPT Review Conference, Indonesian Foreign Minister Marty Natalegawa stated that “Indonesia is initiating the process of the ratification of the CTBT,” suggesting the prospect of near-term ratification.

(3) China stated that the ratification bill is being debated in the National People’s Congress, but it is not clear when approval can be expected.

(4) Egypt, Israel and Iran have signed the CTBT, but have not yet ratified the Treaty due to the conditions in the Middle East.

(5) India does not support the CTBT, but at the Japan-India Summit Meeting in December 2009, Prime Minister Manmohan Singh stated that a new situation would emerge if the US and China both ratified the Treaty.

(6) Pakistan supports the CTBT, but has made its signing and ratification of the Treaty contingent upon India doing the same.

(7) North Korea has not signed the Treaty, and conducted a nuclear test on May 25, 2009 following its test in October 2006. These acts not only violate the September 2005 Joint Statement of the Six-Party Talks, and relevant Security Council Resolutions, but also present a challenge to the CTBT and the will of the entire international community to ban nuclear tests. These events have reaffirmed the necessity of the immediate entry into force of the CTBT, and of the full development of the verification regime.

### 3. Significance of the efforts in the promotion of the entry-into-force of the CTBT

As described above, the entry into force of the CTBT is not yet in sight. However, as the CTBT has been signed by 182 states as of February 2011, one could say that the ban on nuclear tests is becoming a universal value in the international community. Furthermore, the five nuclear-weapon states have declared a moratorium on nuclear weapon test explosions and both India and Pakistan, which conducted nuclear tests in 1998, subsequently announced a moratorium on nuclear weapon test explosions. All these states have faithfully kept their commitments. It is fair to say that the political momentum of seeking the entry into force of the CTBT has a considerable effect on the deterrence of nuclear tests, when considering the fact that nuclear tests were carried out every year since the end of the Second World War until 1996. At the peak, as many as 178 tests were conducted in a year. Harsh responses from the international community against the proclaimed North Korean nuclear tests as shown by the UN Security Council Resolutions and the international community’s call for the early entry into force of the CTBT (nuclear disarmament resolutions and the CTBT resolution at the UN General Assembly) suggest that conducting nuclear test explosions has become more politically costly. Japan has taken the initiative in the international community to facilitate the entry into force of the CTBT, for the purpose of making deterrence against nuclear test explosions legally binding and irreversible.



### Section 3. Japan's Efforts to Facilitate the Entry into Force of the CTBT

Japan regards the CTBT as an indispensable pillar of the nuclear disarmament and non-proliferation regime established under the NPT. Accordingly, Japan considers the CTBT's early entry into force as the top priority in the area of nuclear disarmament and non-proliferation, and has continued its diplomatic efforts as described below.

#### 1. Contribution to the Conference on Facilitating the Entry into Force of the CTBT

##### (1) Conference on Facilitating the Entry into Force of the CTBT

The CTBT stipulates that a conference to facilitate the early entry into force of the treaty upon the request of a majority of the State Parties be convened if the treaty has not entered into force three years after the date of the anniversary of its opening for signatures. Pursuant to this provision, Conferences on Facilitating the Entry into Force of the CTBT have been held six times so far as of February 2011, in October 1999, November 2001, September 2003, September 2005, September 2007, and September 2009.

At the First Conference on Facilitating the Entry into Force of the CTBT in 1999, then Minister for Foreign Affairs Masahiko Koumura attended as the representative of the Government of Japan and presided over the Conference. Japan subsequently endeavored to coordinate opinions among states concerned with, among other moves, holding informal meetings prior to the Second Conference on Facilitating the Entry into Force of the CTBT in 2001 as a "Coordinator." At the Second Conference, a Progress Report was presented by the representative of Japan, Nobuyasu Abe, (former UN Under-Secretary-General for Disarmament Affairs) that noted the progress towards the entry into force of the treaty since the last conference.

104 states participated in the Sixth Conference on Facilitating the Entry into Force of the CTBT held in New York in September 2009. The Conference unanimously adopted the Final Declaration containing, for example, requests for early signature and ratification by those states which had not yet done so. Japan's Foreign Minister Katsuya Okada attended the Conference. The United States participated for the first time in ten years, with the attendance of Secretary of State Hillary Clinton.

##### (2) "Friends of the CTBT" Foreign Ministerial Meeting

In September of 2002, a year when the Conference on Facilitating the Entry into Force of the CTBT was

not convened, several foreign ministers of countries that had already ratified the Treaty, with Foreign Minister Yoriko Kawaguchi and the foreign ministers of Australia and the Netherlands as the central figures, held a CTBT Ministerial Meeting at the UN Headquarters in New York. They issued a joint ministerial statement that called for the Treaty to be signed and ratified as soon as possible and the moratorium on nuclear testing to be continued. This statement was originally signed by the foreign ministers of 18 countries including three nuclear-weapon states, namely France, the Russian Federation and the United Kingdom of Great Britain and Northern Ireland, and went on to win the approval of the foreign ministers of more than 50 countries. Since then the "Friends of the CTBT" Foreign Ministerial Meeting has been held every other year when the Conference on Facilitating the Entry into Force of the CTBT is not convened. In September 2010, the 5th "Friends of the CTBT" Foreign Ministerial Meeting was held in New York with 72 participating states. Foreign Minister Seiji Maehara attended for Japan and appealed to political leaders of the remaining Annex 2 States to show leadership and to act decisively for early signatures and ratification of the Treaty.



The 5th "Friends of the CTBT" Foreign Ministerial Meeting at the UN Headquarters in New York

#### 2. Efforts to facilitate entry into force at bilateral talks and other occasions

Japan has been calling for the early entry into force of the CTBT on various occasions, such as at bilateral meetings, and at regional and international forums. Between 2009 and 2010, Japan pursued efforts at bilateral talks with China, India and Pakistan at the Prime Ministerial and Foreign Ministerial level. India, in particular, made significant progress in nuclear disarmament, which is a precondition for re-assessing their position on the CTBT. The stance that Prime Minister Manmohan Singh indicat-

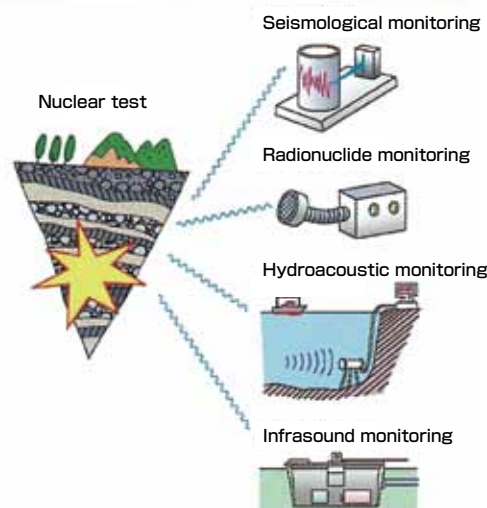
ed during the talks with Prime Minister Yukio Hatoyama was a notable shift in India's position for the first time since the formation of the United Progressive Alliance (UPA) government (see Section 2.2 (5) above).

Alongside these high-level efforts, Japan has invited CTBT experts from various countries since 2006 to promote understanding of the CTBT, aid its ratification process, and contribute to the establishment of national systems after ratification. Countries invited include Vietnam (March 2006), Colombia (February 2007), Indonesia (July 2007), Thailand (August 2008), Indonesia and Egypt (both March 2010). These efforts aim to ensure the effective operation of the CTBT verification regime, since it is essential that States Parties establish technological infrastructure to determine the evidence of nuclear tests in violation of the Treaty.

### 3. Initiative to establish International Monitoring System

Through its advanced seismological observation technology, Japan has provided technical assistance to developing countries in order to support the development of the International Monitoring System for verifying compliance with the CTBT. Specifically, Japan has accepted trainees for global seismological observation training courses every year since 1995 (158 trainees until FY 2010), and supplied seismological observation instruments (17 cases until FY 2004). Such efforts contribute to the development of the International Monitoring System, and at the same time, lead to facilitating the ratification of the CTBT by non-ratifying states by making their national implementation which is required upon ratification easier. These cooperative activities have been highly valued by the Preparatory Commission for the CTBT Organization and other states.

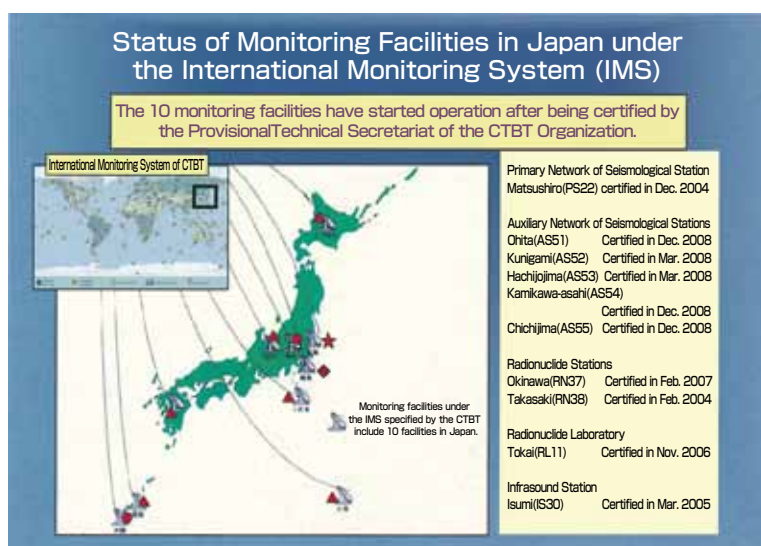
#### International Monitoring System under the CTBT



### 4. Establishment and Operation of Monitoring and Observation Facilities in Japan

The establishment of 10 monitoring facilities in Japan, as listed below, is required under the CTBT. The CTBT National Operation System of Japan was established in November 2002 in order to facilitate the establishment of these facilities. By the end of 2008, all of these facilities were certified by the Provisional Technical Secretariat (PTS) of the Preparatory Commission for the CTBTO, and began provisional operations.

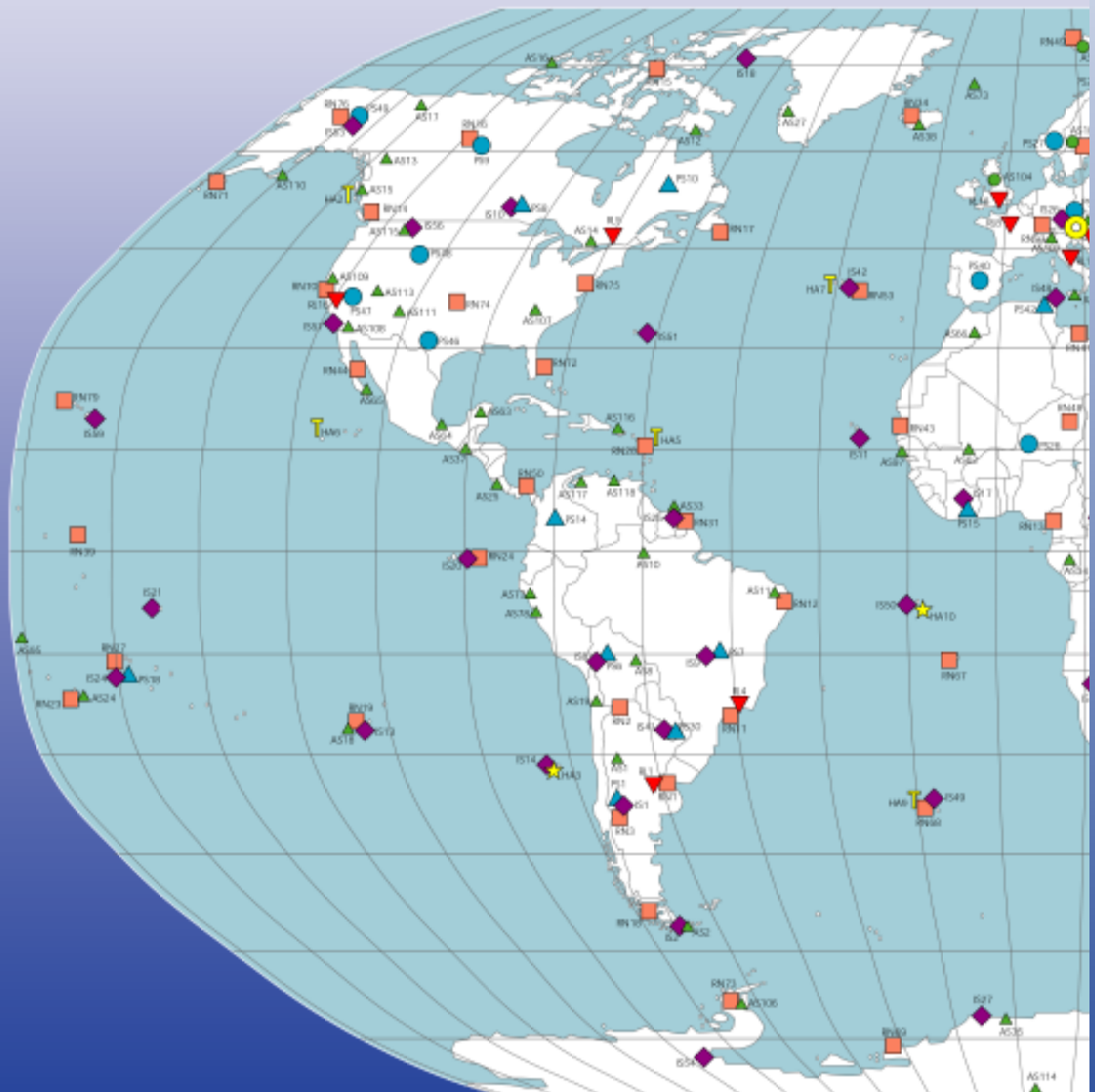
- (1) Primary Seismological Station: Matsushiro
- (2) Auxiliary Seismological Stations: Oita, Kunigami, Hachijojima, Kamikawa-Asahi, Chichijima
- (3) Infrasound Station: Isumi
- (4) Radionuclide Stations: Okinawa, Takasaki (For Takasaki, noble gas measuring equipment was installed.)
- (5) Radionuclide Laboratory: Tokai





# Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBT)

## Facilities of the CTBT International Monitoring System



- Seismic primary array (PS)
- Seismic auxiliary array (AS)
- ▲ Seismic primary three-component station (PS)
- ▲ Seismic auxiliary three-component station (AS)
- ◆ Infrasound station (IS)

# Comprehensive Nuclear-Test-Ban Treaty (CTBT)

## International Monitoring System



- ★ Hydroacoustic (hydrophone) station (HA)
- Radionuclide station (RN)
- △ Hydroacoustic (T-Phase) station (HA)
- △ Radionuclide laboratory (RL)
- International Data Centre, CTBTO PrepCom, Vienna



## Chapter 3

# The Conference on Disarmament (CD) in Geneva

### Section 1. Overview

The Conference on Disarmament (CD) in Geneva is the single multilateral disarmament negotiating forum of the international community. During the Cold War, the lack of progress in disarmament at the United Nations led the United States, the United Kingdom, France, and the Union of Soviet Socialist Republics (USSR) in 1959 to create the predecessor of the CD, the Ten Nation Committee on Disarmament as a multilateral disarmament negotiation forum.

Today, 65 states participate in the CD: the Western Group (25 states) including the G7; the Eastern European Group (6 states) which centers on Russia; the G21 (33 states) which includes mainly developing countries; and China. Japan began participating in 1969.

The CD has been responsible for the creation of important disarmament treaties, such as the Treaty on the Non-proliferation of Nuclear Weapons (NPT) in 1968, the Biological Weapons Convention (BWC) in 1972, the Chemical Weapons Convention (CWC) in 1993, and the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in 1996. Since the adoption of the CTBT, however, no substantive negotiations have taken place at the CD.

Although the CD has taken up items such as nuclear disarmament, a fissile material cut-off treaty (FMCT),

prevention of an arms race in outer space (PAROS), and negative security assurances (NSAs), it has been unable to adopt its annual programme of work, which requires a consensus decision, due to the differing priorities among the countries and regional groups.

In May 2009, Algeria, the President of the CD at the time, submitted a proposal for a programme of work that included negotiations on an FMCT, substantive discussions on PAROS and NSAs, and information and opinion exchanges on nuclear disarmament, which was adopted by consensus. Soon after, however, Pakistan objected to the schedule of activities for the programme, and as a result it was unable to be implemented. Currently, the CD member states are continuing to work towards commencing substantive negotiations and discussions.

In order to break the stalemate, in September 2010 a High-level Meeting on Revitalizing the Work of the Conference of Disarmament and Taking Forward Multilateral Disarmament Negotiations was convened by the United Nations Secretary-General in New York. Discussions took place in order to give political momentum to the CD, and the Chair's Summary stated that the United Nations would follow-up the meeting.

### Section 2. A Fissile Material Cut-off Treaty (FMCT)

A fissile material cut-off treaty (FMCT) aims to prevent the emergence of new nuclear-weapon states by banning the production of fissile materials for weapons purposes, such as highly enriched uranium or plutonium, and to restrict the production of nuclear weapons by nuclear-weapon states. Thus an FMCT carries great significance from the perspectives of both nuclear disarmament and non-proliferation. Furthermore, the treaty will also strengthen the international efforts for nuclear security by improving controls on nuclear materials. Possible treaty obligations are: (1) to prohibit the production of

fissile materials for the purpose of research, manufacture and use in nuclear weapons and other nuclear explosive devices; and (2) to prohibit assistance from other states in the production of highly-enriched uranium and plutonium for these purposes. Of the NPT nuclear-weapon states, the United States, Russia, the United Kingdom, and France have announced moratoria on the production of fissile materials for weapons purposes, while China has not.

An FMCT was initially proposed by United States President Bill Clinton in his speech at the United Nations General Assembly (UNGA) in September 1993. The

UNGA resolution, recommending negotiations at an appropriate international forum, was adopted by consensus in November of the same year. It was later agreed that the CD would be the forum for those negotiations.

In response, Gerald Shannon, Canada's then-ambassador to the Conference on Disarmament, was appointed as the Special Coordinator, and his proposal to establish an ad hoc committee for conducting negotiations on a "ban on the production of fissile material for nuclear weapons or other nuclear explosive devices" was adopted at the CD in 1995. At the CD, it is necessary to establish a subsidiary body such as an ad hoc committee to conduct negotiations; however, ad hoc committees were appointed only in 1995 and 1998. Even then, negotiations were not undertaken at the ad hoc committee in 1995, as a chair was not appointed.

The ad hoc committee that was established in August 1998 was in response to the emergence of a new situation brought on by the nuclear tests of India and Pakistan. Two meetings of the ad-hoc committee were convened between August and September of that year. However, apart from some exchanges of views among the participants, no substantial negotiations took place, mainly because it was near the end of the 1998 session of the CD.

Talks on the establishment of ad hoc committees continued, but because the interests of various parties within the CD differed, and also due to the Bush administration's advocacy of a treaty without a verification system, substantive talks on an FMCT did not begin, despite appoint-

ments of coordinators for each agenda item and intense informal discussions. The Obama administration, which began in 2009, supported a treaty which enables verification, and momentum towards the commencement of treaty negotiations was heightened. In May 2009, consensus was reached for a programme of work including a decision to commence FMCT negotiations. Despite the above developments, no actual negotiations have begun.

Among the various agenda items of the CD, Japan considers the immediate commencement of FMCT negotiations to be of great importance. In recent years, Japan has participated in the CD in Geneva at the political level in order to urge for progress in the CD and the immediate commencement of negotiations for an FMCT. In March 2010, Chinami Nishimura, Parliamentary Vice-Minister for Foreign Affairs, attended the CD. In addition, Sumio Tarui, Ambassador and Permanent Representative of Japan to the Conference on Disarmament, served as coordinator of informal CD meetings on an FMCT in 2008. In 2003 and 2006, Japan submitted working papers on an FMCT summarizing its stance to the CD. The Foreign Ministers' meeting on nuclear disarmament and non-proliferation, jointly hosted by Japan and Australia in September 2010, affirmed the commencement of FMCT negotiations as a priority. In February 2011, Japan and Australia jointly organized experts' side events in Geneva on technical aspects of the FMCT to contribute to future treaty negotiations at the CD.

## Section 3. Prevention of an Arms Race in Outer Space

### 1. Overview

#### (1) Background

The placement of weapons of mass destruction in outer space is prohibited by the Outer Space Treaty. Reconnaissance, early-warning satellites, communication satellites, the global positioning system (GPS), etc., are primarily cited as examples of the current military use of outer space.

On the other hand, in consideration of the need to restrain further expansion of the military use of outer space with the advance of science and technology, it was proposed in the Final Document of the first Special Session on Disarmament of the UN General Assembly in 1978 that further measures and appropriate international negotiations be held in accordance with the spirit of the Outer Space Treaty in order to prevent an arms race in outer space. This formed the concept of the prevention of

an arms race in outer space (PAROS) and the basis for subsequent discussions.

#### (2) Discussions on PAROS

The Ad Hoc Committee on PAROS was established in 1985 at the Conference on Disarmament in Geneva to discuss issues such as the necessity of a new treaty, the prohibition of offensive anti-satellite weapons, the evaluation of anti-ballistic missile systems and the treatment of confidence building measures. At the CD, while the former Soviet Union and Eastern European countries expressed serious concerns that the US's Strategic Defense Initiative (SDI) would lead to the militarization of outer space, the United States and the United Kingdom contended that a new treaty was not necessary since there was no sign of any countries pursuing the development of outer space weapons, arms races were restricted under the existing treaties, and an effective verification system would be dif-

ficult to establish. The Ad Hoc Committee ended in 1994 without substantial results.

Later, in 1999, with the emergence of the US national missile defense issue, China strongly appealed for the prevention of the weaponization of outer space, which it highlighted by the submission of documents to the CD on this topic in 2000 and 2001.

Russia was also concerned about the advancement of the US missile defense program and its withdrawal from the Anti-Ballistic Missile Treaty (ABM). Foreign Minister Igor Ivanov gave a speech at the UN General Assembly in September 2001, emphasizing the importance of the efforts of the international community to formulate a comprehensive treaty that prohibits the deployment of weapons in outer space and the use of force against space objects.

In June 2002, China and Russia together with other nations submitted a joint working paper to the CD. The principle objective of the document was to prohibit the deployment in outer space of so-called conventional arms.

In June 2006 and in February and March 2007, the CD held informal meetings to discuss each issue on PAROS. While China and Russia advocates the necessity of a new treaty to ban the placement of weapons in general in outer space so as to address the lacuna in the existing legal framework including the Outer Space Treaty, the United States asserts that a new treaty is not needed as no weapons are currently deployed nor does any arms race exist in outer space. There remains a considerable distance between the CD member states with regard to the necessity of a new treaty on PAROS. In February 2008, China and Russia jointly submitted a draft Treaty on the Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force against Outer Space Objects (PPWT) (CD/1679) to the CD.

Around the same time, in September 2007 the EU submitted a proposal on transparency and confidence building measures for the prevention of an arms race in outer space to the UN Secretary-General, based on UN General Assembly Resolution 61/75 “Transparency and Confidence Building Measures in Outer Space Activities.” The EU recognized the need for a comprehensive code of conduct on space objects and space activities, and proposed general principles and best practices to this end. Work to draft a code of conduct began within the EU, and a draft was accepted by the EU General Affairs and External Relations Council in December 2008. The draft was presented as the basis for discussions with third countries. Following talks with major space-faring nations

including Japan, the EU General Affairs and External Relations Council adopted a revised draft of the code of conduct, which was published that October. The EU is continuing talks with third countries to produce new revisions with the aim of creating a code of conduct that can gain the support of as many states as possible and will be adopted at a special diplomatic conference.

## 2. Japan's stance

Japan ratified the Outer Space Treaty in 1967. A “Diet Resolution concerning Principles for the Development and Utilization of Outer Space” adopted at a plenary session of the House of Representatives in May 1969 stipulates that Japan's development and utilization of outer space shall be limited to “peaceful purposes.” The Japanese government issued a governmental unified view on 6 February 1985, which permits the Self-Defense Forces to use satellites and satellite functions that are widely used in civilian life. For example, the use of communication satellites or earth observation satellites by the Self-Defense Forces does not contravene the principles of peaceful uses of outer space. Article 2 of the Basic Space Law, enacted in 2008, states that the development of outer space will be in accordance with the pacifist principles of the Japanese Constitution, existing space treaties and other international agreements. Furthermore, Article 3 states that space activities should contribute to the national security of Japan. Space development for defensive purpose is permitted via the deliberation of the Diet and within the scope of an exclusive defense-oriented policy. On 2 June 2009, the Strategic Headquarters for Space Policy specified the development of a satellite system for national security in their Basic Plan for Space Policy. Japan recognizes that the proliferation of weapons of mass destruction and missiles as their means of delivery, poses a challenge to its security, and strongly feels that space development technology must not be used to conceal ballistic missile programs.

Based on this stance, Japan has been voting in favor of the resolutions on the “Prevention of an Arms Race in Outer Space” and “Transparency and Confidence Building Measures in Outer Space Activities” at the UN General Assembly. Japan has also been playing an active role in the international frameworks that deal with the proliferation of ballistic missiles. At the CD, Japan has actively participated in discussions on PAROS, while placing the utmost priority on the early resumption of negotiations for a fissile material cut-off treaty.

With the expansion of space development, China's anti-

satellite weapon test (12 January 2007) produced a great deal of space debris and gave the issue of the regulation of hazardous activities in outer space a new immediacy and urgency. The event has pushed the international community to recognize the need for transparency and con-

fidence-building measures among space-faring nations. From this perspective, Japan has placed importance on the creation of soft laws for space governance as a benefit to international space activities, and has closely negotiated with the EU on their code of conduct.

## Reference

# Arms Control and Nuclear Disarmament by Nuclear-Weapon States

### Section 1. Overview

#### 1. Nuclear-weapon states

The states officially recognized as the nuclear-weapon states under the NPT are the United States of America, the Russian Federation, the United Kingdom, France, and China. India and Pakistan, non-state parties to the NPT, have conducted nuclear tests and publicly announced the possession of nuclear weapons. Similarly, Israel is also a non-state party to the NPT and is thought to be in possession of nuclear weapons, but this has not been publicly acknowledged. These three countries are considered “de-facto nuclear-weapon states.”

The United States and Russia possess the majority of the world’s nuclear weapons, therefore, reductions in nuclear weapons by these two states is crucial for global nuclear disarmament.

Furthermore, Article VI of the NPT stipulates that “Each of the parties to the treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament...”

#### 2. Types of nuclear weapons

There is no established classification for nuclear weapons, but they are generally divided into three groups:

nuclear weapons that can directly attack an opponent’s territory to destroy its ability to wage war are called “strategic nuclear weapons” (including long-range nuclear weapons, or intercontinental ballistic missile (ICBM), submarine-launched ballistic missile (SLBM) and heavy bombers); nuclear weapons used within a theater of war are called theater nuclear weapons (intermediate-range nuclear weapons); and nuclear weapons primarily used in limited military maneuvers are classified as tactical nuclear weapons (short-range nuclear weapons). In some cases, theater nuclear weapons and tactical nuclear weapons are collectively referred to as non-strategic nuclear weapons. Between the United States and Russia, strategic (nuclear) weapons are defined by the Strategic Arms Reduction Treaty (START), and all other nuclear weapons are considered non-strategic weapons. START classifies nuclear weapons according to the delivery means (ICBMs, SLBMs, strategic bombers, etc.), instead of the size of the warheads (nuclear yield).

However, a strict definition is hard to come by since a theater nuclear weapon by the definition of the United States and Russia can be, in effect, treated as a strategic nuclear weapon by other countries, depending on the geographical location and land area.

### Section 2. Arms Control and Nuclear Disarmament of the United States and Russia

#### 1. The US-Russia Strategic Arms Reduction Treaty

##### (1) Outline

Negotiations on the Strategic Arms Reduction Treaty (START) were a process that, for the first time, reduced strategic nuclear weapons held by the United States and Russia that had accumulated during the Cold War (To address intermediate range nuclear weapons, the United States and the Union of Soviet Socialist Republics (USSR) signed the Intermediate-Range Nuclear Forces

Treaty (INF Treaty) in December 1987, which entered into force in June 1988, to eliminate all ground-launched intermediate-range nuclear weapons.) As a result of the START I process, the number of strategic nuclear warheads of the United States and Russia was reduced to about 60% of those held during the Cold War. START has, therefore, established one of the important foundations for nuclear disarmament.

The Bush administration, which took office in January 2001, put an end to hostile relations with Russia (USSR)

that existed during the Cold War with each state possessing more than 10,000 strategic nuclear weapons, and advocated the need to establish a new security regime to combat threats such as the proliferation of weapons of mass destruction and ballistic missiles. This shift was accelerated by the terrorist attacks on 11 September 2001 in the United States, and an agreement was formed to mutually reduce the number of strategic nuclear weapons to 2,000. As a result, the Strategic Offensive Reductions Treaty (Moscow Treaty), which codifies the commitment of both countries to make strategic nuclear weapon reductions, came into effect separately from the previous START process.

## (2) Strategic Arms Reduction Treaty I (START I) and the START process

START I signed by the United States and the USSR in July 1991 stipulated that both states reduce the three major means of delivery for strategic nuclear weapons, namely, ICBMs, SLBMs, and heavy bombers, to 1,600 for each side within seven years after the treaty enters into force. In addition, the number of strategic nuclear warheads deployed was limited to 6,000, of which the total number of strategic nuclear warheads mounted on ICBMs or SLBMs must not exceed 4,900.

After the collapse of the USSR, it was agreed that Ukraine, Kazakhstan, Belarus, and Russia, where strategic nuclear weapons were deployed, and the United States, would become the parties to START I, while Ukraine, Kazakhstan, and Belarus would accede to the NPT as non-nuclear-weapon states (the Lisbon Protocol).

START I entered into force in December 1994. In December 2001, the United States and Russia announced that they had reduced the number of strategic nuclear warheads to 6,000, and completely implemented their obligations under START I.

Even before the entry into force of START I, in June 1992 the United States and Russia reached an agreement on the basic framework of START II, which included an agreement to reduce the number of deployed strategic nuclear warheads in each country to less than 3,000-3,500. However, the US ratification process reached an impasse because Russia reserved the right to withdraw from START II should the United States pull out from the Anti-Ballistic Missile (ABM) treaty. In 2002, the US unilaterally withdrew from the ABM treaty, preventing START II's entry into force.

## (3) The Treaty on Strategic Offensive Reductions (Moscow Treaty)

From the beginning, the Bush administration had emphasized the necessity of establishing a new security structure in the post-Cold War era. In his statement delivered at the National Defense University in May 2001, President Bush stated that "Today's Russia is not our enemy" and "Nuclear weapons still have a vital role to play in our security and that of our allies. We can, and will, change the size, the composition, the character of our nuclear forces in a way that reflects the reality that the Cold War is over."

Summit talks between the United States and Russia were held in Washington D.C. and Crawford from 13 to 15 November 2001, and US President George W. Bush conveyed to Russian President Vladimir Putin that the US would reduce the number of operationally deployed strategic nuclear warheads to 1,700-2,200 in the next decade, a level commensurate with US security requirements.

Following a series of talks, at the US-Russia Summit Meeting in Moscow on 24 May 2002, the two leaders signed the Treaty on Strategic Offensive Reductions (Moscow Treaty), which stipulates a further reduction of strategic nuclear forces than START I. The United States and Russia completed the ratification procedure at the US Congress in March 2003 and at the Russian Parliament in May 2003, respectively. President Bush and President Putin exchanged instruments of ratification in St. Petersburg and the Treaty entered into force on 1 June 2003.

### [Outline of the Moscow Treaty]

- The United States and Russia shall reduce strategic nuclear warheads to a level not exceeding 1,700-2,200 respectively into the next decade until 2012.
- The number of operationally deployed strategic nuclear warheads shall be reduced, rather than destroying nuclear warheads or their delivery systems (missiles, such as ICBMs and SLBMs, and bombers, etc.). Both parties are allowed to stockpile the reduced warheads.
- The composition and structure of strategic offensive (nuclear) weapons (to be retained without reduction) shall be determined by each party (no restriction would be imposed on such matters as the type and number of ICBMs, SLBMs, and strategic bombers, or the possession of multiple independently-targetable reentry vehicles (MIRV)).
- The parties shall hold meetings of the Bilateral Implementation Commission at least twice a year



for the purposes of implementing the treaty.

- The verification measures shall be based on the provisions of START I and be entrusted to the Bilateral Implementation Commission.

#### (4) New START

START I, which entered into force in 1994, will expire after 15 years, unless member countries agree to another five-year extensions. START I serves as the basis of verification measures for the Moscow Treaty, and its information exchange and verification provisions play an important role in providing predictability, transparency, and mutual confidence in strategic nuclear arms reductions. Therefore, it had been considered that a new framework to replace START I was needed.

At the US-Russia summit meeting on 3 July 2007, the two countries presented the “US-Russia Foreign Ministers Joint Statement on Strategic Nuclear Forces.” In this statement, both states reconfirmed their mutual intentions to carry out strategic offensive reductions to the lowest possible level consistent with their national security requirements and alliance commitments, and at the same time expressed their will to continue discussions on how to make an agreement on a post-START arrangement with a view toward early results.

The Obama Administration, which came to power in January 2009, has made strategic nuclear arms reduction treaty negotiations with Russia a top priority, aiming to reach an agreement on a new treaty before the expiration of START I. Intensive efforts with Russian President Dmitry Medvedev were made and in July 2009 a joint understanding was presented committing both parties to reducing strategic warheads to 1,500-1,675 and strategic delivery vehicles to the range of 500-1,100.

Negotiations could not be concluded prior to the expiration of START I on 5 December 2009, but both the US and Russian Presidents affirmed their mutual will to maintain strategic stability between the two countries, and made a commitment to continue to work together in the spirit of the START Treaty following its expiration, as well as their firm intention to ensure that a new treaty on strategic arms enter into force at the earliest possible date.

In late March 2010, the US and Russia reached an agreement on the details of strategic arms reductions, which led to the signing of the New START Treaty in Prague, Czech Republic on 8 April 2010. On 22 December 2010, the US Senate approved the treaty without modification, while passing a resolution requesting that the President initiates negotiations on the disparity

of tactical nuclear weapons with Russia no later than one year after the entry into force of the New START Treaty. The resolution also urged the President to ensure that the treaty does not impose any limitations on the development and deployment of US missile defenses.

In Russia, the Council of Federation approved the treaty without modification on 26 January 2011. The Federal Assembly also passed a resolution specifying that Russia's strategic nuclear capabilities be maintained at a level necessary for ensuring national security, and supported a State Duma declaration which proclaims that the United States' unilateral development and deployment of missile defenses threatens strategic stability, and an understanding by the two countries of the relation between strategic offensive and defensive arms is a basic condition for the treaty's effectiveness.

On 5 February 2011, the treaty came into force with the exchange of ratification documents by the foreign ministers' of the US and Russia in Munich, Germany.

#### [Outline of New START]

- Within seven years of its entry into force, the each aggregate numbers of the United States and Russia do not exceed:
  - \* 1,550, for deployed nuclear warheads (For ICBMs and SLBMs, the number of warheads counts the number of re-entry vehicles. Heavy bombers are counted as one warhead each).
  - \* 700 for deployed ICBMs, SLBMs, and heavy bombers.
  - \* 800 for deployed and non-deployed ICBMs launchers, SLBM launchers, and heavy bombers.
- For inspection and verification purposes, the treaty specifies national technical means (e.g. satellite monitoring), data exchange and reporting, numbering, telemetry exchanges on a parity basis, on-site inspections and exhibitions, and the establishment of a Bilateral Consultative Commission.
- The treaty shall remain in force for 10 years unless superseded earlier by a subsequent agreement. The treaty can be extended for a period of no more than five years with the agreement of the parties.
- The Moscow Treaty shall terminate as of the date of entry into force of the New START Treaty.

## Section 3. Efforts in Other Nuclear-Weapon States

### 1. United States

#### (1) The Publication of the Nuclear Posture Review (NPR)

The Nuclear Posture Review (NPR) was released on 6 April 2010, standing as one of the concrete measures outlined in US President Obama's Speech in Prague. The NPR specifies that, as long as nuclear weapons exist, the United States will maintain safe, secure and effective nuclear forces. Regarding the role of nuclear weapons of the United States, the NPR specifies to strengthen negative security assurances (NSAs) that the US will not use or threaten to use nuclear weapons against non-nuclear weapon states that are party to the NPT and in compliance with their obligations. Although the US is not prepared at the present time to adopt a universal policy that the "sole purpose" of its nuclear weapons is to deter a nuclear attack on the US and its allies and partners, it will work to establish conditions under which such a policy could be safely adopted. Moreover, the review determines that the US will continue to strengthen conventional capabilities and reduce the role of nuclear weapons in deterring non-nuclear attacks. The NPR has directed a review of potential future nuclear reductions below the New START Treaty levels, listing the following as factors that require consideration: (1) any future reduction must strengthen deterrence of potential regional adversaries, stability vis-à-vis Russia and China, and assurance of US allies and partners; (2) implementation of Stockpile Stewardship Program and the nuclear infrastructure investments to allow the US to shift away from retaining large numbers of non-deployed warheads as a hedge, allowing major reductions in nuclear stockpile; and (3) the pursuit of a follow-on agreement with Russia for greater reductions in nuclear weapons.

#### (2) Announcement of nuclear warhead levels by the United States

During the 2010 NPT Review Conference, on 3 May the US Department of Defense released declassified information on US nuclear weapons stockpiles in recognition of the significance of greater transparency in world nuclear weapon stockpiles for non-proliferation, and in acknowledgement of the importance of greater arms reductions following the ratification and entry into force of the New START Treaty. According to this information, the US had 5,113 nuclear warheads as of the end of September 2009, a reduction of 84% from a peak of 31,255 warheads as of the end of the 1967 US fiscal year.

It was also revealed that there had been a more than 75% reduction since the fall of the Berlin Wall in late 1989 (22,217 warheads), and that 8,748 nuclear warheads had been dismantled between 1994 and 2009.

#### (3) Reliable Replacement Warhead

At present, the United States controls its deteriorating nuclear warheads under the Life Extension Program (LEP), but has been conducting research based on the Reliable Replacement Warhead (RRW) Program since FY2005, since there is concern over whether or not the LEP can sufficiently maintain the security and reliability of nuclear stockpiles over a long period of time without carrying out nuclear tests. The RRW aims to conduct research on warheads with higher long-term reliability that would replace existing nuclear warheads so as to improve the reliability, longevity and certifiability of the nuclear weapons stockpile. These new warheads are expected to reduce the necessity of future nuclear tests by maintaining the same military capability as existing nuclear weapons and ensuring longer-term reliability. However, the first Budget Message of the Obama Administration in 2010 suspended the RRW program, and favored an enhanced LEP.

### 2. Russia

#### Announcement of New Military Doctrine

Russia's "New Military Doctrine", approved in February 2010, defines national defense policy for the country until the year 2020. The New Military Doctrine was adopted at the same time as another document, "The Foundations of State Policy in the Area of Nuclear Deterrence until 2020." The latter has not been made public, leaving the details of Russia's nuclear weapons policy unknown. The former military doctrine, approved in 2000, positions nuclear weapons as a necessary element for "ensuring the military security of the Russian Federation and its allies, and of maintaining international stability and peace." Since then, the outbreak of conflict in Georgia and deepening cuts to conventional capabilities led to the repositioning of nuclear weapons as "an important factor" in the prevention of military conflicts. While the former military doctrine states that "The Russian Federation will not use nuclear weapons against member states of the NPT," this language was removed from the new doctrine. In addition, the new doctrine adds that "The Russian Federation reserves the right to utilize nuclear weapons [...] in the event of aggression



against the Russian Federation [...] when the very existence of the state is under threat,” regardless of the scale of the conflict.

Of the three ideals – compact, modern, and professional – that have driven military reforms since 2008, the modernization of strategic nuclear weapons has been given the highest priority. Specifically, the development of the Bulava SLBM and new strategic nuclear submarines for carrying them has been accelerated to address the natural decline in numbers of ICBMs, strategic nuclear submarines, and heavy bombers as they reach the end of their service lives. Bulava SLMBs possess capabilities to resist missile-defense systems.

### 3. China

China’s nuclear deployment and nuclear disarmament measures are not completely clear, but the following are the nuclear policies of China expressed in the statements at international conferences:

- (i) China possesses a small number of nuclear weapons necessary for self-defense purposes only;
- (ii) China will not use nuclear weapons first against any state, nor will it use or threaten to use nuclear weapons against non-nuclear-weapon states; and
- (iii) China will not participate in a nuclear arms race.

China’s nuclear forces, though not at all comparable to those of the United States or Russia, are reported to be composed of about 240 nuclear warheads (SIPRI Year Book 2010). Its means of delivery are ground-launched missiles, submarine-launched missiles and bombers. China also possesses a small number of intercontinental ballistic missiles (ICBMs) capable of reaching the east coast of the United States. While the other four nuclear-weapon states have declared a unilateral production moratorium on fissile materials for nuclear weapons, China has not made any similar announcements.

“China’s National Defense”, published in January 2008, states a commitment to the policy of no first use of nuclear weapons and unconditional negative security assurances (NSAs). However, in the area of nuclear disarmament, the document asserts that the two countries possessing the largest nuclear arsenals – the United States and Russia – bear a special and primary responsibility for nuclear disarmament. The document also voices China’s position that the “global missile defense program will be detrimental to strategic balance and stability, undermine international and regional security, and have a negative

impact on the process of nuclear disarmament.”

Japan has approached China regarding its nuclear issues on a number of occasions through bilateral talks such as the Japan-China Security Dialogue and the Japan-China Consultation on Disarmament and Non-proliferation. Recently in January 2011, the Japan-China Consultation on Disarmament and Non-proliferation was held in Tokyo, during which Japan urged China for further nuclear disarmament and greater transparency from nuclear-weapon states. Japan also requested China to promptly ratify the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and declare a moratorium on the production of fissile materials for nuclear weapons.

At the Japan-China Security Dialogue held in the same month, Japan recognized China’s active contributions to international cooperation in the field of security, while urging China towards greater transparency in its national security policy and military modernization in order to ease the concerns of neighboring countries and to build confidence.

### 4. France

Since its announcement in September 1997 to eliminate all surface-to-surface nuclear missiles, France’s nuclear forces have been based on its second-strike capability to survive an opponent’s attacks in the form of highly survivable bombers loaded with air- and submarine-launched systems. In 1996, France declared that it no longer produces fissile materials for nuclear weapons and had closed down its Pierrelatte plant, where weapons-grade fissile materials were produced. France also closed and dismantled the South Pacific nuclear test site in Mururoa. At the launching ceremony of the new nuclear-powered ballistic missile submarine “Terrible” at Cherbourg in March 2008, President Nicolas Sarkozy announced that as a result of a reassessment of the strategic context, France would be reducing its airborne nuclear forces by one-third, would be the first in the world to ensure transparency with respect to nuclear forces, and would cut the number of its nuclear warheads to fewer than 300. France played a major role in the 2010 NPT Review Conference by submitting an action plan that included (1) near-term CTBT ratification; (2) the dismantling of all its nuclear testing facilities in a transparent manner and open to the international community; (3) the early commencement of negotiations on a fissile material cut-off treaty (FMCT) and an immediate moratorium on the production of fissile materials for weapons; (4) solid transparency measures among the five nuclear-weapon states; (5) the com-

mencement of negotiations for a treaty banning short- and medium-range missiles; and (6) a call for participation in the Hague Code of Conduct against Ballistic Missile Proliferation (HCOB). These were submitted as the action plan of the European Union to the UN Secretary-General in December 2008.

In September 2010, at the High-Level Meeting on Revitalizing the Work of the Conference of Disarmament and Taking Forward Multilateral Disarmament Negotiations organized by the UN Secretary-General, the French delegation announced that a meeting of the five nuclear-weapon states would be held in Paris in 2011 as a follow-up to the 2010 NPT Review Conference.

## 5. United Kingdom

The United Kingdom announced that it ended the pro-

duction of fissile materials for weapons and other nuclear explosive devices in 1995, and completed the disposal of the “Chevaline” submarine-launched ballistic missile warheads in 2002. A December 2006 white paper entitled “The Future of the United Kingdom’s Nuclear Deterrent” reported a 20% reduction of operationally available nuclear warheads, from 200 to fewer than 160 warheads. In “Lifting the Nuclear Shadow: Creating the Conditions for Abolishing Nuclear Weapons,” a policy paper published in February 2009, it was stated that the reduction to fewer than 160 warheads had been completed, and that the total explosive power of the nuclear arsenal had been cut by 75% compared to the end of the Cold War. In September of that year, Prime Minister Gordon Brown announced that he had asked the National Security Council to report on a reduction of strategic nuclear submarines from 4 ves-

### Current Status of Nuclear Weapons Possessed by Nuclear-Weapon States

(as of January 2010)

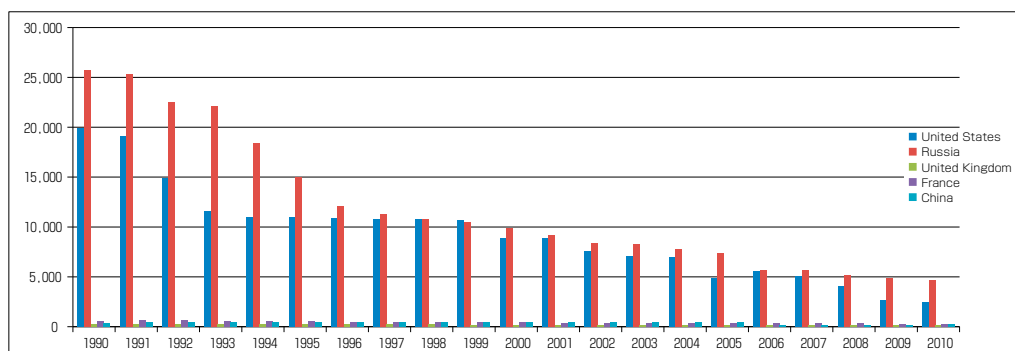
	Details	Number of nuclear warheads		Number of delivery vehicles	
United States	ICBM	500	Total: 2,468(*)	450	Total: 791(*)
	SLBM	1,152		228	
	Strategic bombers	316		113	
	Non-strategic nuclear weapons	500		—	
Russia	ICBM	1,090	Total: 4,630(*)	331	Total: 567(*)
	SLBM	576		160	
	Strategic bombers	844		76	
	Non-strategic nuclear weapons	2,120		—	
United Kingdom	Ground-based missiles	0	Total: 225	0	Total: 160
	SLBM	255		160	
	Aircraft such as bombers	0		0	
France	Ground-based missiles	0	Total: 300	0	Total: 132
	SLBM	240		48	
	Strike aircraft (including carrier-based aircraft)	60		84	
China	Ground-based medium- and long-range ballistic missiles	134	Total: 240-300	134	Total: 210
	SLBM	36		36	
	Bombers (including strike aircraft)	20		40	
	Non-strategic nuclear weapons	—		—	

Source: SIPRI (Stockholm International Peace Research Institute) Yearbook 2010

(\*) indicates number deployed.

### Transitional Change in the Number of Nuclear Warheads of Nuclear-Weapon States

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
United States	19,924	19,123	14,872	11,536	11,012	10,953	10,886	10,829	10,763	10,698	8,876	8,876	7,600	7,068	7,006	4,896	5,521	5,045	4,075	2,702	2,468
Russia	25,698	25,285	22,555	22,101	18,399	14,978	12,085	11,264	10,764	10,451	9,906	9,196	8,331	8,232	7,802	7,360	5,682	5,614	5,189	4,834	4,630
United Kingdom	296	300	300	300	250	300	300	260	260	185	185	185	185	185	185	185	185	160	160	160	160
France	535	621	601	525	510	500	450	450	450	450	464	348	348	348	348	348	348	348	348	300	300
China	318	413	413	435	400	400	400	400	400	400	410	410	402	402	402	402	130	145	176	186	240



Source: Data from 1993-1999 are from the Bulletin of Atomic Scientists (November/December 2002).

Data from 1990-1992 and 2000-2010 are from SIPRI (Stockholm International Peace Research Institute) Yearbooks

sels to 3.

The Cameron Government, which came to power in May 2010, has indicated its policy to maintain a nuclear deterrent, confirming the development of a successor to the Vanguard class ballistic missile submarine, and the extension of service of existing Trident missile-equipped nuclear submarines. During the final stages of the 2010 NPT Review Conference, British Foreign Secretary William Hague announced as a means of transparency that the United Kingdom's overall stockpile of nuclear warheads would not exceed 225.

The "Strategic Defense and Security Review" (SDSR), released in October 2010, indicated the retention and renewal of a continuous independent nuclear deterrent as the ultimate insurance policy, which would guard the country round the clock every day of the year, and the extension of the life of existing Vanguard class nuclear submarines. The number of nuclear warheads deployed on nuclear submarines would be reduced from 48 to 40, cutting the number of operationally available warheads to no more than 120. The review also stated that the operational launch tubes on Vanguard class nuclear submarines would be reduced to 8 from the current 12 within a few years. In addition, the United Kingdom outlined its position on negative security assurances (NSAs) and the role of nuclear weapons in its defense, emphasizing that it would not use nuclear weapons against non-nuclear-weapon state parties complying with the NPT.

## 6. Cooperation between the United Kingdom and France

At the UK-France summit in November 2010, the two countries signed the Defense and Security Cooperation Treaty, and a subordinate treaty related to a joint nuclear facility. The treaty related to a nuclear facility is aimed at improving the effectiveness of the infrastructure necessary for the stewardship of the two countries' independent nuclear deterrent. It outlines the joint construction and operation of a nuclear-related facility. Specifically, the treaty calls for the construction and joint ownership of a hydrodynamics facility in France and a technological development center in England, with operations to begin in 2015.

## 7. Discussions at the North Atlantic Treaty Organization (NATO)

Since the end of the Cold War, nuclear weapons forward-deployed by the United States have undergone significant reductions, but small numbers of nuclear weapons

remain. Precise deployment numbers and countries are not declared, but in February 2010, the Foreign Ministers of Belgium, the Netherlands, Luxembourg, Germany, and Norway sent a letter to the NATO Secretary General that requested deeper discussion at NATO on the issue of tactical nuclear weapons and on nuclear policy broadly. In the growing momentum toward international disarmament, the issue of how to reorganize nuclear policy was discussed at NATO.

From 19 to 20 November 2010, at the NATO Summit in Lisbon, the first new strategic concept in 11 years was adopted (Strategic Concept for the Defense and Security of the Members of the North Atlantic Treaty Organization). The New Strategic Concept states that 'collective defense', 'crisis management', and 'cooperative security' are NATO's core tasks. It goes on to note the strategic importance of cooperation between NATO and Russia, and that NATO will enhance political consultation and practical cooperation with Russia in areas of shared interest including missile defense, terrorism countermeasures, and counter-piracy. Furthermore, the document asserts that as long as nuclear weapons exist, NATO will remain a nuclear alliance, while committing NATO to the goal of creating the conditions for a world without nuclear weapons. In addition, the document states that in any future reduction, NATO seeks Russia to increase transparency on its nuclear weapons in Europe.

### [Main points of the NATO 'New Strategic Concept']

- NATO's core tasks are collective defense, crisis management, and cooperative security.
- NATO has the full range of capabilities necessary to deter and defend against any threat to the safety and security of its population.
  - Maintain an appropriate mix of nuclear and conventional forces. As long as nuclear weapons exist, NATO will remain a nuclear alliance.
  - Develop the capabilities to defend populations and territories against ballistic missile attack as a core element of NATO's collective defense. Seek the cooperation of Russia, Europe, and other Atlantic partners on missile defense.
  - Further develop NATO's capacity to defend against the threat of weapons of mass destruction (chemical, biological, nuclear, etc.), cyber-attacks, and international terrorism.
- Engage, where possible and when necessary, to prevent and manage crises, stabilize post-conflict

situations, and support reconstruction with regard to crises and conflicts beyond NATO's borders that pose a direct threat to the security of Alliance territory and populations.

- Resolve to create the conditions for a world without nuclear weapons in accordance with the goals of the NPT.
- With the changes in the security environment since the end of the Cold War, nuclear weapons in

Europe have been drastically decreased. Further reductions will require Russia to increase transparency on its nuclear weapons.

- NATO-Russia cooperation is of strategic importance. Enhance political consultations and practical cooperation with Russia in areas of shared interests, including missile defense, counter-terrorism, and counter-piracy.

## Column: US President Obama's Speech in Prague, and Greater Opportunities for Nuclear Disarmament

Barack Obama was inaugurated as the 44th President of the United States in January 2009. In April of that year, President Obama delivered an address in Prague, the Czech Republic stating, "the United States will take concrete steps toward a world without nuclear weapons." During the Cold War, the United States developed nuclear weapons competitively with the Soviet Union. As one of the two superpowers in possession of the vast majority of nuclear weapons that exist in the world, the display of such strong intentions from the United States attracted global attention. As one of the concrete measures of the Prague speech, President Obama chaired the UN Security Council Summit on Nuclear Non-Proliferation and Disarmament during the US presidency of the Council in September 2009. The Council unanimously adopted Resolution 1887, which called for a world without nuclear weapons. President Obama's efforts towards this vision were highly applauded, and in October of that year, the Norwegian Nobel Committee decided to award him the Nobel Peace Prize.

Since the beginning of the Obama administration, the United States has shifted from previous positions by being one of the co-sponsors of the resolution on nuclear disarmament which has been submitted by Japan and adopted annually at the UN General Assembly since 1994. This demonstrates the firm commitment of the United States toward nuclear disarmament.

### [Outline of President Obama's Prague Speech]

- As the only nuclear power to have used a nuclear weapon, the United States has a moral responsibility to act.
- The US states clearly and with conviction, its commitment to seek the peace and security of a world without nuclear weapons.
- The US will reduce the role of nuclear weapons in its national security strategy and urge others to do the same. As long as nuclear weapons exist, the US will maintain a safe, secure, and effective arsenal to deter any adversary, and guarantee that defense to its allies. This will set the stage for further cuts, and the US will seek to include all nuclear-weapon states in this endeavor.
- The US will negotiate a new Strategic Arms Reduction Treaty with Russia.
- The Obama administration will immediately and aggressively pursue US ratification of the CTBT.
- The US will seek negotiations on a new treaty that verifiably ends the production of fissile materials intended for use in nuclear weapons.
- The US will strengthen the NPT. Real and immediate consequences are needed for countries caught breaking the treaty or leaving it without cause.
- The US will host a Global Summit on Nuclear Security within the next year.

The "Nuclear Posture Review (NPR)," which is the comprehensive guide to US nuclear policy and posture, was published on 6 April 2010. The review states that the security of the United States and its allies will be maintained while reducing the number and role of nuclear weapons, as well as mentions that the United States is prepared to strengthen its "negative security assurances" (NSAs). Japan has applauded these as concrete first steps towards a "world without nuclear weapons" advocated in President Obama's speech in Prague.

In addition, the New START Treaty on nuclear weapons reductions was signed with Russian President Dmitry

Medvedev on 8 April 2010, and approved by the US Senate in December of the same year. The United States hosted the Nuclear Security Summit from 12 to 13 April 2010, which was participated in by 47 countries and 3 international organizations. The participants agreed on the necessity of taking concrete steps to strengthen countermeasures against nuclear terrorism (see Chapter 8, Section 1-4), bringing more of the proposed measures contained in the Prague speech closer towards implementation.

This series of actions has given impetus to nuclear disarmament efforts in the international community, leading to the adoption of a final document at the 2010 NPT Review Conference, the first in a decade.

In the same vein, Japan welcomed the attendance of US Ambassador John Roos at the Hiroshima Peace Memorial Ceremony on 6 August 2010, the first time for a representative of the US government.



The UN Security Council Summit on Nuclear Non-proliferation and Nuclear Disarmament (Photo source: UN photo/Eskinder Debebe).



## Chapter 4

# Regional Non-Proliferation Issues and Japan's Efforts

### Section 1. North Korea

#### 1. Current situations surrounding North Korea

North Korea's nuclear and missile issues present grave threats to the peace and security of the international community. The nuclear issue in particular poses a serious challenge to the international nuclear non-proliferation regime. The nuclear issue has become more serious since October 2002, when North Korea admitted that it had a uranium enrichment program. In July 2006, North Korea launched seven ballistic missiles including "Taepodong 2," and later announced that it had conducted a nuclear test in October. From 2007 until 2008, efforts to disable three nuclear facilities in Yongbyon (5 MWe Experimental Reactor, Reprocessing Plant, and Nuclear Fuel Rod Fabrication Facility) were initiated, and North Korea provided a declaration of its nuclear programs. However, North Korea launched a missile in April 2009, and announced that it had conducted a nuclear test in May. In June, North Korea announced that it started weaponizing its entire stock of newly extracted plutonium and enriching uranium. Furthermore, North Korea launched multiple ballistic missiles in July, and notified the President of the UN Security Council in writing that it had reached the final stage of its experimental uranium enrichment in September. Then North Korea announced the successful reprocessing of spent nuclear fuel rods in November. In November 2010, Ambassador Charles Pritchard, former US Special Envoy for Korean Peace, and Dr. Siegfried Hecker, Stanford University professor (former Director of Los Alamos National Laboratory), visited Yongbyon and reported that North Korea had shown them an experimental light water reactor construction site and an uranium enrichment facility. During the visit, North Korea is reported to have stated that the purpose of the construction of the light water reactor was to meet the domestic demand for electricity, and that they were aiming to begin its operation in 2012. They further explained, reportedly, that the uranium enrichment facility was for producing nuclear fuel for the light water reactor, and that 2,000 cen-

trifugals were already in operation, achieving an average enrichment rate of 3.5%.

In response to North Korea's toughened stance, the UN Security Council adopted the Resolutions 1718 (October 2006) and 1874 (June 2009), which condemned North Korea's nuclear tests and imposed sanctions on North Korea. The Security Council has demanded that North Korea immediately abandon all of its existing nuclear weapons and nuclear programs in a complete, verifiable, and irreversible manner, and cease all related activities immediately. However, North Korea has not fulfilled its obligations under these resolutions.

#### 2. Efforts through the Six-Party Talks for urging North Korea to abandon its nuclear weapons and nuclear programs

The Six-Party Talks began in August 2003, involving Japan, the US, China, the Republic of Korea, Russia, and North Korea. At the 4th round of the talks in September 2005, the parties adopted the Joint Statement, in which North Korea committed to abandoning all nuclear weapons and existing nuclear programs and returning at an early date to the NPT and IAEA safeguards. The Joint Statement was the first agreed document in the Six-Party Talks process. Of particular importance is that North Korea committed itself "to abandoning all nuclear weapons and existing nuclear programs" in a verifiable manner, which will serve as the basis for a peaceful resolution of the North Korean nuclear issue.

Based on the Joint Statement, the 3rd session of the 5th round of the Six-Party Talks took place from February 8th to 13th, 2007. This session adopted the "Initial Actions for the Implementation of the Joint Statement." According to the document, North Korea agreed to take following measures: shutting down and sealing the Yongbyon nuclear facility; inviting back IAEA personnel for all necessary monitoring and verifications; providing a complete declaration of all nuclear programs and disabling all existing



nuclear facilities as steps to be taken at the next phase. In July 2007, the IAEA confirmed that operations at the five Yongbyon nuclear facilities had ceased, and necessary measures were taken to seal and monitor those facilities.

On October 3, 2007, the six parties agreed on the “Second-Phase Actions for the Implementation of the Joint Statement” at the 2nd session of the 6th round of the Six-Party Talks. Denuclearization was defined as follows:

- “Disablement”: North Korea agreed to disable all existing nuclear facilities, promising to complete the disablement of the 5MWe Graphite-moderated Reactor, Reprocessing Plant, and Nuclear Fuel Rod Fabrication Facility at Yongbyon by the end of 2007.
- “Declaration”: North Korea agreed to provide a complete and correct declaration of all its nuclear programs by the end of 2007.
- “Non-proliferation”: North Korea reaffirmed its commitments not to transfer nuclear materials, technology, or know-how.

Based on these agreements, disablement of the 5MWe Graphite-moderated reactor, Reprocessing Plant, and Nuclear Fuel Rod Fabrication Facility in Yongbyon was commenced in November 2007, and on November 28, a team of the Six-Party Talks members including Japan visited Yongbyon to confirm the process of the disablement activities. With regard to North Korea’s declaration, despite a long delay, North Korea submitted the required declaration to China, the chair of the Six-Party Talks, on June 26, 2008. To verify denuclearization, the six parties agreed to establish a verification mechanism within the Six-Party Talks framework, but no concrete agreement on the framework was reached. The Six Party Talks have remained in a deadlock since the meeting of the heads of delegation in December 2008.

Japan continues to urge North Korea to steadily take measures to “abandon all nuclear weapons and existing nuclear programs” as stated in the September 2005 Joint Statement of the Six-Party Talks, and to coordinate closely with other countries concerned in pursuing the denuclearization of North Korea.

### 3. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the International Atomic Energy Agency (IAEA)

North Korea notified its withdrawal from the NPT to the UN Security Council on March 12, 1993; however,

North Korea remained a party to the NPT as the US-North Korea Joint Communiqué, which declared that North Korea would suspend the effectuation of its withdrawal from the treaty, was publicly announced on June 11, one day before June 12, exactly three months after the notice of withdrawal (Paragraph 1 of Article X of the NPT stipulates that withdrawal from the treaty requires a three-month notice). Subsequently, based on the Agreed Framework assented between the United States and North Korea in October 1994, North Korea stated that it would remain in the position of a party to the NPT and that it would implement the Safeguards Agreement under the Treaty. However, amid the increasing concern over the nuclear issue triggered by the admittance by North Korea of possessing the uranium enrichment program in October 2002, on January 10, 2003, North Korea sent a letter to the President of the UN Security Council and declared that it would revoke the suspension on the effectuation of its withdrawal from the NPT in 1993, and thereby withdraw from the NPT. In April 2010, the North Korean Foreign Ministry released a memorandum emphasizing that North Korea stood on an equal footing with other nuclear-weapon states.

The final document of the May 2010 NPT Review Conference strongly urged North Korea to fulfill its commitments including abandoning all nuclear weapons and existing nuclear programs, and returning to the NPT at an early date and complying with its IAEA safeguards agreement. At its General Conferences, the IAEA has also adopted resolutions urging for the resolution of the North Korean nuclear issue. At its September 2010 General Conference, the IAEA adopted a resolution calling upon North Korea to fully comply with the NPT, and to cooperate with the IAEA in the full and effective implementation of comprehensive safeguards. The resolution also reaffirmed that North Korea cannot have the status of a nuclear-weapon state in accordance with the NPT.

The “Initial Actions for the Implementation of the Joint Statement,” adopted at the 3rd session of the 5th round of the Six-Party Talks (February 8-13, 2007), required North Korea to invite back IAEA personnel to conduct necessary monitoring and verifications of the shutdown and sealing of the nuclear facilities at Yongbyon. An IAEA delegation visited North Korea on July 14, and confirmed on July 17 the shutdown of the five facilities (four facilities - (1) Nuclear Fuel Rod Fabrication Facility, (2) 5MWe Graphite-moderated Reactor, (3) Reprocessing Plant, (4) 50MWe Graphite-moderated Reactor (under construction) in Yongbyon and (5) 200MWe Graphite-moderated

Reactor (under construction) in Taechon). On August 17, it was reported that all measures necessary for sealing and monitoring had been taken. In September 2007, Japan made a contribution of 0.5 U.S. million dollars for these monitoring and verification activities conducted by the IAEA.

Japan takes every opportunity to raise the North Korean issue at various international conferences, summit meetings, and other diplomatic venues, successfully gaining the cooperation and understanding of other countries. For example, the declaration of the June 2010 G8 Summit in Muskoka expressed the gravest concern that the nuclear test and missile activities of North Korea have further generated increased tension in the region and beyond, and that there continues to exist a clear threat to international peace and security. The declaration reaffirmed the support of G8 members for efforts to achieve a comprehensive resolution to the threat and the implementation of the 2005 Joint Statement of the Six Party Talks. It also strongly urged North Korea to act strictly in accordance with its nuclear safeguards agreement with the IAEA and to abandon all nuclear weapons and existing nuclear and ballistic missile programs, as well as proliferation activities, in a complete, verifiable, and irreversible manner, in accordance with UN Security Council Resolutions 1718 and 1874. In addition, it expressed that North Korea does not, and cannot, have the status of a nuclear-weapon state in accordance with the NPT.

#### 4. The Missile Issue

Coupled with the nuclear issue, the development and testing of North Korea's missile programs together with its proliferation activities causes instability not only in the Asia Pacific region but also in the whole international community.

After North Korea had announced a moratorium on missile launching in 1999, the United States and North Korea held bilateral talks on the missile issue. When Ambassador Madeleine Albright, then US Secretary of State, visited North Korea in October 2000, she discussed the missile issue comprehensively with the Chairman of the National Defense Commission of North Korea, Kim Jong Il and others. In the Japan-DPRK Pyongyang Declaration issued in September 2002, North Korea expressed its intention to maintain the moratorium on missile launching in and after 2003, and confirmed the necessity of solving security problems including the missile issue. At the Six-Party Talks held in Beijing in August 2003, Japan insisted on resolving the outstanding issues

of concern, including the ballistic missile issue of North Korea in accordance with the Pyongyang Declaration. The Chairman's summary of the Six-Party Talks stated that the Parties agreed not to take actions that would escalate the situation in the process of resolving the issues peacefully. However, in March 2005, the North Korean Foreign Ministry stated in its memorandum that there was nothing that bound them on the moratorium on missile testing. In defiance of the warnings issued by Japan and the rest of the international community, North Korea launched 7 ballistic missiles, including the "Taepodong 2," on July 5, 2006. North Korea conducted further launches on April 5 and July 4, 2009.

North Korea's ballistic missile launch on July 5, 2006 poses a serious problem not only from the viewpoint of Japan's security and international peace and stability but also from the viewpoint of non-proliferation of weapons of mass destruction. North Korea's action also constitutes a violation of the moratorium on missile launching stated in the Japan-DPRK Pyongyang Declaration, and is inconsistent with the Joint Statement of the Six-Party Talks. In response, Japan imposed sanctions on North Korea, and the UN Security Council unanimously adopted Resolution 1695 condemning the North Korea's ballistic missile launch based on a Japanese proposal. The resolution demands that North Korea suspend all activities related to its ballistic missile program, and reestablish its existing commitments to a missile launch moratorium.

This was followed by UN Security Council Resolution 1718, which decided that North Korea shall abandon all ballistic missile programs in a complete, verifiable, and irreversible manner, and Resolution 1874, which decided that it shall suspend all activities related to North Korean ballistic missile programs, and reestablish its existing commitments to a moratorium on missile launches. Missile launches which were conducted on April 5 and July 4, 2009, violates these resolutions.

Japan has coordinated policy for non-proliferation of missile and related technology through frameworks such as the Missile Technology Control Regime (MTCR) and the Hague Code of Conduct against Ballistic Missile Proliferation (HCOC). In addition to these efforts, it is important, first, to urge countries that are considered to be in cooperation with North Korea in the area of missile development to cut off the cooperative relationships completely, and second, to strengthen global norms.

#### 5. North Korean procurement and proliferation activities

North Korea is known to be engaging in procurement activities to obtain goods and material for developing weapons of mass destruction and their delivery methods (e.g. missiles), as well as proliferating its own munitions and military technologies. The Panel of Experts in the Sanction Committee (1718 Committee), created by the UN Security Council, presented its final report in November 2010, in which it raised the following points regarding North Korea's activities.

- North Korea maintains a broad network through trade offices with close connections to foreign missions, which are used to create links with foreign criminal organizations and transporting goods and materials.
- North Korea may be involved with nuclear and ballistic missile related activities in states such as Iran, Syria, and Myanmar.
- The export of munitions is a primary source of foreign exchange for North Korea. Most exports are to Asia, Africa, and the Americas.
- North Korea moved rapidly to move its activities to new companies away from those targeted by UN Security Council sanctions in 2009.
- In the past, ships registered in North Korea were used to transport cargo. This is now moving towards foreign-held and registered ships.
- Numerous measures are employed to obscure the true source, recipient, and content of sea cargo.
- Aircraft are used to transport valuable and sensitive weapons.
- In some cases, components for weapons are transported and assembled in the destination country.
- Many methods are used to hide money transfers.

Japan has implemented strict sanctions such as 6 below, as well as those specified by the UN Security Council Resolutions, while working to block North Korea's procurement and proliferation activities.

## 6. Sanctions against North Korea

In response to North Korea's ballistic missile launch on July 5, 2006, Japan announced a series of measures including an embargo on the "Man Gyong Bong 92." Based on a draft resolution proposed by Japan, the UN Security Council unanimously adopted Resolution 1695. As part of the efforts to steadily implement this Resolution, Japan, in addition to the existing strict export control measures, designated additional 15 entities and

one individual that are closely related to North Korea's missiles and weapons of mass destruction programs, and took measures to prevent money transfers to these designated entities and individual.

North Korea further announced that it had conducted a nuclear test on October 9, 2006. North Korea's nuclear test poses a serious threat to the peace and security not only for Japan but also for the East Asia and the international community. It is also a grave challenge to the international non-proliferation regime based on the NPT. It violates the Japan-DPRK Pyongyang Declaration, the Joint Statement of the Six-Party Talks, and the UN Security Council Resolution 1695, and cannot be tolerated. From such a standpoint, Japan decided to take a series of strict measures including an embargo on all North Korean ships and a ban on the import of all items from North Korea. The UN Security Council unanimously adopted Resolution 1718. Japan had already been implementing many of the measures required under Resolution 1718, such as strict export control, but following the adoption of Resolution 1718, additionally put a ban on exports of luxury goods to North Korea from November 2006.

On May 25, 2009, North Korea announced that it had conducted another nuclear test. In response, the UN Security Council unanimously adopted Resolution 1874, strengthening sanctions against North Korea. Japan has implemented this resolution, passing the 'Act on Special Measures concerning Cargo Inspections to Facilitate the Implementation of UN Security Council Resolution 1874,' and freezing the assets of 5 entities and 5 individuals.

With regard to export control against proliferation activities, Japan has been vigorously working to strengthen the operation of the "Catch-All Control," which was introduced in April 2002 to regulate exports of materials suspected to be used for the development of weapons of mass destruction or their means of delivery, and has detected and prevented several illicit exports toward North Korea.

### **(Reference) An example of illicit export of equipment in relation to weapons of mass destruction and missiles to North Korea by a Japanese company**

In November 2002, when Meishin Corporation tried to export three "stabilized direct current suppliers" that could be utilized for nuclear weapons development (uranium enrichment), the Minister of Economy, Trade and Industry informed the Corporation of the requirement to apply for a

license based on “Catch-all Control.” However, the Corporation made no application and, instead, in April 2003, attempted circumvention through Thailand to North Korea, but the smuggled goods were confiscated by the customs services of Hong Kong in response to the request made by Japan. As a result of the proceeding, the exporter was sentenced to imprisonment for one year (with three years’ probation) and fined 2 million yen; a sentence which became final in March 2004. The Ministry of Economy, Trade and Industry also imposed an administrative sanction on the exporter prohibiting export for three months.

## 7. Chemical and biological weapons issues

North Korea ratified the Biological Weapons Convention in March 1987. However, some suspect that North Korea has a dedicated, national level effort to develop a biological weapons capacity and has developed, produced and weaponized for use biological agents (from 2005 US State Department report). North Korea has not signed the Chemical Weapons Convention (CWC) and some assume that it already possesses chemical weapons (from the January 2003 CIA unclassified report to the US Congress, etc.). The Organisation for the Prohibition of Chemical Weapons (OPCW) and Japan has urged North Korea to join the Convention at various opportunities.

## Section 2. Iran and Other Middle Eastern Countries

### Iran

#### 1. Outline of nuclear issues

An accusation by a dissent group in 2002 revealed Iran had continued sensitive nuclear activities to proliferation for a long time, thereby violated the IAEA Safeguards Agreement. The international community expressed strong concern about this. The IAEA Board of Governors have adopted 8 resolutions as of September 2005 requesting Iran to suspend uranium enrichment-related and reprocessing activities and has urged Iran to implement these resolutions. The United Kingdom, France and Germany (EU3) carried out negotiations with Iran and reached the Paris Agreement, which included the suspension of uranium enrichment-related activities. However, the agreement did not remain effective due to Iran's resumption of nuclear activities. Iran continued and expanded uranium enrichment-related activities, insisting that all of its nuclear activities were entirely peaceful and it had no intention to develop nuclear weapons.

In September 2005, the IAEA Board of Governors found Iran's non-compliance with the Safeguards Agreement. At the IAEA Special Board of Governors Meeting held in February 2006, the Board adopted a resolution to report the Iranian nuclear issue to the UN Security Council, and the issue has been taken up at the Security Council from then onward. At the end of July 2006, the UN Security Council adopted Resolution 1696, requiring Iran to implement measures including the suspension of uranium enrichment-related activities. The Security Council adopted Resolution 1737 in December 2006, which includes sanctions under Chapter VII, Article

41 of the Charter of the United Nations, and also adopted Resolution 1747 in March 2007 to tighten sanctions. Pressures from the international community have thus been strengthened. However, Iran has failed to suspend uranium enrichment-related activities, as required by the Security Council Resolutions, resulting in the adoption of Resolutions 1803 and 1835 in 2008. In 2009, it became clear that Iran was constructing a new uranium enrichment facility, and in 2010, Iran had begun production of about 20% enriched uranium. Increasing pressure for the international community and Security Council Resolution 1929 was adopted in June 2010.

In spite of these efforts, Iran has not deviated from continuing and expanding its uranium enrichment-related activities, leaving serious concerns of the international community unaddressed.

#### 2 .Movements concerning nuclear issues taken by the IAEA and diplomatic efforts by the EU3 (2002 to March 2006)

In 2002, an Iranian dissent organization revealed that Iran had been constructing covertly large-scale nuclear facilities in Natanz and Arak. As a result of the IAEA's verification, it became clear that Iran had repeatedly conducted various nuclear activities in the various locations in Iran, including uranium enrichment and plutonium separation, without declaring such activities to the IAEA for a long time, and the IAEA Board of Governors Meeting held in September 2003 adopted a resolution proposed by Japan, Australia and Canada to require Iran to take measures, including the suspension of uranium enrichment-related activities. In addition to this resolution, the IAEA



Board of Governors adopted nine resolutions up until February 2006 and continued to request Iran to suspend its proliferation sensitive nuclear activities and cooperate with the IAEA for revealing its past nuclear activities.

Iran, asserting that the country has no intention of developing nuclear weapons and that all its nuclear activities are for peaceful purposes, has shown some positive attitude and signed the IAEA Additional Protocol at the end of 2003, but did not ratify the Additional Protocol while voluntarily implemented it (Note).

**(Note)** Iran joined the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1970 and signed a Comprehensive Safeguards Agreement with the IAEA in 1974.

Since the revelation of the Iranian nuclear issues, the governments of the EU3 held negotiations with the Iranian government, seeking diplomatic solutions under the framework of the IAEA. In November 2004, they reached an agreement on several issues including Iran's suspension of enrichment-related activities (Paris Agreement) and Iran suspended such activities. As the result of negotiations with Iran based on the Paris Agreement, the EU3 presented a comprehensive proposal concerning cooperation toward Iran in August 2005, but the new administration of a hard-line conservative, President Ahmadinejad rejected it. Iran resumed part of its uranium conversion activities among uranium enrichment-related activities which had been suspended based on the Paris Agreement, and refused to accept the request for the full suspension of uranium enrichment-related activities based on a resolution at the IAEA Special Board of Governors Meeting in the same month.

Consequently, the IAEA Board of Governors found non-compliance to be reported to the Security Council in accordance with the provisions of the Statute of the IAEA in September 2005 and adopted, by a majority, a Board of Governors resolution to request Iran to offer further cooperation with the IAEA and suspend uranium enrichment-related and reprocessing activities (22 votes in favor (including Japan), one against and 12 abstentions out of 35 Board of Governors member states), while leaving the IAEA Board of Governors to address, at a later stage, the timing and content of a report to the Security Council.

In January 2006, Iran resumed uranium enrichment-related research and development activities at Natanz in the presence of IAEA inspectors. Responding to this, the EU3, the United States, China and Russia essen-

tially agreed in principle to refer the matter to the UN Security Council. In February, at the IAEA Special Board of Governors Meeting, a resolution to report the issue to the UN Security Council was adopted by a majority (27 votes in favor (including Japan), three against and five abstentions out of Board of Governors member states). Immediately after this, Iran notified the IAEA of the suspension of the voluntary implementation of the Additional Protocol and announced that it had resumed small-scale uranium enrichment activities at the facility in Natanz in mid-February, which was later confirmed by the IAEA inspectors.

Following this, Russia and Iran had talks on Russia's proposal to conduct uranium enrichment at a joint-venture company to be established not in Iran but in Russia, and other related countries also encouraged Iran to accept the proposal. However, as Iran insisted on continuing uranium enrichment activities for research and development purposes within its territory, negotiations deadlocked. At the IAEA Board of Governors Meeting in March 2006, no resolution was adopted, but the IAEA Director General's report issued on February 27 was delivered to the UN Security Council. Following this, the Iranian nuclear issue was brought to the UN Security Council.

### **3 .Movements taken by the UN Security Council and continuing diplomatic efforts (March to December 2006)**

The UN Security Council issued a presidential statement on the Iranian nuclear issue at the end of March 2006 and requested Iran to implement requirements imposed by the IAEA Board of Governors, emphasizing the importance of once again suspending all enrichment-related and reprocessing activities in a complete and continuous manner. However, Iran continued and expanded its enrichment-related activities and announced in April that it had succeeded in enriching uranium to 3.5%.

At the end of May 2006, the United States presented a proposal that the United States, together with the EU3, would be ready to have negotiations once Iran suspended uranium enrichment-related and reprocessing activities in a complete and verifiable manner. Dr. Solana, High Representative for the EU Common Foreign and Security Policy (CFSP), and the representatives of the EU3 and Russia, visited Tehran at the beginning of June to present Iran with proposals for a comprehensive long-term arrangement, agreed by the six countries (EU3+3), namely the EU3, the United States, China and Russia, including future cooperation package to be provided if

Iran completely recovered the confidence of the international community. However, the Iranian side did not show sincere response and official negation over the proposals did not take place. The EU3+3 agreed to aim at adopting a UN Security Council Resolution which would oblige Iran to suspend its uranium enrichment-related activities and, in case Iran refused to comply with such a resolution, to work together to adopt another Security Council Resolution which would include sanctions under Chapter VII, Article 41 of the Charter of the United Nations. The G8 Summit held at St. Petersburg in Russia in July 2006 also supported this EU3+3 agreement in its “Statement on Non-Proliferation.”

On July 31, 2006, Resolution 1696, which was the first Security Council Resolution on the Iranian nuclear issue, was adopted (14 votes in favor (including Japan) and one against). The Resolution obliged Iran to suspend all of its uranium enrichment-related and reprocessing activities, expressing the intention of the Security Council that it would adopt appropriate measures under Chapter VII, Article 41 of the Charter of the United Nations if Iran did not comply with that Resolution by the end of August. Iran responded to the proposals for a comprehensive long-term arrangement by the EU3+3 before the deadline, but the response failed to meet the requirements of the UN Security Council Resolution 1696. The IAEA Director General also issued a report on Iran's disappointing response.

In September 2006, Dr. Larijani, Secretary of Supreme National Security Council (SNSC) of Iran and Dr. Solana, High Representative for the EU CFSP, had several talks and other related countries also made diplomatic efforts to resume negotiations with Iran. However, such efforts could not settle the difference over the suspension of uranium enrichment-related activities, and negotiations were kept suspended. Following such movements, the EU3+3 held a Foreign Ministers Meeting at the beginning of October and agreed to initiate talks for adopting a UN Security Council Resolution including measures under Chapter VII, Article 41 of the Charter of the United Nations, while continuing to seek the resolution of the issue by negotiation.

#### **4. Adoption of resolutions with sanctions by the UN Security Council and Iran's response (December 2006 to December 2008)**

On December 23, 2006, the UN Security Council unanimously adopted Resolution 1737 which affirmed that Iran shall suspend all uranium enrichment-related

and reprocessing activities and heavy water-related projects, and at the same time obliged and called on all UN member countries to implement sanction measures against Iran under Chapter VII, Article 41 of the Charter of the United Nations (for the details of the sanctions, see Part VI, Chapter 1, Section 3). Iran immediately rejected Resolution 1737 and continued and expanded its uranium enrichment-related activities. Upon this, talks were commenced, led by the EU3+3, on the next UN Security Council Resolution which would include further measures.

The UN Security Council unanimously adopted Resolution 1747 with additional measures on March 24, 2007, but Iran also protested against this Resolution. At the ceremony at Natanz on National Nuclear Technology Day on April 9, President Ahmadinejad stated, “I declare that as of today our dear country has joined the nuclear club of nations which can produce nuclear fuel on an industrial scale,” clearly expressing the country's intention to expand and continue enrichment activities.

Along with the sanction measures under the UN Security Council Resolution, foreign ministers of the EU3+3 issued a statement to seek realization of a “suspension for suspension” proposal to suspend uranium enrichment-related activities and sanctions, immediately after the adoption of Resolution 1747, and continued efforts for resolving the issue by negotiation. EU High Representative Solana and SNSC Secretary Larijani also had talks in and after April 2007 but no concrete progress was made for realizing any official negotiations between the EU3+3 and Iran. At the G8 Summit held in Heiligendamm (Germany) on June, members adopted the “Heiligendamm Statement on Non-Proliferation,” which ensured solidarity of the G8 nations and strongly urged Iran to implement the UN Security Council Resolutions. Pressure from the international community was thus further strengthened.

At the end of June 2007, IAEA Director General El Baradei and SNSC Secretary Larijani had talks twice in Vienna (Austria), and reached an agreement to create a “plan of action” (later called a “work plan”) within two months aiming to resolve the “outstanding issues” including plutonium separation experiments, source of enriched uranium contamination, and acquisition of technology of P1 and P2 centrifuges.

As a result of talks from July to the end of August in 2007, Iran and the IAEA finally compiled the “work plan” that includes procedures and a target deadline for resolving issues such as Iran's past nuclear activities,



which the IAEA deems to be unsettled, and for applying the IAEA Safeguards to nuclear fuel enrichment plants in Natanz. The IAEA Director General's report which was issued immediately after that concluded that, among those unsettled issues, the issue of plutonium separation experiments had been resolved but confirmed that Iran had been continuing and expanding its uranium enrichment-related activities while responding to part of the IAEA's requests concerning new appointment of IAEA inspectors and their access to heavy water reactor.

At the end of September 2007, foreign ministers of the EU3+3 had talks and reconfirmed their commitment to take a dual track approach utilizing "dialogue" and "pressure." They agreed that unless the reports by EU High Representative Solana and IAEA Director General El Baradei in November showed any positive achievements in their respective efforts, they would prepare a draft of the third UN Security Council Resolution that would include sanctions under Chapter VII, Article 41 of the Charter of the United Nations so as to put it on a voting at the Security Council.

In October and November 2007, EU High Representative Solana had talks with Iran, but the Iranian side showed no positive response. The IAEA Director General's report issued in November mentioned some progress toward the resolution of the "outstanding issues" but clearly stated that Iran did not comply with the requirements in the UN Security Council Resolutions. Consequently, consultation aiming to adopt another Security Council Resolution continued. In December, the United States publicized the National Intelligence Estimate, which pointed out that the Iranian military developed nuclear weapons under Regional Non-proliferation Issues and the direction of the Iranian government and halted its nuclear weapons program in the fall 2003 but is keeping open the option to develop nuclear weapons. Since the development of a "work plan" in August 2007, Iran and IAEA discussed intermittently throughout 2008 to clarify the "alleged studies" with regard to possible military dimension of Iran's nuclear activities.

In response to Iran's failure to comply with the UN Security Council Resolution and IAEA Board of Governors resolution, the UN Security Council adopted Resolution 1803 on March 3, 2008, which further added sanction measures (14 votes in favor, 1 abstention). In May 2008, Iran submitted a proposal to the EU3+3 based on the pillars of political and security aspect, economic cooperation and nuclear cooperation. In June of that year, the EU3+3 presented a revised version of the com-

prehensive proposal in 2006, and a proposal for guiding future negotiations to Iran. The following July, in a meeting was held between EU High Representative Solana and SNSC Secretary Jalili, Iran pursued negotiations based on common ground of both proposals as a starting point, and did not offer a clear response to the EU3+3 proposal. Consequently, the US and other countries criticized Iran's non-response and call for discussions at the Security Council on enhanced sanctions against Iran. In September, the Security Council passed Resolution 1835, calling upon Iran to fulfill its obligations under prior Security Council Resolutions.

### **5. The adoption of new sanction resolutions in the UN Security Council (from January 2009)**

The Obama administration came to power in January 2009, intending to resolve issues with Iran through its direct engagement. In April, the US announced that it would fully participate in the EU3+3 talks with Iran on the Iranian nuclear issue. In spite of United States' change in stance, Iran maintained its position to judge conditions based on actions. In September, Iran presented a revision of its May 2008 proposal to the EU3+3, but this proposal took the nuclear issue as resolved, and not a part of the agenda for talks with the EU3+3.

In September 2009, construction of a new uranium enrichment facility was became clear in Fordo (near Qom) in central Iran, drawing the criticism of the international community (the US President Obama, the French President Sarkozy, and the British Prime Minister Brown pointed out the existence of the Fordo facility and denounced in emergency press conferences). In October, the first talks were held between Iran and the EU3+3 in over a year. An agreement was reached in principle on the holding of the next meeting, the entry of IAEA inspectors to the new Fordo enrichment facility, and the send out of low-enriched uranium produced at Natanz as feed for fuel for the Tehen Research Reactor (TRR), which would otherwise be depleted within the year. Although inspections of the new enrichment facility were conducted, disagreement over the details of the transportation of Iranian low-enriched uranium out of the country has persisted.

In February 2010, Iran began producing about 20% enriched uranium for producing fuel for the TRR, which resulted in movements to again increase pressure on Iran to change its policies. On June 9th, 2010, the UN Security Council adopted Resolution 1929 (12 votes in favor (including Japan), 2 votes against, 1 abstention), which implemented broad-ranging sanction measures, includ-

ing the expansion of the weapons embargo, restrictions on ballistic missile development, broadened asset freezes and travel restrictions, strengthened restrictions in financial and commercial fields and on banks, cargo inspections, and a strengthened Iran sanctions committee (the creation of an expert panel.)

## 6. Japan's stance

Taking into account the firm maintenance of the nuclear non-proliferation regime, the relevance to North Korea's nuclear issue and the stability of the Middle East, which has a great influence on energy supply in the international community, Japan considers that resolute measures should be taken on the Iranian nuclear issue. It is very regrettable that Iran has continued and expanded its uranium enrichment activities, despite calls from the international community including Japan. Japan strongly hopes that Iran will comply with the resolutions adopted by the IAEA Board of Governors and the UN Security Council, promptly suspend all its enrichment-related and reprocessing activities in a full and sustained manner, and return to negotiations.

The Government of Japan considers it important that the international community work in concert to urge Iran to heed the calls of the whole world and will proactively play a role aiming to the peaceful and diplomatic resolution of the issue. Japan has made diplomatic efforts such as the demarches at the ministerial level for the resolution of the issue, and will continue to take every opportunities to persuade Iran strongly.

The universal implementation of sanctions by all members of the United Nations is of great importance in ensuring their effectiveness. Japan made efforts as a non-permanent member of the UN Security Council in 2009 and 2010, and as a chair of the Iran Sanctions Committee.

## 7. Missile issue

Iran's missile-related activities continue, including missile launch tests of the Shahab-3. Coupled with the nuclear issue, Iran's missile activities are concerned over possible significant impact on regional instability and the security of the international community. Japan has repeatedly expressed its concerns regarding Iran's missile launch and missile-related activities in a variety of venues.

Security Council Resolution 1929, adopted in June 2010, decided that Iran shall not undertake any activities related to ballistic missiles capable of delivering nuclear weapons (including launches using ballistic missile technology). The Government of Japan has strongly urged

Iran to meet the requirements of the Resolution.

## Israel

Israel is the only state in the Middle East which is not a party to the NPT. Although it is pointed out that Israel already possesses nuclear weapons, the Israeli government has neither confirmed nor denied whether this is the case. Other countries in the Middle East have been consistent in their criticism of Israel's position. These states have called for Israel's entry to the NPT and renounce its nuclear weapons, and submitted draft resolutions to the UN General Assembly pointing to the danger posed by nuclear proliferation in the Middle East. For its part, Israel pointing to the presence of states in its vicinity which deny its right to exist remains steady in its refusal to join the NPT.

On the other hand, there are several states in the region which have refused to conclude the Comprehensive Nuclear-Test-Ban Treaty (CTBT), the Biological Weapons Convention (BWC), and the Chemical Weapons Convention (CWC) until Israel joins the NPT.

Japan has strongly urged Israel to join the NPT and the disarmament and non-proliferation regimes for weapons of mass destruction at every opportunity. Japan has repeatedly called upon Israel to take the initiative for resolving the issue of weapons of mass destruction in the Middle East.

Similarly, Japan has made active efforts to call on Syria, Egypt, Iran, and other states in the Middle East to join the treaties and conventions concerning weapons of mass destruction.

Along these lines, Japan has supported the creation of a Middle East zone free of weapons of mass destruction, affirming the UN General Assembly Resolution, adopted every year since 1974, on the creation of a nuclear-weapon-free zone in the Middle East, and the Resolution on the Middle East at the 1995 NPT Review and Extension Conference. The action plan adopted at the 2010 NPT Review Conference represents progress in this regard. The broad support for a conference in 2012, to be attended by all States of the Middle East on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, convened by the Secretary-General of the United Nations and the co-sponsors of the 1995 Resolution (the United States, the United Kingdom, and Russia) represents a major step in the fulfillment of the 1995 Resolution. Japan intends to cooperate with the efforts leading towards this conference.

**[Reference 1: The UN General Assembly Resolution on “the risk of nuclear proliferation in the Middle East.”]**

1. History

At the 34th session of the General Assembly (1979), the Member States adopted a resolution appealing to all states to put an end to any cooperation with Israel, which many assist it in acquiring and developing nuclear weapons. The resolution came in response to Israel's nuclear armament policy, including nuclear cooperation with South Africa. The resolution has been adopted every year since. This resolution was originally entitled “Israel’s nuclear armaments”, but since the 49th session of the General Assembly (1994), it has been called "the risk of nuclear proliferation in the Middle East." The equivalent resolution adopted from the 51st to the 54th sessions of the General Assembly (1996-1999) referred to Israel indirectly as “the only state in the Middle East that is not yet party to the Treaty”, but since the 55th session (2000), the country’s name appears again clearly.

2. Outline of the 2009 Resolution

This resolution welcomed the conclusions regarding the Middle East drawn by the 2000 NPT Review Conference. It demanded that Israel immediately join the NPT, cease developing, producing, testing, and attempting to acquire nuclear weapons, and give up its possession of nuclear weapons. As an important confidence-building measure among countries in the region, and to promote peace and security, the resolution demanded that any unsafeguarded nuclear facilities in the region be placed under full-scope IAEA safeguards (comprehensive IAEA Safeguards Agreement).

3. Adoption of the 2009 Resolution

The draft resolution was submitted by Egypt, acting as a representative of the joint sponsors from the Arab League. The resolution was adopted by the General Assembly, with the following ballot results.

- In favor 163 (including Japan)
- Against 4 (including Israel)
- Abstentions 6

**[Reference 2: The UN General Assembly Resolution on the "creation of a nuclear-weapons-free zone in the Middle East"]**

1. History

Egypt has submitted this resolution every year since the 29th session of the General Assembly (1974). Despite the sizable difference of positions between Middle Eastern states, which demand that Israel renounce nuclear weapons, and Israel, which argues for the prioritization of the Middle East peace process, Israel has not opposed the resolution since the 35th session (1980) allowing it to be adopted by consensus. However, the vote on the inclusion of main paragraph 3, which addressed the applicability of IAEA safeguards in the Middle East, was conducted separately at the 64th session (2009) in accordance with a request by Israel, which has become discontent with the Middle East states’ response to a resolution at the 53rd IAEA General Meeting on “Israel’s nuclear capability.”

2. Outline of the 2009 Resolution

The resolution demands that all states with a direct interest in the matter consider measures for the implementation of creation of a nuclear-weapon-free zone in Middle East, and, in the promotion of this goal, adhere to the NPT. The resolution supports state parties’ efforts to contribute to the establishment of a Middle East zone free of weapons of mass destruction and the goal of complete disarmament.

3. Adoption of the 2009 Resolution

This resolution was submitted by Egypt. The resolution was sustained through a separate vote on main paragraph 3. The complete resolution was adopted by the General Assembly without a vote.

Main paragraph 3:

- In favor 169 (including Japan)
- Against 0
- Abstentions 3 (Israel, India, Marshall Islands)
- Complete resolution: adopted without vote.

**[Reference 3: The Resolution on the Middle East at the 1995 NPT Review and Extension Conference]**

1. History

The 1995 NPT Review and Extension Conference confirmed the indefinite extension of the NPT. The conference also saw the adoption of "Resolution on the Middle East." The resolution originated with Arab states’ concerns regarding the possible possession of nuclear weapons by Israel. As part of

the package for the indefinite extension of the NPT, the resolution was proposed by the United States, the United Kingdom and Russia. At the 2000 NPT Review Conference, the Middle East resolution was confirmed as the basis of the indefinite extension of the NPT.

## 2. Outline of the Resolution

The resolution reaffirmed the importance of the near-term universalization of the NPT, and demanded that non-state parties to the NPT in the Middle East join the treaty, and place their nuclear facilities under comprehensive IAEA safeguards. It also urged all states in the Middle East to take practical measures in an appropriate forum for promoting the creation of a Middle East zone free of weapons of mass destruction. Finally, the resolution calls upon

all NPT state parties, and particularly nuclear-weapon states, to give their cooperation and utmost effort towards the early establishment of a Middle East zone free of weapons of mass destruction.

## 3. Steps towards the implementation of the resolution

The action plan adopted by the 2010 NPT Review Conference supports a 2012 international conference on the creation of a Middle East zone free of weapons of mass destruction, in which all Middle Eastern states will participate at the invitation of the UN Secretary General and the joint sponsors of the Middle East resolution (the US, the UK, and Russia), as a major step in the fulfillment of the Middle East resolution.

## Syria

According to press reports, on September 6, 2007, Israel Air Force planes bombed a facility in Syria's eastern desert region. In April 2008, the US announced that Syria had been building a secret nuclear reactor capable of producing plutonium in its eastern desert, and it had been secretly supported by North Korea. The US also announced that they had good reason to believe that Syria's nuclear reactor construction was not for peaceful purposes, and that Syria, ignoring its international responsibilities, failed to report the construction of the reactor to the IAEA. Consequently, IAEA Director General Mohamed Elbaradei announced that he would begin an inquiry to determine whether the US' communication that the Syrian facility destroyed by Israel in September 2007 was in fact a nuclear reactor.

From June 22 to 24, 2008, IAEA inspectors visited

Syria and collected samples at the site of the destroyed facility. The analysis of the samples revealed a significant number of chemically processed particles of natural uranium.

Syria had claimed that the destroyed facility was not involved in any nuclear activities, but has failed to cooperate with the IAEA to address remaining issues regarding this facility since June 2008. The IAEA has thus far been unable to make any meaningful progress towards a resolution of this issue.

Japan is concerned about Syria's failure to comply with IAEA inquiries. In order to assuage the concerns of the international community, and address suspicions of nuclear cooperation with North Korea, Japan believes it is extremely important for Syria to fully cooperate with the IAEA, and to conclude and ratify the Additional Protocols. To this end, Japan is also working through direct channels with Syria to address these issues.

## Section 3. India and Pakistan

### 1. Nuclear tests by India and Pakistan (1998)

India maintains that it does not intend to accede to the NPT since it is discriminatory. It has been refusing to accede to the NPT despite calls from the international community. Pakistan takes the stand that it will not accede to the NPT from its own security viewpoint so long as India remains out of the Treaty. Under such circumstances, India and Pakistan conducted nuclear tests in succession in May 1998.

Japan immediately lodged a strong protest against both countries and imposed economic measures, including suspension of yen loans for new projects, against both India and Pakistan, and utilized various opportunities for dialogue, such as G8 meetings, to persistently urge both countries to make concrete progress in the field of nuclear disarmament and non-proliferation, centering on their accession to the NPT and signing and ratification of the CTBT.

Due partly to the efforts of the international community, including Japan, neither India nor Pakistan has conducted nuclear tests since June 1998. Both countries announced that they would continue their moratoriums on nuclear testing and exercise stricter export controls for nuclear non-proliferation. In October 2001, Japan discontinued its economic measures against both countries, issuing a Chief Cabinet Secretary's statement taking into consideration the following points: that Japanese measures had produced some positive results; that the stability and cooperation of Pakistan is of great importance in the fight against terrorism; and the necessity to deepen active engagement in India, which is expected to play an important role in stabilizing Southwest Asia. At the same time, the statement also made it clear that Japan would persistently continue to urge India and Pakistan to make concrete progress in the field of nuclear disarmament and non-proliferation, including their accession to the NPT and signing and ratification of the CTBT and would consider taking appropriate measures, including restoring the discontinued economic measures, should the situation concerning nuclear non-proliferation in India and/or Pakistan deteriorate.

## 2. Japan's efforts

Today, among UN countries, only India, Pakistan, and Israel remain as non-state parties to the NPT. Japan and other state parties to the NPT have repeatedly called on these three states to join the NPT as non-nuclear-weapon states, to achieve the universalization of the NPT.

Furthermore, since neither India nor Pakistan has signed the CTBT, Japan has urged both countries to sign and ratify the CTBT as soon as possible, and to extend their moratorium until ratification.

In 2004, it was revealed that Pakistani scientist Dr. Abdul Qadeer Khan had leaked nuclear-related technologies outside of Pakistan, harming the peace and stability of the international community, and damaging the nuclear non-proliferation regime. In particular, the alleged leaking of technology to North Korea constitutes a matter of serious concern for the security of Japan. Japan expressed its regret to Pakistan and strongly urged it to provide further information regarding this incident and to take necessary measures to prevent the recurrence of such incidents in the future. Due partly to these approaches by Japan, the Export Control Act on Goods, Technologies, Materials and Equipment related to Nuclear and Biological Weapons and their Delivery Systems entered into force in Pakistan in 2004. Moreover, in 2005, Japanese and

Pakistani export control experts exchanged views aiming to effectively implement the said law, and Japan provided technical briefing about Japan's export controls. In addition, Japan has continued to cooperate in strengthening the nuclear non-proliferation regime of Pakistan by inviting Pakistani export control experts to the Asian Export Control Seminar on an ongoing basis since 2004, which Japan hosts in Tokyo every year. Japan has also invited Indian experts to the seminar since 2006.

Also, in accordance with Security Council Resolutions encouraging the prevention of the export of materials and technologies which may further Indian or Pakistani nuclear weapon development programs, Japan has implemented strict measures to prevent the diversion of Japan's nuclear equipment and technologies for military purposes, by implementing strict visa issuance inspections for nuclear engineers from India and Pakistan, and controlling the export of nuclear-related equipment and technologies to both countries.

Furthermore, while acknowledging the progress of confidence-building through dialogue between India and Pakistan, Japan has expressed concern about repeated missile tests by both countries and has strongly called for them to exercise maximum restraint in the development, testing and deployment of missiles.

Japan continues to make use of opportunities to promote disarmament and non-proliferation efforts of India and Pakistan. In December 2009, then Prime Minister Hatoyama visited India, and the joint statement issued following the summit meeting confirmed Japanese and Indian commitments to the elimination of nuclear weapons and reaffirmed the continuance of India's moratorium on nuclear tests. These commitments are also confirmed in the joint statement issued in October 2010, by Indian Prime Minister Manmohan Singh and Japanese Prime Minister Naoto Kan during the former's visit to Japan. Bilateral disarmament and non-proliferation talks were held with Pakistan in January 2011, during which Japan strongly urged Pakistan to take additional steps towards nuclear disarmament. The joint statement issued during the visit of President Asif Ali Zardari to Japan in February 2011 confirmed that Japan and Pakistan shared the global objectives of disarmament and non-proliferation, that the two countries would deepen cooperation through closer dialogue. As mentioned above, Japan has strongly urged both India and Pakistan to take steps towards disarmament and non-proliferation, and will continue to closely observe their responses.



### 3 .Civil nuclear cooperation with India

In July 2005, the leaders of the US and India agreed that the US would make efforts to provide India with civil nuclear cooperation in return for India's various measures concerning disarmament and non-proliferation. In March 2006, both leaders reached an agreement that India would place 14 nuclear reactors under the IAEA Safeguards in a phased manner between 2006 and 2014, while the United States would seek to amend related domestic laws and adjust the Nuclear Suppliers Group (NSG) Guidelines so as to offer full civil nuclear cooperation to India (the so-called "US-India Civil Nuclear Cooperation Agreement").

According to the NSG Guidelines, the transfer of nuclear related items to countries which have not concluded full-scope safeguard agreements with the IAEA is prohibited. However, in light of the aforementioned US-India agreement, the NSG decided to exempt India from this requirement in an extraordinary plenary session of the NSG in September 2008, and adopted "Statement on Civil Nuclear Cooperation with India". This development is seen as having the potential to lead to further non-proliferation efforts by India, a country outside of the international non-proliferation regime. The Government of Japan joined the consensus on this decision from a broader perspective, taking into account such elements as the strategic importance of India as the world's largest democracy and as an emerging market economy, as well as the significance of India's peaceful use of nuclear energy in contributing global warming counter-measures, and a series of Indian "commitments and actions" toward nuclear non-proliferation, including the continuation of its moratorium on nuclear testing, which is the basis of the exception. At the time of the decision, Japan expressed that, in the event that India fails to maintain its moratorium on nuclear testing, the NSG should revoke or suspend the exemption measure, and NSG member states should suspend any existent nuclear cooperation with India; and additionally that Japan maintain in its position to call on India to join the NPT as a non-nuclear-weapon State at an early date, and to move quickly to sign and ratify the CTBT. Since the NSG's decision to exempt India, states with advanced nuclear technology including the US, France, Russia, Canada, and South Korea have proactively sought cooperation with India, either concluding or starting negotiation of nuclear cooperation agreements. Japan decided to commence ofnegotiation between Japan and India on an Agreement for Cooperation in the Peaceful use of Nuclear Energy in June 2010 from an overall perspection, recognizing the value of coopera-

tion with India in such aspects as: contributing to climate change and global warming countermeasures; strengthening bilateral relations with India, a country of growing strategic importance; and facilitating Japan's contributions to the peaceful use of nuclear energy, on the basis that India would steadily implement its "commitments and actions" towards nuclear non-proliferation. Japan will continue to give due consideration to issues of nuclear disarmament and non-proliferation in the course of the negotiation.

#### [Reference: Outline of the September 2008 NSG Statement on Civil Nuclear Cooperation with India]

(1) At the extraordinary plenary session of the NSG on September 6, 2008, the participating governments of the NSG decided that they:

- desire to contribute to the global non-proliferation regime and the widest possible implementation of the provisions and objectives of the NPT.
- seek to avert the further spread of nuclear weapons.
- wish to pursue mechanisms to positively affect non-proliferation.
- seek to promote fundamental principles of safeguards and export controls for the use of nuclear energy for peaceful purposes.
- note the energy needs of India.

(2) Governments participating in the NSG have taken note of steps that India has voluntarily taken with respect to the following commitments and actions:

- Deciding to separate civilian nuclear facilities in a phased manner and to file a declaration regarding its civilian nuclear facilities with the IAEA.
- Concluding negotiations with the IAEA for an India-IAEA Safeguards Agreement on civilian nuclear facilities.
- Committing to sign and adhere to an India-IAEA Additional Protocol with respect to India's civilnuclear facilities.
- Refraining from transfer of enrichment and reprocessing technologies to states that do not have them and supporting international efforts to limit their spread.
- Instituting a national export control system capable of effectively controlling transfers.
- Harmonizing its export control lists and guidelines with those



of the NSG, and committing to adhere to NSG Guidelines.

- Continuing its unilateral moratorium on nuclear testing and its readiness to work with others towards the conclusion of the FMCT.

(3) Based on the commitments and actions mentioned above, participating governments have adopted and will implement the following policy on civil-nuclear cooperation with India.

- Participating governments may transfer items and/or related technology restricted by parts 1 and 2 of the NSG Guidelines to India for peaceful purposes and for use in IAEA safeguarded civilnuclear

facilities.

- Participating governments shall notify each other of approved transfers to India. Participating governments are also invited to exchange information, including about their own bilateral agreements with India.
- With a view to intensification of dialogue and cooperation with India, the Chairman of the NSG is requested to confer and consult with India and keep the plenary informed of these consultations.
- Participating governments will meet and act in accordance with NSG Guidelines for the purpose of considering matters connected with the implementation of all aspects of this Statement.

## Chapter 5

# International Atomic Energy Agency (IAEA) Safeguards System

### Section 1: Overview of the IAEA Safeguards System

Safeguards are a set of measures by which the International Atomic Energy Agency (IAEA) verifies that a state is not using nuclear materials (such as uranium and plutonium etc.) in a way which would help develop nuclear weapons in the course of utilizing nuclear energy. Article III-A5 of the IAEA Statute stipulates that the IAEA is authorized to administer such safeguards. The IAEA assumes the role of verifying the nuclear activities of a state, with which the IAEA concluded the safeguards agreement based on that statutory authority. The IAEA safeguards system is an indispensable mechanism to verify the effectiveness of the nuclear non-proliferation regime centered on the NPT.

Originally, the IAEA initially concluded safeguards agreements with recipient states of nuclear materials, etc, in accordance with bilateral nuclear cooperation agreements, and implemented safeguards only targeting nuclear materials and equipment transferred between the relevant states. Subsequently, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) entered into force in 1970, Article 3 of which obliges non-nuclear weapon state parties to the NPT, to accept IAEA safeguards applied on all sources and special fissionable material in their territories. Accordingly, the IAEA made a Model text of Safeguards Agreement (Comprehensive Safeguard Agreement) to be concluded by state parties to the NPT. Since then, the IAEA has concluded Safeguards Agreements with individual states based on the Model and implemented safe-

guards in the states with such Agreements in force.

However, clandestine nuclear development by Iraq and North Korea in the early 1990s, despite their having concluded Comprehensive Safeguard Agreements, indicated the limitations of the conventional safeguards system, and strengthening safeguards became an urgent task. The Board of Governors of the IAEA approved the Model Additional Protocol in 1997, based on which an Additional Protocol shall be concluded by each state in addition to its Safeguards Agreement. Since then, strengthened safeguards have been applied to states which concluded the Additional Protocols (See Section 3-1). While the safeguards are being strengthened, the rationalized safeguards (Integrated Safeguards), in view of more efficient utilization of limited safeguards resources, have been applied since 2002 to the states for which the IAEA confirmed the transparency of their respective nuclear activities through the implementation of the Additional Protocols (See Section 3-2).

Japan has made utmost efforts to cooperate in implementing IAEA Safeguards in order to maintain transparency of its own nuclear activities as one of the leading nuclear energy users in the world. At the same time, Japan is continuing diplomatic efforts for the universality of the Additional Protocol and other objectives in order to strengthen the international nuclear non-proliferation regime.

### Section 2. Details of the Safeguards Agreement

#### 1. Comprehensive Safeguards Agreement

Article III-1 of the NPT stipulates that each non-nuclear-weapon state party to the treaty undertakes to accept safeguards to prevent diversion of nuclear material from peaceful uses to nuclear weapons or other nuclear explosive devices, as set forth in an agreement to be negoti-

ated and concluded with the IAEA in accordance with the Statute of the IAEA and the Agency's safeguards system. Furthermore, the safeguards required by this Article shall be applied to all source or special fissionable material in all peaceful nuclear activities within the territory of such a state, under its jurisdiction, or carried out under its control

anywhere.

Many non-nuclear-weapon state parties to the NPT have concluded these agreements with the IAEA, called "Comprehensive Safeguards Agreements" (also called "INFCIRC/153 type Safeguards Agreements" from the IAEA document number or "Full-scope Safeguards Agreements"). As for Japan, the Agreement entered into force on December 2, 1977.

The objective of safeguards measures under Comprehensive Safeguards Agreements is the timely detection of diversion of significant quantity of nuclear materials from peaceful nuclear activities to the manufacture of nuclear weapons or of other nuclear explosive devices or for unknown purposes, and the deterrence of such diversion by the risk of early detection. "Significant quantity" is defined in the IAEA Safeguards Glossary (2001 Ed.) as the approximate amount of nuclear material for which the possibility of manufacturing a nuclear explosive device cannot be excluded: for example, 8 kg of plutonium or U-233, or 25kg of enriched uranium containing over 20% or more of U-235.

Implementation of these safeguards require each state with the Comprehensive Safeguards Agreement in force to provide the IAEA with information on nuclear materials and related facilities subject to that Agreement and related facilities, including the information on the maintenance of the state's system of accounting for and control of quantities of all nuclear material received and shipped in a given period and accounting records nuclear material stores (quantity monitoring). The foundation for implementing these safeguards is on-site IAEA inspections

conducted to verify the accuracy of all such information. IAEA inspections are authorized to observe facilities, conduct independent sampling and measurements of nuclear materials, and implement 'containment' and 'surveillance.' "Containment" is a means by which the IAEA attaches seals to containers and physically contains nuclear materials therein, in order to detect if the containers with nuclear materials have been tampered with. "Surveillance" is a measure to ensure that no illicit transfer of nuclear materials occurs, utilizing video cameras, radiation measuring and other monitoring devices.

## 2 .Other safeguards agreements

The safeguards agreements based on the IAEA document, which were set out prior to the Comprehensive Safeguards Agreements based on the NPT, are called "INFCIRC/66-type Safeguards Agreements" or "Item-specific Safeguards Agreements." The Agreements place only nuclear materials and equipment subject to those Agreements within the scope of the application of the safeguards. As of today, it is applied to three non-state parties to the NPT (India, Pakistan and Israel). Although the nuclear-weapon states (the US, the UK, France, China and Russia) have no obligation to accept Safeguards under the NPT, they, in light of the importance of nuclear non-proliferation among other, have voluntarily accepted safeguards on the nuclear materials used for non-military purposes. These safeguards agreements concluded between these nuclear-weapon states and the IAEA are called "Voluntary Offer Agreements."

## Section 3: Improving the Effectiveness and Efficiency of Safeguards

### 1. Strengthened safeguards and the Additional Protocols

The revelation of nuclear development by Iraq and North Korea in the early 1990s made it apparent that the existing IAEA comprehensive safeguards fell short of detecting undeclared nuclear activities and preventing the diversion of undeclared nuclear materials to military use. Since the Comprehensive Safeguards Agreements relies on safeguards premised on the precision by the states of all nuclear materials in the territory of those states, the IAEA was faced with great difficulty in clandestine nuclear activities. Such circumstances drove the IAEA to review ways to strengthen safeguards, aiming at improving capabilities of detecting undeclared nuclear materials and activities.

The IAEA launched "Program 93+2" in 1993 to review on ways to strengthen and improve efficiency of the IAEA Safeguards, and as a result, issued recommendations on measures enforceable within the framework of the Comprehensive Safeguards Agreements and measures to be taken through the establishment of a new framework. The former measures were gradually implemented. As for the latter, a model protocol additional to the Comprehensive Safeguards Agreement was adopted at the Board of Governors meeting of the IAEA in May 1997. This is called an "Additional Protocol" due to its supplementary relation to the existing Comprehensive Safeguards Agreement.

The Additional Protocol expanded the scope of information provided to the IAEA, the scope of verification

by the IAEA and the accessible locations for the IAEA inspectors. These give the IAEA an enhanced authority to verify whether there is no indication of undeclared nuclear activities, in addition to the inspections conducted under the existing Comprehensive Safeguards Agreements. Specifically, a state with the Additional Protocol in force is required to provide the IAEA with information on nuclear fuel cycle-related research and development activities not involving the use of nuclear material, on manufacture and assembly of specific nuclear-related (such as enrichment and reprocessing-related) materials and equipment, on import and export of specific equipment and materials, and so forth. Furthermore, in order to verify the absence of undeclared nuclear materials or nuclear activities, the IAEA is authorized to conduct inspections called complementary access with short (two hours or 24 hours depending on inspected locations) advance notice, and also to collect environmental samples at all places.

In consideration of the recent challenges to the nuclear non-proliferation regime, the importance of the IAEA Safeguards is indispensable to maintaining the non-proliferation regime has been widely recognized. It is of great significance in light of strengthening the nuclear non-proliferation regime and maintaining peace and security of the world that a greater number of states conclude both the Comprehensive Safeguards Agreement and the Additional Protocol. In reality, out of 185 State Parties that are obliged to conclude Comprehensive Safeguards Agreements under the NPT, only 168 have actually done so (as of February 2011). The number of states with an Additional Protocol in force is 104 out of 135 states that signed them (as of February 2011). Further efforts are required to universalize the Additional Protocol, together with Comprehensive Safeguards Agreements (See Section 4-1).

## 2. Efficiency of safeguards

The strengthening of safeguards has also raised such issues as an increased workload of safeguards operations and the need to secure corresponding financial resources. Lively discussions took place concerning Integrated Safeguards aiming at rationalization and improved efficiency of safeguards. As a result, basic principles concerning the application of Integrated Safeguards were adopted at the Board of Governors meeting of the IAEA in March 2002.

Integrated Safeguards are the conceptual framework to systematically integrate conventional safeguards and safeguards based on the Additional Protocols. It is

applied to the states for which the absence of undeclared nuclear materials and activities has been verified by the IAEA in its conclusion drawn through the implementation of the Comprehensive Safeguards Agreements and Additional Protocols. As a result, it serves to rationalize routine inspections based on Comprehensive Safeguards. Application of Integrated Safeguards is of importance for contributing to the reduction of clerical and financial burdens of both the IAEA and the states concerned that accrue from the implementation of Safeguards. In order to have Integrated Safeguards applied, the state needs to obtain an IAEA safeguards conclusion (“broaden conclusion”) that there is no indication of diversion of declared nuclear material from peaceful nuclear activities and no indication of undeclared nuclear material and nuclear activities in that state (such conclusions were drawn for 36 countries including Japan, through 2009). For Japan, the broaden conclusion was drawn at the meeting of the IAEA Board of Governors in June 2004. The application of Integrated Safeguards began on September 15, 2004. Japan was the first country conducting large-scale nuclear activities to which the Integrated Safeguards were applied. The application of Integrated Safeguards warrants the high transparency of Japan’s nuclear activities, but is also expected to reduce the burden on its safeguards implementation.

In addition, the IAEA is reviewing the development of technologies (remote control, etc.) to increase the efficiency of safeguards without compromising effectiveness, as well as on the design of future safeguard systems.

## Section 4: Japan's Efforts

Mr. Yukiya Amano assumed office as the Director General of the IAEA in December 2009. His efforts have focused on improving the effectiveness and efficiency of the safeguards system, which is pivotal to the strengthening of the international nuclear non-proliferation regime as a whole.

As a designated member of the IAEA Board of Governors (see note) and as the home country of the Director General, Japan has been providing appropriate support to the activities of the IAEA.

**(Note)** Designated Board members are thirteen IAEA member states advanced in nuclear technology comprising G8 including Japan and other states designated at the IAEA Board of Governors meeting in June every year.

### 1. Efforts toward universalizing the Additional Protocol

Japan accepted the IAEA Safeguards based on the Comprehensive Safeguards Agreement and its Additional Protocol, and has been making efforts to ensure transparency of its nuclear activities including the use of plutonium. In particular, Japan is one of the countries with the most advanced nuclear industries and has a wealth of knowledge as a country accepting the safeguards. Japan not only played an active role in the process of formulating the Model Additional Protocol, but also concluded the Additional Protocol in December 1999, as the first country to do so among those engaged in nuclear power generation. In fact, Japan has been accepting complementary access-based on the Additional Protocol since 2000. Japan believes that the most practical and effective way to enhance the international nuclear non-proliferation regime is to have as many countries as possible conclude the Additional Protocol, and thus has been actively working towards the universalization of the Additional Protocol. As part of these efforts, Japan submitted a working paper on strengthening IAEA Safeguards to the May 2010 NPT Review Conference, which advocated the importance of the universalization of the Additional Protocols. This advocacy gained the support of many other countries. Furthermore, the September 2010 IAEA General Conference passed a resolution (GC(54)/RES/11) in which the Conference encouraged the conclusion of the Additional Protocol as soon as possible, and also based on a proposal from Japan, recommended that the IAEA

further facilitate and assist the conclusion of Additional Protocols at the request of member states. In cooperation with the IAEA, Japan has offered personnel and financial support for regional seminars for specified regions such as Asia and the Pacific (in Sydney, Australia, in July 2006, and in Vietnam in August 2007) so as to help the infrastructure of each country concerned for concluding and implementing the Additional Protocol. Japan, taking advantage of bilateral disarmament and non-proliferation talks and multilateral forums like the Asian Senior-level talks on Non-Proliferation (ASTOP), has also been working to urge other countries which have yet to conclude the Additional Protocol to do so and to actively take part in the joint efforts of G8 countries in this respect.

### 2. Contributions to the enhancement of analysis capacities for IAEA safeguards

The IAEA's ability to draw accurate conclusions regarding safeguards for each country is indispensable for strengthening the safeguards. In order to assist the IAEA in its effort for enhancing capacities for analyzing data collected during country inspections, Japan, in concert with other countries, has contributed to the modernization of the IAEA Safeguards Analytical Laboratory located on the outskirts of Vienna, Austria (e.g., through the introduction of new analytical equipment).

### 3. Cooperation for improving the efficiency of safeguards

The IAEA has come to face difficulties in effectively executing its expanding tasks under the limited budgetary resources amidst zero real growth in recent years, especially in the field of safeguards which accounts for about 40% of its regular budget. As the IAEA's regular budget safeguards-related portion has continued to increase each year, at the September 2010 General Conference, Director General Amano laid out a policy to ensure that the forthcoming IAEA regular budgets will better reflect the IAEA's priorities. In view of the importance of effective utilization of the limited resources of the IAEA, Japan has been urging the IAEA Secretariat to achieve further efficiencies and cost reduction in terms of Safeguards activities. Furthermore, the IAEA has cooperated in the utilization of efficient safeguards method (Integrated Safeguards) and development of relevant technologies (remote control, etc.).

# Chapter 6

## Assurance of Nuclear Fuel Supply

### Section 1. Overview

A stable supply of nuclear fuel (e.g. low-enriched uranium, plutonium derived from spent fuel, etc.) is indispensable for nuclear power generation. As the “inalienable right” under the Nuclear Non-Proliferation Treaty (NPT), state parties have a choice to independently pursue the acquisition of technologies and infrastructure for enriching and reprocessing uranium needed to obtain fuel for nuclear power generation. In reality, however, due to the required technologies, costs and so on, only a few countries are capable of enriching and reprocessing fuels independently (Japan is the only non-nuclear-weapon state that possesses both enrichment and reprocessing facilities).

Current discussions at the International Atomic Energy Agency (IAEA) have centered on the assurance of nuclear

fuel supply, which intends to establish a multi lateral framework under which countries requiring fuel for civilian nuclear reactors may use low-enriched uranium stored as a back-up in case of disruptions of the fuel supply. The framework is also intended to promote the peaceful uses of nuclear power while at the same time promoting nuclear non-proliferation by reducing incentives for states to pursue the acquisition of new technologies and facilities for enrichment and reprocessing. In recent years, taking into account opinions of developing and other countries, the IAEA has placed greater emphasis on promoting peaceful uses of nuclear power through the assurance of nuclear fuel supply, following a similar direction shown at the 2010 NPT Review Conference.

### Section 2. Background and Recent Developments

#### 1. Before the “ElBaradei Initiative”

The Statute of the IAEA specifies that one of the Agency’s purposes be that it “act as an intermediary for the purposes of securing the performance of services or the supplying of materials, equipment, or facilities by one member of the Agency for another” (Article 3, Paragraph A1). This means that one of the IAEA’s roles is to act as an “intermediary” for the assurance of nuclear fuel supply.

After the IAEA’s initiation in 1957, due to the fact that the uranium supply exceeded what was foreseen in the Statute, an international uranium market was developed. Therefore, the IAEA’s role as an “intermediary” for securing fuel supply never took concrete form.

In 1974, however, India used plutonium collected from a facility operated for peaceful purposes to conduct a nuclear test. In response the US (Carter administration) proposed that the IAEA reevaluate the nuclear fuel cycles of each country, including enrichment and reprocessing

facilities, and possibilities for their new acquisition in 1977. From 1980 to 1987, the US and the EU led efforts to create the Committee on Assurances of Supply to discuss mechanisms for guaranteeing the long-term stability of nuclear fuel supplies to prevent nuclear proliferation. However, concrete multilateral efforts have not been developed.

#### 2. The “ElBaradei Initiative” and the Bush Proposal

In October 2003, the IAEA Director General ElBaradei contributed an article in “The Economist” titled “Towards a Safer World,” in which he stated that “there is nothing illicit, under the current regime, in a non-nuclear-weapon state having enrichment and reprocessing technology or possessing weapon-grade nuclear materials,” and “if a state with a fully developed fuel cycle capacity decides to break away from its non-proliferation commitments, it could produce a nuclear weapon within a matter of



months,” and therefore underlined the necessity of “a new approach” (i.e. the “ElBaradei Initiative”). In February 2005, an international expert group appointed by the Director General created a report entitled “Multilateral Nuclear Approaches (MNA).”

At the same time, in a speech at the National Defense University in February 2004, US President George W. Bush referred to the recent revelation of the underground network of nuclear proliferation by Dr. A.Q. Khan. In the speech, he urged the 40 nations (as of 2004. 46 as of the end of February 2011) of the Nuclear Suppliers Group (NSG) to “refuse to sell enrichment and reprocessing equipment and technologies to any state that does not already possess full-scale, functioning enrichment and reprocessing plants.”

Prompted by these statements, various proposals for achieving both nuclear non-proliferation and the peaceful uses of nuclear power were made, setting discussions of international efforts into motion at the IAEA.

### 3. Recent developments at the IAEA

(1) Of the various proposals prepared at the IAEA, the Russian proposal made the greatest progress. It resulted in a draft resolution, which was adopted by the IAEA Board of Governors in September 2009, and led to the signing of an implementation agreement between Russia and the

IAEA in March 2010.

The basic framework of the Russian proposal is to supply fuel via the IAEA. From a low-enriched uranium fuel reserve created inside Russia, countries who are facing disruptions in low-enriched uranium fuel supply for power generating reactors can request fuel through the IAEA, if they fulfill the Board-approved requirements (e.g. the country must be a non-nuclear-weapon state; all peaceful nuclear activities in the country should be under IAEA safeguards, etc.) to receive fuel from the IAEA.

(2) At the December 2010 Board of Governor’s meeting, the US proposal to create an IAEA Low-Enriched Uranium (LEU) Bank was approved. Similarly to the Russian proposal, the bank will supply requesting countries meeting the Board-approved requirements with LEU, although there are differences in the requirements (e.g. countries must have concluded comprehensive safeguard agreements). In contrast to the Russia proposal, LEU will be owned by the IAEA, and the storage facility will be managed and operated by the IAEA in a host country for which the IAEA will make arrangements. While additional proposals for the assurance of nuclear fuel supply are developing amongst European and North American countries, developing countries have taken these developments as improper restrictions on their ‘inalienable right’ to enrich and reprocess fuel independently.

## Section 3. Japan’s Efforts

Regarding proposals related to “Multilateral Nuclear Approaches (MNA),” Japan has resolved to actively participate in discussions on how these approaches can promote peaceful uses of nuclear power and strengthen the international nuclear non-proliferation regime (Nuclear Energy Policy Guideline, October 14, 2005, Cabinet Decision). At the 2006 IAEA General Conference, in order to contribute to activating discussions on the international framework of assurance of nuclear fuel supply, Japan proposed the “IAEA Standby Arrangement System for the Assurance of Nuclear Fuel Supply,” in which countries would register their nuclear fuel supply capabilities with the IAEA to help prevent supply uncertainties and market instability. The proposal, under specified con-

ditions, would create a system in the IAEA for reducing supply uncertainties and market instability, which would enable countries to register their capabilities for the entire nuclear fuel supply cycle with the IAEA, including uranium enrichment, as well as handling of raw uranium, conversion, fuel processing, uranium storage and reserves..

Japan attaches great importance to fostering an environment in which IAEA member states can overcome differences of opinion on the assurance of nuclear fuel supply, and develop significant discussions. This will make nuclear fuel supply for power generation sustainable, even in unforeseen circumstances, through the mechanism of a multilateral framework for the assurance of nuclear fuel supply.

## Column: The Assumption of Office of Yukiya Amano as the IAEA Director General

### 1. Election

Yukiya Amano, Ambassador to the Permanent Mission of Japan to the International Organizations in Vienna, was elected and appointed as the next Director General of the IAEA as a result of the ballot at a special meeting of the IAEA Board of Governors on July 2-3, 2009 in Vienna, Austria.. On September 14, Ambassador Amano's appointment was formally approved by the 53rd General Conference of the IAEA.



(Photo credit: Dean Calma/IAEA)

### 2. Assumption of Office

#### (1) The appointment of the first IAEA Director General from Japan and Asia

On December 1, 2009, Ambassador Amano assumed office of the fifth Director General of the IAEA, the first from Japan and Asia. The IAEA is an international organization with the purpose of promoting the goals of nuclear non-proliferation and the peaceful uses of nuclear power. The organization plays an important role in efforts for the creation of a 'world without nuclear weapons.' The appointment of the IAEA Director General from Japan is considered to carry an extremely great significance for Japanese diplomatic efforts for disarmament and non-proliferation.

#### (2) Activities after his Appointment

Immediately after his assumption of office and ever since, Director General Amano has stood at the forefront of efforts promoting peaceful uses of nuclear power. He has worked to expand cancer treatment programs in developing countries, and strengthen cooperation on nuclear technology to help address global issues, such as the environment, and access to medical treatment, food, water, and electricity. At the same time, he has directed IAEA efforts towards resolving the nuclear issues of North Korea and Iran. His efforts have strengthened the nuclear non-proliferation regime by improving the effectiveness and efficiency of safeguards, including the universalization of Additional Protocols. In addition, Director General Amano became the first IAEA Director General to attend the peace memorial ceremonies in Hiroshima and Nagasaki in August 2010, and emphasized how the IAEA can also contribute to the implementation of nuclear disarmament. He has also made clear that he intends to actively work on management reform to further enhance the effectiveness and efficiency of IAEA activities.

#### (3) Support from Japan

The Government of Japan intends to provide appropriate support for strengthening the cooperation with the IAEA's efforts as mentioned above, to ensure that Director General Amano can fulfill his duties (See Part II Chapter 5).

# Chapter 7

## Cooperation in Nuclear Power

### Section 1. Nuclear Power and Peaceful Applications

In recent years, the growing demand for energy and the necessity for measures against climate change have resulted in the reevaluation of nuclear power generation, which does not emit CO<sub>2</sub> and could become a fundamental source of electricity. The number of countries planning to embark on or expand nuclear power programmes is growing, a movement being referred to as the ‘nuclear renaissance’. Beyond power generation, nuclear energy has applications in many fields including industry, medicine, agriculture, food production, and water resource management.

At the same time, nuclear power entails the risk of accidents, which even if they occur in one country, may potentially have a great effect on its neighbouring countries. In addition, the possibility cannot be ruled out that nuclear power may be diverted to military purposes. Finally, international attention towards measures against nuclear terrorism has grown since the terrorist attacks on the United States in 2001. For these reasons, countries that use nuclear energy for peaceful purposes such as power generation must gain international trust by maintaining transparency on security and non-military uses. It is also necessary to take appropriate measures to prevent terrorism based on the use of radioactive materials. From this perspective, it is extremely important to ensure 3S (derived from Non-proliferation/ Safeguards, Nuclear Safety, and Nuclear Security) in context of peaceful uses of nuclear energy (See note).

(Note)

- Safeguards: Measures to ensure that nuclear energy is not used in ways that can, for example, produce nuclear materials for weapons. Safeguards are implemented through inspections conducted by the IAEA inspectors (See Chapter 5).

Other non-proliferation measures include export controls (see Part V, Chapter 1).

- Nuclear Safety: Measures to protect people, society, and the environment from the harmful effects of radiation. Specifically, these include safety regulations for the installation and operation of nuclear power facilities, implementation of emergency measures to deal with accidents, and raising workers’ awareness of the priority of securing safety.
- Nuclear security: Measures to prevent acts of terrorism using radioactive materials from occurring. These include the physical protection of radioactive materials and related facilities, and the prevention of illegal movement of nuclear substances through border controls (See Chapter 8).

Japan has undertaken measures to ensure 3S, maintaining international trust and transparency, while employing nuclear power generation as a resource-poor country. As an advanced nuclear state, Japan places 3S assurance in partner states as the precondition of its bilateral and multilateral nuclear power cooperation. At the G8 Hokkaido Toyako Summit in 2008, the “Initiative on 3S-Based Nuclear Energy Infrastructure” was launched. The importance of 3S is internationally acknowledged, having been reaffirmed in recent IAEA General Conference resolutions and at the NPT Review Conference in May 2010.

## Section 2. Japan's Bilateral Nuclear Energy Cooperation Agreements

Bilateral nuclear energy agreements are being concluded to obtain legal assurances for the peaceful uses of nuclear material and key nuclear energy related equipment and technology from the country to which such material, equipment or technology is transferred from viewpoint of the promotion of peaceful uses of nuclear energy and nuclear non-proliferation.

The major part of a nuclear energy agreement sets out the following five principles: first, to limit the use of nuclear materials, equipment and technology that are subject to the agreement to peaceful purposes; second, to ensure the application of the IAEA safeguards to the nuclear material, equipment and technology that are transferred under the agreement; third, to implement measures under the nuclear safety-related conventions (see note); fourth, to ensure the application of measures to appropriately protect the nuclear materials etc. that are transferred under the agreement and fifth, to restrict the transfer of nuclear materials, nuclear energy-related equipment and technology outside the jurisdiction of that country (third country transfer).

(Note) These conventions are; The Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Convention on Nuclear Safety, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

The conclusion of such nuclear energy cooperation agreements provides legal guarantees of these principles, allowing for the stable and long-term transfer of nuclear energy-related equipment, and has much significance from the viewpoint of ensuring Japan's energy supply and contributing to measures against climate change.

In recent years, many countries have been planning to newly introduce or expand their nuclear power generation and desire to conclude the nuclear energy agreements with Japan, which has high technology in the field of nuclear power generation. In deciding with which country to negotiate and conclude nuclear energy agreements, Japan conducts consideration from a comprehensive perspective, taking into account, for example, the partner state's likelihood to introduce or expand nuclear power generation, the partner state's desire to conclude the agreement, the desire of Japanese companies and the status of the

partner state's systems for ensuring the peaceful uses of nuclear energy, nuclear non-proliferation, nuclear safety, and nuclear security.

As of February 2011, Japan has concluded nuclear energy agreements with the United States (1988), Canada (1960), Australia (1982), China (1986), France (1972), the United Kingdom (1998), and the European Atomic Energy Commission (EURATOM) (2006) (See note). Agreements have been signed with Russia (2009), Kazakhstan (2010), Jordan (2010), South Korea (2010) and Vietnam (2011). Negotiations are currently in progress with the United Arab Emirates (UAE), India, South Africa, Turkey, and Brazil. The text of the agreement with the UAE has been agreed upon in principle, and preparations for signing are being made.

(Note)

1. Years in parentheses refer to the year when agreements went into effect or were signed.
2. Nuclear energy agreements went into effect in 1958 and 1968 with the United States, in 1972 with Australia, and in 1968 with the United Kingdom. All of the agreements are no longer in effect.
3. Revised protocols went into effect with Canada in 1980 and with France in 1990.
4. Because all EU countries participate in EURATOM, the nuclear energy agreement with EURATOM is equivalent to having the nuclear energy agreement concluded with all EU members.



Signing of the Japan-South Korea Nuclear Energy Agreement (December 2010)

Chapter 8

Nuclear Security

Following the terrorist attacks on September 11, 2001, the international community has reviewed and strengthened measures against terrorism with renewed urgency. However, taking full advantage of advanced science and technology and the mechanisms of global society, terrorist organizations are becoming ever more sophisticated in their activities, undertaking cross-border activities, financial and weapon procurement, propaganda activities, etc. Nuclear technologies have been used for peaceful purposes in various areas including power generation, human health, agriculture, and industry, etc., but if nuclear materials and radioactive sources fall into the hands of terrorists and are abused, it would cause enormous harm to human life, health, or property. The International Atomic Energy Agency (IAEA) has categorized four potential nuclear security risks: (i) the theft of a nuclear weapon;

(ii) the acquisition of nuclear materials for the construction of nuclear explosive devices; (iii) the malicious use of radioactive sources - including so-called “dirty bombs”; and (iv) the radiological hazards caused by an attack on, or sabotage of, a facility or a transport vehicle.


The IAEA considers various measures taken to prevent these threats from becoming real as a general concept of nuclear security. The IAEA identifies the overall measures to prevent, detect and respond to theft, attack or sabotage, illicit transfer, or malicious conduct with regard to nuclear materials and other radioactive sources or related facilities as preventive measures for nuclear security

Various approaches are taken, primarily by the IAEA and the UN, towards strengthening nuclear security at an international level, and Japan actively supports these approaches.

Four types of risks posed by nuclear terrorism

1

nuclear weapons acquired by theft



2

nuclear explosive devices created from stolen nuclear material




3

radioactive dispersal devices (RDDs)



4

radioactive hazards caused by an attack on, or sabotage of, a facility or transport containing nuclear and radioactive materials





## Section 1. Efforts by the International Community

### 1. Efforts by the IAEA

#### (1) IAEA Nuclear Security Plan of Activities

At the IAEA General Conference held immediately after the terrorist attacks on September 11, 2001, a resolution was adopted to the effect that the IAEA activities and programmes relevant to preventing acts of terrorism involving nuclear materials and other radioactive materials shall be reviewed and a report shall be submitted to the IAEA Board of Governors as soon as possible. In response, the first Plan of Activities (2002 - 2005) was approved by the IAEA Board of Governors in March 2002. The plan consists of eight activity areas such as physical protection of nuclear materials and nuclear facilities (Note), to be implemented by the IAEA to support measures against nuclear terrorism. Accordingly, the Nuclear Security Fund was established for the implementation of the plan. The review of activities conducted in September 2009 approved the Third Plan of Activities (2010-2013). This plan included (i) needs assessment, information collection and sharing, (ii) contributions to the enhancement of a global nuclear security framework, (iii) publication of the Nuclear Security Series documents, and (iv) risk reduction and security improvement.

#### (Note) Eight Activities Areas:

(i) physical protection of nuclear materials and nuclear facilities; (ii) detection of malicious activities involving nuclear and other radioactive materials; (iii) strengthening state systems for nuclear material accounting and control; (iv) security of radioactive materials other than nuclear materials; (v) assessment of safety and security-related vulnerability at nuclear facilities; (vi) response to malicious acts or threats thereof; (vii) adherence to and implementation of international agreements, guidelines and recommendations; and (viii) nuclear security co-ordination and information management.

#### (2) Security and control of radioactive sources

As a result of the emergence of new concerns about the diversion of radioactive sources to a “dirty bomb,” the control of radioactive sources, to which potential terrorists may find it easier to gain access, has become a task with equal urgency to the physical protection of nuclear materials. The IAEA has been working on the formulation of the Code of Conduct on the Safety and Security

of Radioactive Sources, which incorporates more details, since the beginning of 2000. Particularly, following the terrorist attacks in the US on September 2001, there was a growing concern in the international community about the diversion of radioactive sources to a “dirty bomb.” Accordingly, the IAEA Board of Governors approved the revised Code of Conduct on the Safety and Security of Radioactive Sources in September 2003. The Code of Conduct requests that all states establish a legal framework to implement effective control over radioactive sources with an aim to prevent malicious use of radioactive sources. The part related to the import and export control of the Code of Conduct became more specific and was formulated as the IAEA Guidance on the Import and Export of Radioactive Sources. It was approved at the IAEA Board of Governors in September 2004. Also at the subsequent IAEA General Conference, a resolution was adopted, encouraging all states to act in accordance with the Guidance on a harmonized basis and to notify the Director General of their intention to do so as supplementary information to the Code of Conduct. In February 2011, the IAEA published recommendations on the security of radioactive materials and related facilities.

#### (3) International standards for the physical protection of nuclear materials

The IAEA has formulated recommendations on the physical protection of nuclear materials (INFCIRC/225) since 1975, in order to develop international standards for the physical protection of nuclear materials. The fifth revision (Rev.5 of INFCIRC/225) was published in February 2011. In the recommendations in INFCIRC/225/Rev.4 (Corrected), (i) roles between the state and the operator are more clearly defined; (ii) it is clearly stipulated that evaluation and formulation of Design Basis Threat, which is to identify the level of threats to be considered when designing the state’s system of physical protection, shall fall under the responsibility of the state; (iii) requirements for physical protection against sabotage of nuclear facilities (the title itself has been changed from “Physical Protection of Nuclear Material” to “Physical Protection of Nuclear Material and Nuclear Facilities”) are clearly stipulated; (iv) it is recommended to thoroughly ensure the confidentiality of physical protection systems and associated documentation including making offences punishable by appropriate penalties; and (v) it is also recommended

that the state should be responsible for verifying continued compliance with the physical protection regulations of operators and operators themselves should conduct self-evaluations. It also recommends (vi) to require an evaluation of transport by safety specialists and advance authorization of transport plans and protective measures by a competent authority in order to reinforce protection and (vii) to install a central alarm station, transport control center, and every possible measure to communicate and coordinate with response forces to respond to sabotage against nuclear facilities in order to ensure response to armed attacks.

#### (4) Convention on the Physical Protection of Nuclear Material

The main objective of the Convention on the Physical Protection of Nuclear Material (CPPNM) is to protect against theft and other unlawful taking of nuclear materials in use, storage and transport. The current Convention obliges States Parties to ensure a certain level of protective measures to protect nuclear materials during international transport, such as constant surveillance by guards, and it restricts the import or export of nuclear materials unless such measures are assured. The Convention also obliges the States Parties to establish certain acts related to nuclear materials, such as theft and robbery, as punishable offenses, and all States Parties are obliged to establish their jurisdiction and to deem the offenses under this Convention to be made extraditable offenses, with a view to extraditing the alleged offender or submitting the case to its competent authorities, so that the alleged offender would not escape penal proceedings. The current Convention entered into force in February 1987, and as of February 2011, 144 states and one international organization (European Atomic Energy Community) are State Parties to the Convention. Japan acceded to the Convention in October 1988.

With the purpose of further strengthening international efforts for the physical protection of nuclear materials and nuclear facilities, various consultations have been made to amend the Convention on the Physical Protection of Nuclear Material since 2001. As a result, the amendment to the Convention was adopted by consensus in July 2005. The amended Convention makes it legally binding for States Parties to protect nuclear materials and nuclear facilities in peaceful domestic use, storage as well as transport, and to criminalize an act of sabotage against nuclear material and nuclear facilities as a punishable offense. For the amended Convention to enter into force,

two-thirds of current state parties (96 states as of February 2011) must conclude it. As of February 2011, the amended Convention has not entered into effect, as only 45 countries have concluded it.

## 2. Efforts of the UN

Prompted by the adoption of a resolution on Measures to Eliminate International Terrorism by the UN General Assembly in 1996, negotiations began for the International Convention for the Suppression of Acts of Nuclear Terrorism in February 1997. Although negotiations were temporary suspended, they were resumed following the terrorist attacks on September 2001, and the Convention was adopted by consensus by the UN General Assembly in April 2005. The Convention entered into force on July 2007 due to conclusion by 22 states. As of February 2011, 115 states have signed the Convention and 77 states have concluded it.

Under the consideration that nuclear terrorism would cause devastating consequences and is a threat to the peace and security of the world, this Convention aims to strengthen international cooperation as well as to prevent nuclear terrorism for the purpose of taking effective and practical measures to prosecute and punish alleged offenders. In specific terms, the Convention obliges the Parties to establish the act of possession and use of radioactive materials or nuclear explosive devices with the intent to cause death, or serious bodily injury, or to cause substantial damage to property, etc., and the act of use and/or damage to nuclear facilities in a manner which releases radioactive materials as criminal offenses under the national law.

## 3. Global Initiative to Combat Nuclear Terrorism

At the G8 Summit meeting in July 2006, the US President and the Russian President advocated the “Global Initiative to Combat Nuclear Terrorism (GI)” with a view to globally combating the threat of nuclear terrorism, which is one of the most dangerous challenges to international security. After that, it was only G8 countries, Australia, China, Kazakhstan, and Turkey, that participated in the first meeting held in October 2006, but the GI participants increased to 82 at the sixth meeting in June 2010.

At the first meeting in October 2006, the “Statement of Principles” was adopted, and at subsequent meetings, participants proposed respective concrete action plans (seminars and workshops, etc.) based on the “Statement of Principles.” Also, opinions were exchanged concern-

ing the further expansion of participants, importance of training, and the necessity to strengthen each country's countermeasures against nuclear terrorism by involving various organizations including local governments. A consensus was reached to strengthen the GI regime through organizational changes at the June 2010 meeting. In addition, participating countries decided on (i) the biannual holding of general meetings, and the introduction of majority voting as a means of adopting resolution and (ii) a renewal of the activities of the Implementation and Assessment group, which manages GI plans of action, and modifies and prioritizes individual activities.

## Section 2. Japan's Efforts

### (1) International cooperation

Japan has supported the IAEA by contributing an accumulated total of 940,000 US dollars and € 280,000 Euros by the end of October 2010 to the Nuclear Security Fund, which was established by the IAEA. Using part of this contribution, the IAEA carried out a project of improving the nuclear material control system at the Ulba Nuclear Fuel Fabrication Facility in Kazakhstan. This project drastically improved the accuracy of accounting residual uranium within the fabrication process, which was one of the problems of the facility. In response to the growing number of countries introducing nuclear power generation, especially in Asia, Japan's contributions have also been used to hold international conferences on strengthening nuclear security in Asia. These conferences were jointly hosted by Japan and the IAEA in November 2006 and February 2011. In addition, the funds have been used to improve nuclear material protections and radiation detection capabilities in Vietnam and Thailand.

Furthermore, for the purpose of preventing the proliferation of threat and from the viewpoint that appropriate control and physical protection of nuclear materials will promote denuclearization, Japan provided equipment for accountancy and control systems, including various radiation measurement devices, computers, accountancy and control software, etc., to Ukraine, Kazakhstan and Belarus, to support the establishment of the State System for Nuclear Material Accountancy and Control (SSAC). At the same time, Japan also contributes to upgrading nuclear security by improving the nuclear material protection systems through the provision of such equipment as various sensors, surveillance cameras, and surveillance

### 4. Nuclear Security Summit

In his Speech in Prague in April 2009, US President Obama stated that nuclear terrorism was the most immediate and extreme threat to global security. President Obama proposed a nuclear security summit, which would be hosted by the US within the following year. In April 2010, the first summit on nuclear security was held in Washington, D.C. Japan was among the 47 countries and three international organizations which participated in the summit. The summit generated the shared goal of securing all vulnerable nuclear material in 4 years, adopting a communiqué which presented specific measures to be taken and a work plan for implementing the communiqué. The next summit was decided to be held in South Korea in 2012.

systems, etc. In December 2006, Japan sent a team to Kazakhstan to study the current status of its nuclear security. Based on the results of the study, Japan decided in April 2007 to cooperate with up to 500 million yen for improving nuclear security to the Ulba Metallurgical Plant and the Institute of Nuclear Physics. Currently, plans are being finalized to begin cooperation between Japan, Kazakhstan, and the IAEA.

Japan has been participating in all of the meetings of the Global Initiative to Combat Nuclear Terrorism held so far, actively joining the discussions, and sharing experience with its partner nations, introducing Japan's efforts in this field.

In April 2010, Prime Minister Hatoyama participated in the Nuclear Security Summit. The Prime Minister stated at the summit that Japan believed that it was their responsibility to take the non-nuclear path as the only country to have suffered from atomic bombings, and has taken the lead in the abolition of nuclear weapons. As an initiative for the prevention of nuclear terrorism, Japan announced four international cooperation measures: (i) the establishment of an integrated support center for nuclear non-proliferation and nuclear security; (ii) development of technology related to the measurement and detection of nuclear material and nuclear forensics; (iii) strengthening of Japan's contributions to IAEA nuclear security programs by additional funding and dispatch of experts; and (iv) hosting of a World Institute for Nuclear Security (WINS) conference in 2010.

### (2) Domestic efforts to enhance nuclear security

Since the terrorist attacks on the US in September

2001, the necessity of strengthening measures for the protection of nuclear materials has become more urgent. In response, the government of Japan has instructed nuclear facility operators to tighten security at nuclear facilities, including nuclear power stations, etc. as part of the anti-terrorism measures.

In order to strengthen the physical protection of nuclear material at nuclear facilities, Japan amended the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors in 2005, so as to implement protection measures that meet the latest international standards in line with recommendations by the IAEA regarding the protection of nuclear material (INFCIR/225/Rev.1). This amendment introduced provisions for (i) the adoption of the concept of a “design basis threat” (DBT), (ii) implementation of inspections for the protection of nuclear material and (iii) confidentiality obligations for business operators and other relevant parties. Based on this law, Japan has implemented measures to protect nuclear material in Japan in accordance with the type and quantity of nuclear material held at each nuclear facility. In January 2006, Japan also stated that it would implement the IAEA Guidance on the Import and Export of Radioactive

Sources, by revising the Export Trade Control Order and through export confirmation of radioisotope introduced due to the revision. In October 2009, Japan amended an ordinance of the Ministry of Education, Culture, Sports, Science and Technology in order to introduce a radioactive source registration system. The registration system is intended to help identify radioactive sources that pose a high risk to human health, keep track of the ownership of such sources and detect and prevent the illicit trafficking of these sources. The system went into operation in January 2011.

In addition, with respect to the International Convention for the Suppression of Acts of Nuclear Terrorism, Prime Minister Junichiro Koizumi signed the radioactive source registration system in September 2005, when the Convention was open for signature at the time of the UN World Summit. Japan deposited its instrument of acceptance to the UN Secretary-General and became a State Party in August 2007.

Together with the amendment to the Convention on the Physical Protection of Nuclear Material, which was adopted in July 2005, considerations have been underway for the conclusion of the amended Convention.

## Column: The 2010 Nuclear Security Summit

The Nuclear Security Summit was held on April 12 and 13, 2010 in Washington, D.C. 47 countries, including non State Parties to the Nuclear Non-proliferation Treaty (NPT) such as India, Pakistan, and Israel, as well as three international organizations (the UN, IAEA, and EU) participated in the summit. The US observed that it was the largest summit held by the US since the founding of the UN after the Second World War.

The summit revealed opinion exchanges on domestic and international measures for improving nuclear security, and the IAEA's role in nuclear security. At the summit some countries mentioned the need for examination on the creation of a legal foundation, including the creation of a new international court to punish nuclear terrorism as an international crime. In addition, the summit discussed the need to promote the ratification and universalization of the related conventions, such as the International Convention for the Suppression of Acts of Nuclear Terrorism acknowledged the need for capacity building including human resource development for improvement of nuclear security, international cooperation, and information sharing, and recognized the need for contributions to strengthen the IAEA. Participating states also agreed to cooperate on various initiatives voluntarily, including the elimination of highly-enriched uranium, the creation of a center for human resource development, and financial contributions. Prime Minister Hatoyama also announced four international cooperation measures to be undertaken by Japan.

During the summit, IAEA Director-General Amano presented the activities of the IAEA in the nuclear security area, and emphasized on the need to strengthen the IAEA. Many states supported the IAEA's activities, and affirmed the need for the IAEA to possess the necessary mandate and resources. Prime Minister Hatoyama also announced Japan's policies for supporting the IAEA, and his expectations for its future activities.

The leaders of the participating states agreed on the need for specific action to strengthen measures against nuclear terrorism, and adopted by consensus a communiqué and work plan on the actions that would need to be taken in the future. The next Nuclear Security Summit will take place in 2012 in South Korea. Nuclear security will continue to be a primary concern for the international community.



The leaders of the participating states of the 2010 Nuclear Security Summit (Photo credit: Cabinet Public Relations Office)



Nuclear Security Summit Plenary Meeting  
(Photo credit: Cabinet Public Relations Office)



# Chapter 9



## G8 Global Partnership and Assistance of Japan for Denuclearization of the Former Soviet Union

### Section 1. Overview

In July 1991 the United States and the Soviet Union signed the Strategic Arms Reduction Treaty I (START I) and agreed to reduce large quantities of nuclear weapons. Strategic nuclear weapons were deployed in four of the fifteen republics of the Soviet Union, namely Russia, Ukraine, Kazakhstan, and Belarus, when it collapsed in December 1991. It was decided in May 1992 to transfer all of the nuclear weapons deployed in Ukraine, Kazakhstan and Belarus to storage facilities in Russia as part of nuclear non-proliferation measures.

Russia has assumed primary responsibility for the dismantlement of these nuclear weapons. However, due to the political, economic and social disorder after the collapse of the Soviet Union, there was concern that the dismantlement of nuclear weapons and implementation of nuclear non-proliferation measures might not be fully carried out. Ignoring this situation could have led to risks of nuclear weapons proliferation and accidents involving radioactive contamination, and this represented a serious international security concern. Therefore, there emerged a call for international efforts to support countries, initially Russia, in order to dismantle their nuclear weapons.

In cooperation with the United States, the United Kingdom, Germany, France, and Italy, Japan decided, therefore, to provide assistance to the safe dismantling of nuclear weapons of the former Soviet Union countries and to solving the related environment problems.

For example, Japan concluded bilateral agreements with Russia, Ukraine, Kazakhstan, and Belarus, where nuclear weapons were deployed under the Soviet Union, to assist their denuclearization through several specific projects. The Japanese government announced its commitment to provide \$100 million US in April 1993, and commenced with assistance to those countries by establishing committees between October 1993 and March 1994.

At the G8 Summit Meeting in Koln (Germany) in 1999, Japan pledged funds amounting to \$200 million US (a portion was to be allotted from the funds that had already been contributed) to the four former Soviet Union countries to further promote these projects (See Section 3 and Section 4).

Later, due partly to the September 2001 terrorist attacks on the United States, the important task of preventing proliferation, particularly the acquisition of weapons of mass destruction by terrorists, became apparent to the international community. Under these circumstances, the G8 countries have taken a cooperative stance to prevent the proliferation of weapons of mass destruction and related materials and technologies, which were left in vast quantities in the former Soviet Union countries including Russia. At the Kananaskis Summit held in Canada in 2002, the G8 leaders launched “The G8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction”.

## Section 2. G8 Global Partnership

### 1. Background

The main purpose of the G8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction is the prevention of the proliferation of nuclear, chemical, and biological weapons, as well as materials related to these weapons.

It contains cooperation for the implementation of projects on nuclear safety, initially in Russia, including non-proliferation, disarmament, counter-terrorism, and preservation of the environment. Specific priorities are placed on the following four areas: dismantlement of decommissioned nuclear submarines; destruction of chemical weapons; disposal of fissile materials; and employment of former WNP-related scientists.

Under this initiative, the G8 countries formulated “Guidelines” for the smooth implementation of the cooperative projects in order to solve practical difficulties in their execution. The G8 leaders also stated that they would commit to raise up to \$20 billion in financial assistance to support such projects over the next 10 years.

At the summit meetings in and after 2003, an annual report was adopted every year in order to follow up the G8 Global Partnership. The annual report compiles the progress of related projects over the past one year and refers to possible means to resolve problems for achieving substantive outcomes and the further expansion of countries acceding to the G8 Global Partnership.

At the Heiligendamm Summit in 2007 (Germany), a review document was prepared, deeming the year 2007 to be the halfway point of the G8 Global Partnership. This review document assessed the progress of cooperative projects implemented thus far and, recognizing the achievements since 2002 and the necessity of further efforts for enhancing project efficiency, reconfirmed the commitment for accomplishing the goals of the G8 Global Partnership agreed to at the Kananaskis Summit. At the 2010 Muskoka Summit in Canada, the leaders of the G8 focused on the security of nuclear weapons and radioactive sources, biological security, employment of scientists, and the implementation of UN Security Council Resolution 1540, while discussing the expansion of targets and participating states in the partnership. The leaders also reached a decision to evaluate the results of efforts undertaken thus far to serve as a departure point for setting policies on planning and funding for the G8 Global Partnership after 2012.

### 2. Significance

The G8 Global Partnership aims at making cooperative efforts in the projects to remove various sources of threat left in Russia and other countries. This initiative has the historical significance of wiping clear the negative legacy of the Cold War and the practical significance in three aspects, namely, security, non-proliferation including counter-terrorism, and environmental conservation.

Even before the announcement of the G8 Global Partnership, countries including Japan had made cooperative efforts within the framework of bilateral cooperation to tackle issues like the disposal of nuclear weapons, destruction of chemical weapons and the safety of nuclear power plants in countries such as Russia. The G8 Global Partnership is to establish a comprehensive framework of the G8’s efforts as a whole by encompassing all of these issues, specifying the scale of funding, and clarifying rules and mechanisms for implementing the projects. At the same time, in order to remove difficulties in project implementation, the Guidelines were formulated with Russian consent to set the direction for problem-solving. The G8 Global Partnership is not a simple political message, but can be regarded as a manifestation of the strong will of the G8 to realize practical achievements.

The G8 Global Partnership carries a great significance for Japan because it has facilitated the effective pursuit of Russia’s denuclearization (see Section 3), which promotes Japan’s nuclear disarmament and non-proliferation activities, as well as environmental protection.

First, the Guidelines on the implementation of projects affirm that the primary responsibility for project implementation rests with Russia, and it also specifies that Russia should cooperate fully with other states in this area. These Guidelines set out the focus of responsibility, the necessity of substantial cooperation, and the establishment of the G8 coordination mechanisms for assessment. At the same time, the Guidelines also provide for the necessary measures to ensure, among others, access to the project sites, tax exemptions and indemnity, etc., which adequately reflects the views of Japan.

Second, the establishment of the cooperative framework to promote coordination between Russia and the G8 countries has made coordination easier and enabled countries experiencing common difficulties in project implementation to make concerted efforts to solve problems.

3. Japan's efforts

At the Kananaskis Summit, Japan stated that the prerequisite for cooperation would be the resolution of difficulties in implementing concrete projects, and pledged to contribute a little more than \$200 million to projects under the G8 Global Partnership. Specifically, slightly more than \$100 million would be spent on dismantling decommissioned nuclear submarines (See Section 3), and the remaining \$100 million would go to the disposal plan of surplus weapon-grade plutonium (See Section 3-3).

4. Efforts of other countries

The governments of other G8 countries announced the following assistance under the G8 Global Partnership:

The US: \$10 billion USD; Russia: \$2 billion USD;  
Germany: €1.5 billion; Italy: €1 billion;  
EU: €1 billion; the UK: \$750 million USD;  
France: €750 million; Canada: \$1 billion CAD.

The Global Partnership was broadened to include the following nations: in 2003, Norway, Sweden, Finland, Switzerland, Poland, and the Netherlands; in 2004, Australia, Belgium, the Czech Republic, Denmark, Ireland, Korea, New Zealand, and Ukraine. After acceding to the G8 Global Partnership, Australia and Korea offered \$10 million Australian dollars in June 2004 and \$250 thousand US dollars in December 2006, respectively, to the Committee on Cooperation to Assist the Destruction of Nuclear Weapons Reduced in the Russian Federation. Korea provided an additional \$250 thousand in October 2007 and New Zealand announced a contribution of \$680 thousand NZ dollars in November 2007.

Section 3. Japanese Assistance for Denuclearization of Russia (“Star of Hope” etc.)

1. Construction of a facility to process low-level radioactive liquid waste “SUZURAN” (Lily of the Valley)

Serious concerns were raised when it was discovered in 1993 that Russia had been dumping radioactive waste into the Sea of Japan. Japan strongly urged Russia to cease the dumping and decided to design a facility for processing of liquid radioactive waste, “SUZURAN”, as a practical measure to prevent such dumping through the Japan-Russia Committee on Cooperation to Assist the Destruction of Nuclear Weapons Reduced in the Russian Federation.

“SUZURAN” is a floating treatment facility constructed on a barge with the capacity to treat up to 7,000 cubic meters of radioactive liquid waste per year. It is capable of treating the radioactive liquid waste (about 5,000 cubic meters) that was stored in the Russian Far East, and the radioactive liquid waste that is generated from the work to dismantle nuclear submarines which is being conducted in the region (about 300 cubic meters per submarine). The construction of “SUZURAN” started in January 1996 and was completed in April 1998, and it was handed over to the Russian government in November 2001 after the field testing required for its full operation and coordination within Russia. The facility is currently moored at the Zvezda Shipyard in the city of Bolshoi Kamen near Vladivostok, and it processes liquid radioactive waste generated from the work of dismantling nuclear sub-

marines. According to Russia, not even a drop of liquid radioactive waste has been dumped in the Sea of Japan since “SUZURAN” started to operate.

2. Dismantlement project of decommissioned nuclear submarines: “Star of Hope”

In the Russian Far East facing Japan, more than 40 nuclear-powered submarines decommissioned from the Russian Pacific Fleet were moored. Many of them were still carrying nuclear fuel on board and if they remained in that state, there was the possible danger of serious radioactive contamination from the submarines as a result from corrosion due to years of immersion in seawater. Therefore, this had become a potential threat to the envi-



The low-level liquid radioactive waste treatment facility “SUZURAN” constructed and provided within the framework of the Japan-Russia Cooperation for Denuclearization Project.

ronment of the Sea of Japan and the safety of the fishery industry (In fact, a serious nuclear submarine accident occurred in the 1980s in this region, causing radioactive contamination in the area, and this submarine remains untreated). Moreover, there was also a risk that the nuclear materials on board could fall into the hands of terrorists.

The primary responsibility for the dismantlement of the decommissioned submarines should fall on Russia, and it has made efforts to this end. However, from the viewpoint of nuclear disarmament, non-proliferation, and the preservation of the environment of the Sea of Japan, the safe and immediate dismantlement of the decommissioned nuclear submarines had become an important and urgent matter for Japan and surrounding countries.

Japan developed the “Japan-Russia Operational Project for Disarmament and Environment Protection” in May 1999 and the “Memorandum between the Government of the Russian Federation on Promoting Disarmament and Non-Proliferation Disposition of the Nuclear Arms Subject to Reduction in the Russian Federation” in September 2000. Japan carried out, through the Japan-Russia Committee on Cooperation to Assist the Destruction of Nuclear Weapons Reduced in the Russian Federation, feasibility studies towards the implementation of projects related to the dismantlement of decommissioned nuclear submarines in the Far East. In addition, Yoshitaka Shindo, Parliamentary Vice-Minister for Foreign Affairs, visited Vladivostok to hold discussions directly with relevant Russian personnel in November 2002.

The “Japan-Russia Action Plan”, which was adopted by the leaders of Japan and Russia when Prime Minister Junichiro Koizumi visited Russia in January 2003, specifies the strengthening of the coordination mechanism in order to accelerate the implementation of the program and the steady fulfillment of the dismantlement projects of decommissioned nuclear submarines in the Russian Far East. In Prime Minister Koizumi’s speech delivered on the occasion of his visit, this program was named “Star of Hope” after the Zvezda (meaning “Star” in Russian) Shipyard where the dismantling of submarines was taking place.

The Japan-Russia Committee made a decision in February 2003 to cooperate in dismantling a decommissioned Victor III class nuclear submarine. In June 2003, a basic document on this project was signed by the Committee and the Ministry of Atomic Energy of Russia (currently, public corporation “Rosatom”). Specific contracts for the dismantlement work were signed in

December of the same year and the project then commenced. It was completed in December 2004.



Decommissioned Russian submarines being dismantled at the Zvezda Shipyard.

In January 2005, the Committee decided to consider cooperation for dismantlement of another five decommissioned submarines (one Victor I class ship; three Victor III class ships, and 1 Charlie I class ship) and in November of the same year, when Russian President Vladimir Putin visited Japan, the “Implementing Arrangement” on the cooperation was signed. Dismantlement of these five ships proceeded smoothly, and with Japan’s cooperation, the process was completed in December 2009 (for a total of 6 ships.) In March 2010, parliamentary vice-minister Nishimura visited sites including Vladivostok to participate in the closing events for the “Star of Hope.”

At the moment, the reactor compartment units of the dismantled submarines have been contained and are being stored at sea. In January 2007, the Committee finalized plans for cooperation for the construction of a long-term storage facility for the reactor compartment units (consisting of the equipment necessary for the facility’s operation). Work to complete the facility at an early date is currently under way.



Parliamentary Vice-Minister Nishimura attending the completion ceremony of the “Star of Hope”



3. Control and disposition of surplus weapon-grade plutonium in Russia

(1) The locus of the problem

In the process of nuclear disarmament involving the United States and Russia, a large quantity of plutonium has been extracted from dismantled nuclear weapons (See Part II, Reference “Arms control and nuclear disarmament of nuclear-weapon states”, Section 2-1). The major issues surrounding this surplus weapon-grade plutonium are (a) to further facilitate the progress of US and Russian nuclear disarmament by securing irreversibility (ensuring plutonium is not reused for the manufacturing of nuclear weapons) and (b) to strengthen counter-terrorism and nuclear non-proliferation by preventing the distribution of these materials.

(2) Discussions in the process of the G8 Summit and Japan’s efforts

In 2000, the United States and Russia agreed that each country would dispose of 34 tons of surplus weapon-grade plutonium. With regard to the disposition of surplus

weapon-grade plutonium on the Russian side, the modality of multilateral cooperation was discussed in the process of the G8 Summit. Later in November 2007, the United States and Russia bilaterally agreed on the means of disposition (burning in a fast-breeder reactor) and jointly announced that the United States would offer financial contributions of up to \$400 million dollars to Russia and that both countries would also call for financial cooperation for this project from other countries.

During the period between 1999 and 2004, the Japan Nuclear-Cycle-Development Institute succeeded, in cooperation with Russian research institutes, in processing nearly 20kg of weapon-grade plutonium (equivalent to the amount of two or three nuclear bombs) into fuel and disposing it in a fast-breeder reactor. Also, since 2004 the Japan Atomic Energy Agency has continued to provide Russian research institutes with cooperation for research into technological development of fuel using surplus weapon-grade plutonium, which has contributed significantly to the control and disposition of surplus weapon-grade plutonium in Russia.



Reactor compartment units stored at sea, awaiting the construction of the long-term storage facility.

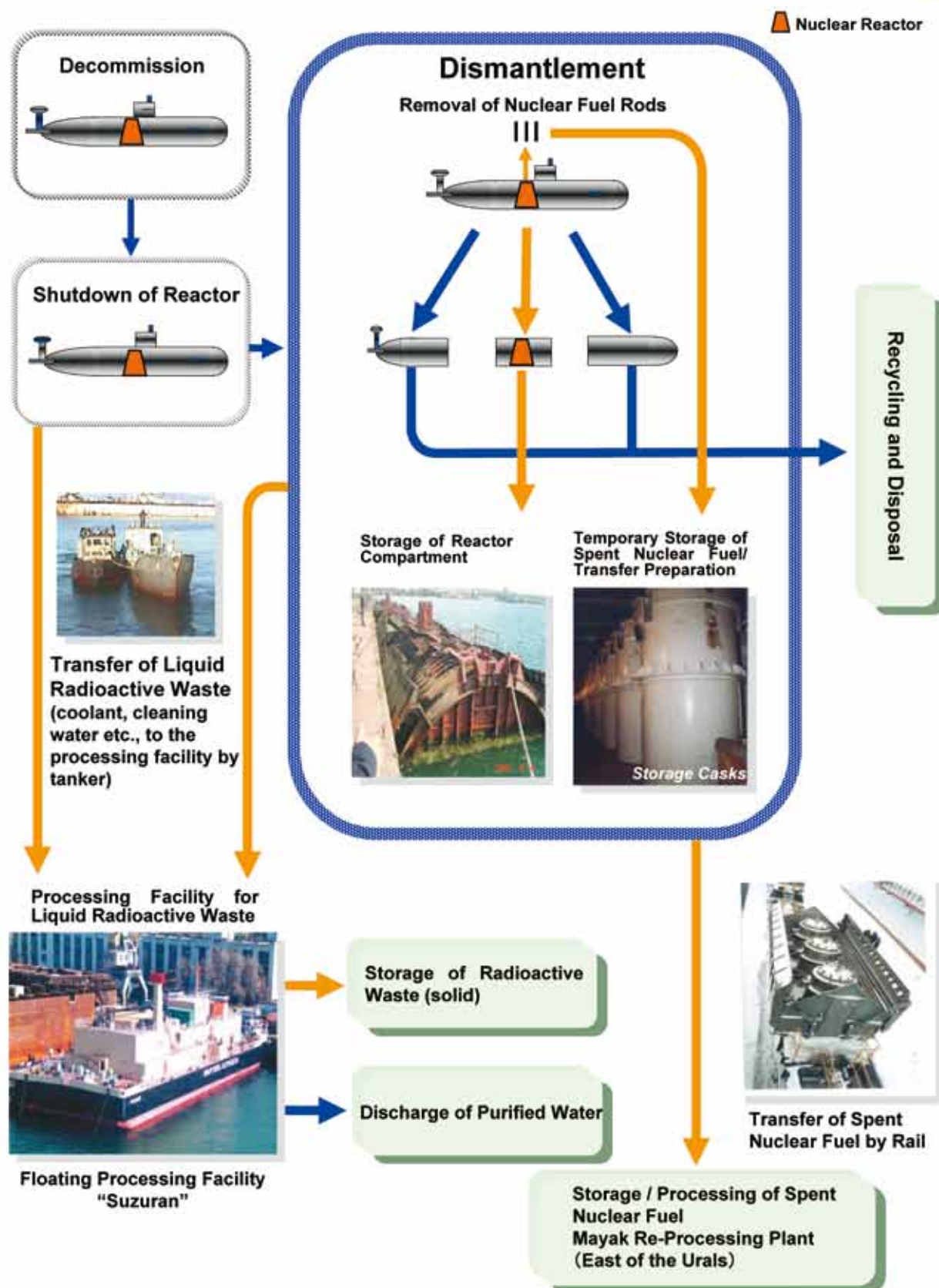


Construction site of the long-term storage facility for the reactor compartment units of dismantled nuclear submarines (Razboinik Bay)



Star of Hope

# Process of Dismantlement and Disposal of Nuclear Submarines



Section 4. Other Japanese Assistance for Denuclearization

1. Ukraine

(1) Assistance related to nuclear security including the State System for Accountancy and Control (SSAC) of nuclear material and the physical protection of nuclear materials

SSAC is a system for accurately accounting and controlling the type and quantity of nuclear materials present within a country, as well as materials entering and leaving a country within a specific period. SSAC also seeks to contain and monitor nuclear materials to prevent their illicit outflow. The establishment of an SSAC is a precondition for the application of IAEA safeguards mandated for non-nuclear-weapon states under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

From 1995 to 2000, the Committee on Cooperation for the Elimination of Nuclear Weapons Reduced in Ukraine (hereafter referred to as “Japan-Ukraine Committee”) provided systems for nuclear material accountancy and physical protection to the Kharkov Institute of Physics and Technology, the State Nuclear Regulatory Committee of Ukraine, and the Kiev Institute for Nuclear Research. This support was provided in coordination with the IAEA to support the creation of an SSAC in Ukraine, which joined the NPT as a non-nuclear-weapon state after its independence from the Soviet Union.

In March 2010, the Japan-Ukraine Committee decided to assist in the modernization of the system for the physical protection of nuclear materials, and to enhance Ukraine’s domestic SSAC. Efforts to complete these improvements are currently in progress.

(2) Supply of medical equipment for nuclear weapons disposal personnel

The Japan-Ukraine Committee supplied medical equip-



Denuclearization assistance to Ukraine (provision of medical equipment)

ment and medicine four times to 21 military hospitals attached to the Ministry of Defense during the period between 1994 and 2001. They were used for the examination and treatment of military personnel who had been exposed to radioactive contamination during the process of dismantling nuclear weapons or injured by leakages of toxic missile fuels, as well as for those who had been engaged in the dismantlement of the Chernobyl Nuclear Power Plant.

2. Kazakhstan

(1) Assistance related to nuclear security including SSAC and the physical protection of nuclear materials

To assist in the creation of an SSAC, which is a precondition for the application of IAEA safeguards in a non-nuclear-weapon state, between 1994 and 1998 the Committee on Cooperation for the Destruction of Nuclear Weapons Reduced in the Republic of Kazakhstan (hereafter referred to as “Japan- Kazakhstan Committee”) provided nuclear material protection systems and accountancy and control systems for the Aktau fast-breeder reactor (BN-350), the Kazakhstan Atomic Energy Agency (currently the Kazakhstan Atomic Energy Committee), and the Atomic Energy Research Institute.

In April 2007, the Japan-Kazakhstan Committee decided to assist in an infrastructure plan for nuclear security. Efforts to complete these plans are currently in progress.



Denuclearization assistance to Kazakhstan (provision of radioactivity measurement equipment)

- (2) Measures against radioactive contamination in the vicinity of the Semipalatinsk Nuclear Test Site

In Semipalatinsk, the location of a Soviet-era nuclear test site, approximately 820,000 people (according to Kazakhstan Ministry of Health) have been exposed to radiation from nuclear tests. From 1995 to 1999, the Japan-Kazakhstan Committee contributed medicines, medical equipment, and equipment for measuring radiation levels to the Republican Clinical Hospital for War Injuries, the National Nuclear Center, Semipalatinsk Medical University Hospital, and the Semipalatinsk Research Institute of Radiology and Environment. The Medical Department of Nagasaki University assisted in providing a remote medical diagnostic system to Semipalatinsk Medical University Hospital.

### 3. Belarus

- (1) Assistance related to nuclear security including SSAC and the physical protection of nuclear materials

To assist in the creation of an SSAC, a precondition for the application of IAEA safeguards in a non-nuclear-weapon state, between 1994 and 2000 the Committee on Cooperation in the Field of Non-Proliferation of Nuclear Weapons (hereafter referred to as “Japan-Belarus Committee”) provided nuclear material protection systems, accountancy and control systems, and radiation measurement equipment to the Department for Supervision of Industrial and Nuclear Safety of the Belarus Ministry of Emergency Situations, and the Sosny Science and Technology Center.

In March 2010, the Japan-Belarus Committee agreed to grant assistance to enhance the system for deterring the illicit trafficking of nuclear and radioactive material at Belarus’s borders. This project was completed in 2011.



Denuclearization assistance to Belarus (provision of specialized vehicles for measuring radiation)

- (2) Supply of equipment to the Vocational Retraining Center for Ex-Military Personnel

From 1998 to 1999 the Japan-Belarus Committee supplied equipment, including vehicle maintenance equipment and computers, to the Vocational Retraining Center for Ex-Military Personnel in Lida City (a former Soviet missile base) to promote the re-employment of former soldiers who had been discharged through the disbandment of the strategic nuclear missile force and to prevent the nuclear-related technical expertise of former soldiers from being leaked.

### 4. International Science and Technology Center (ISTC)

The International Science and Technology Center (ISTC) is an international organization whose purpose is to prevent the outflow of former WMD scientists of Russia and the Commonwealth of Independent States, by providing them with opportunities to participate in research projects with peaceful applications so as to facilitate their military-to-civilian conversion and to promote the non-proliferation of knowledge related to WMDs. Japan signed the “Agreement Establishing an International Science and Technology Center (ISTC)” with the United States, the EU and Russia in 1992, and has been actively supporting projects since the inauguration of the ISTC head office in Moscow in March 1994.

The ISTC is a framework whose objectives are non-proliferation and denuclearization in the former Soviet Union through scientific and technological cooperation on a multilateral basis, and now includes Japan, the United States, the EU, Canada, Russia, Korea, Norway, Belarus, Kazakhstan, Armenia, Georgia, Kyrgyz and Tajikistan. Assistance worth over \$830 million US dollars has been approved for more than 2,700 projects involving more than 73,000 scientists and researchers from the former Soviet Union (as of January 2010). Japan has provided assistance for projects amounting to about \$61 million US dollars.

## Reference

# Nuclear-Weapon-Free Zones

## Section 1. Overview

A “nuclear-weapon-free zone” is defined in general as a “zone free from nuclear weapons” created by an international agreement which (i) prohibits states of the region from manufacturing, acquiring, possessing, deploying or controlling any nuclear weapons in the region; and by a protocol under which (ii) all nuclear-weapon states (the United States, Russia, the United Kingdom, France, and China) shall undertake not to use or threaten to use nuclear weapons against the states parties to the treaty in the region (negative security assurances), promote actions which contravene the agreement, or conduct nuclear tests in that region.

Initially, the concept of a nuclear-weapon-free zone was considered to be a complementary measure on the part of the international community to establish a global nuclear non-proliferation regime, and during the Cold War it was taken as a regional approach initiated by non-nuclear-weapon states that were concerned by the prospect of a confrontation between the eastern and western

blocs developing into a nuclear war.

The establishment of nuclear-weapon-free zones has continued after the end of the Cold War. Guidelines for nuclear-weapon-free zones were created by the UN Disarmament Commission at the 54th session of the UN General Assembly in 1999. In 2009, almost all land areas of the southern hemisphere became part of nuclear-weapon-free zones when the Treaty of Pelindaba entered into force. Such developments, as well as the announcement by the US at the 2010 NPT Review Conference of its intent to begin the process toward ratification of the Protocols of the Treaties of Rarotonga and Pelindaba, has made the role of nuclear-weapon-free zones in the international nuclear non-proliferation regime an area of great focus.

In April 2010 in New York, Japan participated as an observer at the Second Conference of States Parties and Signatories of Treaties that establish Nuclear-Weapon-Free Zones.

## Section 2. Japan's Efforts

Japan views the establishment of nuclear-weapon-free zones proposed by the states in the regions where appropriate conditions are generally met as contributing to the objectives of nuclear non-proliferation.

The conditions for making the proposal of nuclear-weapon-free zones “practical” are, among others: (i) all states concerned, including the nuclear-weapon states, agree to the proposal; (ii) the zone contributes to the peace and security not only of the states within the zone but of the world as a whole; (iii) appropriate inspection/verification measures are provided; and (iv) the agreement is consistent with the principles of international law including the freedom of navigation on the high seas.

In the resolution on disarmament submitted by Japan to the 65th session of the UN General Assembly in 2010,

the establishment of further nuclear-weapon-free zones in accordance with the guidelines set forth by the UN Disarmament Commission was welcomed.

With regard to the plan to create a Northeast Asian nuclear-weapon-free zone that includes Japan, the Government of Japan holds the view that efforts to resolve the North Korean nuclear issue must first be undertaken in order to ensure Japan's security and improve the security environment of Northeast Asia.



## Section 3. Nuclear-Weapon-Free Zone Treaties Concluded to Date

Nuclear-weapon-free zone treaties have been formulated in Latin America, the South Pacific, Southeast Asia, Africa and Central Asia. All of these have already entered into force.

### 1. The Treaty of Tlatelolco (The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, adopted in 1967 and entered into force in 1968)

This treaty was the first nuclear-weapon-free zone treaty in the world. The idea of the denuclearization of Latin America was developed in response to the Cuban Crisis in October 1962. Drafting of the treaty was initiated by Mexico. It was opened for signature in February 1967, and entered into force in April 1968. The treaty applies to 33 countries in Latin America, all of which have already ratified it (Cuba was the last to do so in October 2002).

The treaty prohibits testing, use, manufacture, production, acquisition, storage, and deployment of nuclear weapons in the territories of the states parties. The protocol, which was ratified by all nuclear-weapon states, prohibits the nuclear-weapon states from acting in a way that would contribute to a violation of the obligations of denuclearization, and from using or threatening to use nuclear weapons against the state parties to the treaty.

At the UN General Assembly, resolutions have been adopted by consensus regularly to strengthen the Treaty of Tlatelolco.

### 2. The Treaty of Rarotonga (The South Pacific Nuclear Free Zone Treaty, adopted in 1985 and entered into force in 1986)

Against the background in which France commenced nuclear testing in the South Pacific in 1966, the momentum to oppose nuclear testing increased in this region. The Treaty of Rarotonga was adopted at the plenary meeting of the South Pacific Forum (SPF) and opened for signature in 1985. The treaty entered into force in December 1986. The treaty applies to all 16 member states and areas (self-governing domains) of the Pacific Islands Forum (PIF, formerly SPF). Thirteen states and areas have signed the treaty as of November 2010 (it has not yet been signed by the Federated States of Micronesia, Republic of the Marshall Islands, and the Republic of Palau).

The treaty prohibits the states parties from manufacturing, acquiring, possessing and having control of nuclear

explosive devices, and bans the stationing and testing of nuclear explosive devices in their territories. It also prohibits the dumping of radioactive material at sea anywhere within the South Pacific Nuclear-Free-Zone (including the high seas).

The protocol prohibits the nuclear-weapon states from using or threatening to use nuclear weapons against the parties to the treaty and from testing any nuclear explosive devices within the zone (including high seas). Among the nuclear-weapon states, Russia, China, the United Kingdom, and France have already ratified the protocol. However, the United States has signed but not yet ratified it.

### 3. The Treaty of Bangkok (The Treaty of the Southeast Asia Nuclear-Weapon-Free Zone, adopted in 1995 and entered into force in 1997)

The “Zone of Peace, Freedom and Neutrality” (ZOPFAN), to create a free, peaceful and neutral zone to exclude any interference of countries outside the region, was first envisioned in the Kuala Lumpur Declaration of 1971 which was adopted at the ASEAN (Association of Southeast Asian Nations, established in 1967) Foreign Ministers Meeting. As one of the elements to realize this concept, it was agreed to discuss the nuclear-weapon-free zone concept in 1984. The move towards formulating a draft treaty started to develop after the end of the Cold War. The Southeast Asia Nuclear-Weapon-Free Zone Treaty was signed by the leaders of ten states in the Southeast Asia at the ASEAN Summit Meeting in December 1995, and the treaty entered into force in March 1997. The treaty applies to the ten states of ASEAN, all of which have ratified the treaty. (East Timor, which became independent in 2002 and has not joined ASEAN, is not a party to the treaty.) In 2007, ten years after the entry into force of the treaty, the Plan of Action up until 2012 was adopted with a view to further ensuring the implementation of obligations imposed under the treaty.

The treaty stipulates that the states parties undertake not to develop, manufacture, acquire, possess, control, station, transport, or test any nuclear weapons. It also prohibits the states parties from dumping any radioactive material or discharging the same into the atmosphere anywhere within the zone (including high seas). Furthermore, it prohibits the states parties from allowing any other states to engage in any of the above activities in their ter-



ritories (except for the transportation of nuclear weapons).

The protocol prohibits the nuclear-weapon states from using or threatening to use nuclear weapons within the zone (including continental shelves and exclusive economic zones in addition to the states parties' territories). It also stipulates that the nuclear-weapon states undertake to respect the treaty, and not to contribute to any act that constitutes a violation of the treaty or its protocol. However, as of February 2011, none of the nuclear-weapon states have signed the protocol.

#### **4. The Treaty of Pelindaba** (The African Nuclear-Weapon-Free Zone Treaty, adopted in 1996 and entered into force in 2009)

In 1961 the resolution on the Denuclearization of Africa was adopted at the UN General Assembly. In 1964 the Assembly of Heads of State and Government of the Organization of African Unity (OAU) adopted the Cairo Declaration, which proclaimed Africa to be a nuclear-weapon-free zone.

The move toward realization of the treaty gained momentum when South Africa abandoned its nuclear weapons in 1991 and acceded to the NPT as a non-nuclear-weapon state. The final draft of the African Nuclear-Weapon-Free Zone Treaty was adopted at the OAU Summit Meeting in June 1995. The treaty was signed by 42 African States in April 1996.

The treaty applies to 54 African states (including West Sahara, which Japan has not yet recognized as a state). To enter into force, the treaty was required to be deposited with the African Union (AU), the successor institution to the OAU, and be ratified by 28 states. In 2009, Burundi became the 28th state to ratify the treaty and deposit its instrument of ratification, which then entered into force in July of that year. As of February 2011, 31 states had ratified the treaty and deposited their instrument of ratification.

The treaty prohibits the states parties from conducting research on, developing, manufacturing, stockpiling, acquiring, possessing, controlling or testing of any nucle-

ar explosive devices, and from stationing, transporting or testing thereof in the territory of each state.

The protocol prohibits the nuclear-weapon states from using or threatening to use nuclear explosive devices against the states parties to the treaty, and from testing such devices within the zone. Among the nuclear-weapon states, France, China, and the United Kingdom have already ratified the protocol, while the United States and Russia have signed but not ratified it.

#### **5. The Central Asia Nuclear-Weapon-Free Zone** (adopted in 2006, entered into force in 2009)

This treaty originated from the Almaty Declaration adopted at the summit meeting convened in February 1997 among the leaders of the five Central Asian states (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan).

Through the initiation of an expert group organized by the UN Department for Disarmament Affairs (Regional Centre for Peace and Disarmament in Asia and the Pacific), and meetings in Sapporo and other locations, an agreement was reached on the treaty and its draft protocol in February 2005 at an intra-regional conference in Tashkent. In September 2006, foreign minister-level representatives from the five states gathered in Semipalatinsk, Kazakhstan to sign the treaty. After its ratification by each state, the treaty entered into force in March 2009.

The treaty prohibits the states parties from conducting research on, developing, manufacturing, stockpiling, acquiring, possessing, or controlling any nuclear weapons and nuclear explosive devices, and from permitting any other state to dispose radioactive wastes in the territory of each state

The protocol prohibits the nuclear-weapon states from using or threatening to use nuclear weapons against the states parties to the treaty, and from contributing to any act that constitutes a violation of the treaty or its protocol.

Japan has provided support for the establishment of the Central Asia Nuclear-Weapon-Free Zone Treaty, by making financial contributions to the United Nations for the drafting of the treaty.

### **Section 4. Mongolia's Nuclear-Weapon-Free Status**

President Punsalmaagiin Ochirbat of Mongolia declared his country's nuclear-weapon-free status at the UN General Assembly in 1992, and urged the nuclear-weapon states to respect its status and give Mongolia security assurances. In 1998, the UN General Assembly

adopted resolution 53/77D in which Mongolia's declaration was welcomed. Since then, resolutions to welcome Mongolia's nuclear-weapon-free status have been adopted biennially, and the first such resolution to be sponsored by all nuclear-weapon states was adopted in 2010.

In addition, regarding this declaration, the five nuclear-weapon states issued a joint statement in October 2000 declaring that they would cooperate in the implementation of this resolution and reaffirmed that they would provide negative security assurances to Mongolia, as enunciated

in 1995 to the non-nuclear-weapon states parties of the NPT. In September 2001, an expert group meeting was convened in Sapporo to examine Mongolia's nuclear-weapon-free status from the viewpoint of international law.

## Section 5. Middle East Nuclear-Free Zones and Middle East Weapons of Mass Destruction Free Zones

In 1974, Egypt proposed a resolution welcoming an initiative to establish a Middle East nuclear-weapon-free zone, which was adopted at the UN General Assembly. Every year since then, resolutions to urge measures to implement this initiative have been adopted by consensus (with the exception of a vote on one paragraph at the 64th session of the UN General Assembly in 2009). In reality, obstacles such as Israel not acceding to the NPT, despite it being considered as a de facto nuclear-weapon state, mean that there is no prospect of realizing this vision.

At the 1995 NPT Review Conference, a resolution jointly proposed by the United States, Russia, and the United Kingdom for the establishment of a Middle East zone free of nuclear weapons and all other weapons of

mass destruction was adopted, but divisions between Middle Eastern states and Israel have blocked the resolution's progress and it remains an area of focus in the NPT review process. At the 2010 NPT Review Conference, the action plan of the final document recommended the UN Secretary-General and the co-sponsors of the 1995 Resolution (the United States, Russia, and the United Kingdom) to convene a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

## Section 6. Demilitarization of the Antarctic, Outer Space, and the Seabed

In addition to the nuclear-weapon-free zones mentioned above, Japan is participating in the following treaties for prohibiting the deployment of nuclear weapons and other weapons of mass destruction in specific locations and spaces.

### 1. Antarctic Treaty (Adopted in 1959 and entered into force in 1961. Ratified by Japan in 1960)

The treaty stipulates in Article I that, "Antarctica shall be used for peaceful purposes only. There shall be prohibited any measures of a military nature, such as the establishment of military bases as well as testing of any types of weapons." Furthermore, Article V.1 of the treaty prohibits any nuclear explosions in the Antarctic and disposal of radioactive waste material.

### 2. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies (Adopted in 1966 and entered into force in 1967. Ratified by Japan in 1967)

This treaty stipulates in Article IV that "States Parties to the Treaty undertake not to place in orbit around the

Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner." It also prohibits the establishment of military bases and other facilities, as well as the testing of any type of weapon on celestial bodies.

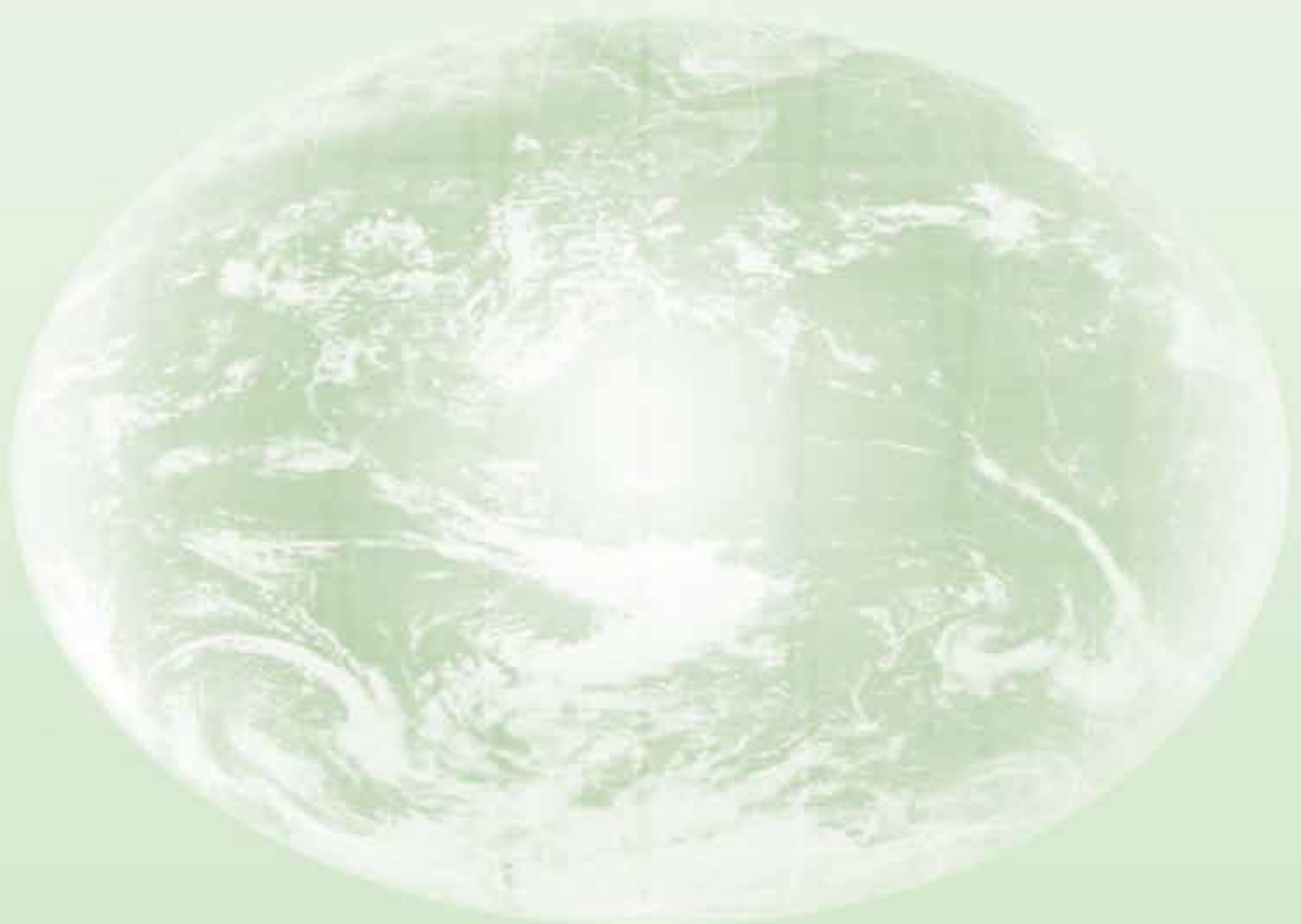
### 3. Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof (Adopted in 1971, entered into force in 1972. Ratified by Japan in 1971)

The treaty stipulates in Article I that "The States Parties to this Treaty undertake not to implant or emplace on the seabed and the ocean floor and in the subsoil thereof beyond the outer limit of a seabed zone (beyond 12 nautical miles), any nuclear weapons or any other types of weapons of mass destruction as well as any structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons."



# Part III

## **Biological and Chemical Weapons**



## Part III. Biological and Chemical Weapons

The use of chemical and biological weapons has a relatively long history. With the development of science and industry, study and research on poisonous chemical and biological agents advanced, which also enabled study and development of their use in warfare.

The first large-scale use of chemical weapons occurred during the First World War: more than 1.3 million people were injured or killed, 100,000 of which were killed by chemical weapons. The possession and development of chemical weapons continued in some countries even after World War I, but the horrendous effect of these weapons was widely recognized by the international community, and the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (hereinafter referred to as the Geneva Protocol concerning the Use of Prohibited Gases) was signed in 1925 as the first international convention to control chemical and biological weapons. While the use of these weapons in warfare was prohibited by the Geneva Protocol concerning the Use of Prohibited Gases, a ban on their production and possession in peacetime was not stipulated in this protocol.

A resolution to condemn the use of chemical and biological weapons was adopted at the 21st UN General Assembly in 1966 and a report was submitted by the UN Secretary-General, U Thant, entitled "Chemical and Bacteriological Weapons and the Impact of the Use Thereof" in 1969. These movements led to active discussions about the importance of banning these weapons at the Committee on Disarmament and the United Nations. As a result, international efforts were focused on establishing an international convention for the control of production and possession of these weapons in peacetime. Originally efforts were aimed at a convention prohibiting both chemical and biological weapons. However, eventually a convention prohibiting biological weapons was drafted first for the reason that it was considered relatively simple, and a convention prohibiting chemical weapons came after. As a result, the Biological Weapons Convention (BWC) entered into force in 1975 and the Chemical Weapons Convention (CWC) entered into force in 1997.



# Chapter 1

## Biological Weapons Convention (BWC)

### 1. Background and outline of the BWC

After discussions at the Conference of the Committee on Disarmament in response to, amongst other things, the report by the UN Secretary-General, in 1971 the Conference drafted the Biological Weapons Convention (officially titled “Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction”). The Convention was opened for signature in April 1972 after the adoption of a resolution at the 26th UN General Assembly, and entered into force in March 1975.

The BWC is a unique international legal framework for comprehensively regulating biological weapons. As of February 2011, the number of States Parties to the Convention is 163, with 13 Signatories.

### 2. Ratification of the BWC by Japan

Japan ratified the BWC in June 1982. And Japan enacted the Law on the Implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC Implementation Law) to completely prohibit, with penal provisions, the production, possession, transfer and acquisition of biological and toxin weapons. In addition, when Japan concluded the International Convention for the Suppression of Terrorist Bombings in 2001, Japan amended the BWC Implementation Law in 2001 to criminalize the use of biological and toxin weapons as well as the discharge of biological agents and toxins. The amendment also applies penalties to offenses committed outside Japan.

### 3. Issues related to the BWC and efforts for strengthening the BWC

The Convention comprehensively prohibits the development, production, stockpiling, and possession of biological weapons in war and in peace, and also obliges the

States Parties to destroy all of their biological weapons. However, unlike the Chemical Weapons Convention, the BWC does not have any mechanisms for verifying that States Parties are complying with the provisions of the Convention.

At the Special Conference of State Parties to the BWC in 1994, a governmental experts Ad Hoc Group (AHG) was created to consider a verification protocol. However, negotiations stalled because of the difficulty, among other things, of verifying compliance with regard to biological weapons since the evidence of biological agent use is easily destroyed by sterilization. The AHG chair issued recommendations in April 2001, but since the Fifth Review Conference in November 2001 (review conferences are held once every five years) negotiations on a verification protocol have halted.

On the other hand, as it was made clear in a series of reports by UNSCOM/UNMOVIC that indicated Iraq had a sophisticated offensive biological weapons program since before the Gulf War and possessed biological agents such as botulinum toxin and anthrax, research and development of biological weapons by states remains a threat to international peace. In recent years in the wake of the development of botulinum toxin and anthrax by Aum Shinrikyo in Japan in 1995 and the anthrax scare in the United States in 2001, the international community has become increasingly aware of the practicality of possibility of terrorist activities using dangerous biological agents (bioterrorism) by non-state actors. A central issue at the moment is strengthening the BWC to better respond to these threats.

At the Sixth Review Conference (November to December 2006), States Parties reviewed the operation of the Convention in a comprehensive manner on the basis of past discussions and reconfirmed the significance of the BWC under the current international situation. States Parties agreed to continue to hold Meetings of Experts and Meetings of States Parties, which were established at the Fifth Review Conference, every year until the

Seventh Review Conference (2011) in order to discuss the strengthening of respective countries' domestic legislation, measures to ensure safety and security of pathogens, mutual support among States Parties and collaboration with international organizations. Furthermore, a decision was made on new measures including the establishment of the Implementation Support Unit (ISU), which functions as the Secretariat. It was highly expected that this progress would rationalize information sharing among States Parties and promote efforts toward States not party for further universalization of the Convention. Currently, in preparation for the Seventh Review Conference in December 2011 annual discussions take place among States Parties on Confidence Building Measures (CBM) to which States Parties annually submit information on their research centers and laboratories, national bio-defense programmes, outbreaks of reportable infectious diseases and on measures to strengthen the ISU.

**[Topics at Annual Meetings from 2007 to 2010]**

- (i) Ways and means to enhance national implementation, including enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions. (2007)
- (ii) Regional and sub-regional cooperation on implementation of the Convention. (2007)

- (iii) National, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins. (2008)
- (iv) Oversight, education, awareness raising, and adoption and/or development of codes of conduct with the aim of preventing misuse in the context of advances in bio-science and bio-technology research with the potential of use for purposes prohibited by the Convention. (2008)
- (v) With a view to enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases: (1) for States Parties in need of assistance, identifying requirements and requests for capacity enhancement; and (2) from States Parties in a position to do so, and international organizations, opportunities for providing assistance related to these fields. (2009)
- (vi) Provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems. (2010)



Presentation by Japanese experts at a BWC Meeting of Experts

#### 4 .Japan's efforts

In February 2006 Japan hosted the BWC Tokyo Seminar. Through reviewing the operation of the major provisions and discussing concrete future measures for strengthening the BWC with Japanese and foreign experts, Japan actively contributed to the deliberations at the Sixth Review Conference. Japan has also contributed to the improvement of surveillance capabilities in developing countries, such as providing financial assistance to ASEAN countries for building laboratories. At the Meeting of Experts in 2010, Japan submitted a working paper and its experts gave a presentation. In addition, at the Meeting of States Parties in the same year Japan submitted a JACKSNNZ's joint working paper on strengthening response capabilities in the case of alleged use of biological or toxin weapons. (JACKSNNZ is an unofficial group of non-EU Western countries consisting of Japan, Australia, Canada, South Korea, Switzerland, Norway and New Zealand)

#### (Reference)

Biological weapons refer to weapons intended to inflict harm on humans, animals and plants by the use of biological agents such as the smallpox virus, cholera bacteria, anthrax, botulinum toxin, etc, or other organisms that possess or transmit such agents.

The characteristics of biological weapons are the following:

- 1) It is difficult to distinguish whether an outbreak of infectious disease is natural or deliberate;
- 2) As for infectious agents, once used, the effects of BW can spread widely and persist for an extended period;
- 3) It is difficult to locate the site of development and production because the evidence is easily destroyed by disinfectants.

## Chapter 2

# Chemical Weapons Convention (CWC)

### Section 1. Overview

#### 1. Background and outline of the Chemical Weapons Convention (CWC)

The discussions on the prohibition of chemical weapons took place at the Committee on Disarmament during the 1970s. An Ad Hoc Working Group on Chemical Weapons was established at the Conference of the Committee on Disarmament in the 1980s (renamed the Geneva Conference on Disarmament in 1984) and full-fledged negotiations to ban chemical weapons commenced in 1984. The negotiations for the prohibition of chemical weapons gained momentum for early conclusion, owing to the use of chemical weapons during the Iran - Iraq War and to the start of the Gulf War. The draft of the Chemical Weapons Convention (Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction: CWC) was adopted at the Conference on Disarmament in 1992. The Convention was then opened for signature in 1993 and entered into force in April 1997.

The CWC comprehensively prohibits the development, production and stockpiling of chemical weapons, such as sarin, and also obliges the States Parties to destroy all of their chemical weapons within a fixed period of time (in principle, within 10 years after entry into force of the CWC, i.e. by April 2007). The CWC is the first convention which not only completely bans an entire category of weapons of mass destruction and obliges its destruction, but also provides an effective verification system as a means to ensure compliance with the obligations of the Convention, thus it has a great significance in the history of disarmament treaties. The States Parties are required to submit declarations to and accept inspections by the Organisation for the Prohibition of Chemical Weapons (OPCW; See Section 2 below) for not only chemical weapons (including old chemical weapons produced before 1946 which can no longer be used as chemical weapons) or those directly related to chemical weapons, such as chemical weapons production facilities (past and present), but also private plants and research institutions

that are using chemicals for peaceful purposes, many of which are convertible to chemical weapons.

#### 2. Ratification of the CWC by Japan

Japan ratified the Chemical Weapons Convention in September 1995. Japan enacted the “Act on Prohibition of Chemical Weapons and Control, etc. of Specific Chemicals (Chemical Weapons Prohibition Act)” and has prohibited the use, production and transfer of chemical weapons by penal provisions in order to ensure its compliance with the CWC. Regarding chemicals that can be used for chemical weapons, the obligation to obtain permission from the Minister of Economy, Trade and Industry has been added by this Act. In December 2001, prior to the conclusion of the “International Convention for the Suppression of Terrorist Bombings,” the above Chemical Weapons Prohibition Act was amended to include the offense of discharging toxic chemicals or chemicals having similar toxic properties. This Act also covers such crimes outside Japan, as subject of punishment. The sarin gas attacks on the Tokyo Subway in March 1995 raised awareness of the threat of chemical weapons, which stimulated Japan for the early ratification of the Convention.

Japan, the world's leading chemical industrial country, submitted its initial declarations including on its chemical industry - related facilities to the OPCW at the time of the entry into force of the CWC in April 1997, and also submits annual declarations of about 500 facilities/plant sites to the OPCW every year. The OPCW dispatches inspection teams to the declared facilities. Japan has already accepted 135 industry inspections as of the end of 2010 and all of the inspections were completed without any problem. “Satan No.7” (Note: facility of the Aum Shinrikyo sect), which had been a plant to produce sarin that was used for the sarin gas attacks on the Tokyo Subway in March 1995, was declared to the OPCW by the Japanese Government as a chemical weapons production facility. The facility was destroyed in December 1998 under the supervision of inspectors dispatched from the OPCW.

### 3. Issues of the CWC and efforts of the international community

The CWC welcomed its ten - year anniversary in April 2007 since its entry into force. While facing some challenges, it has shown progress in various aspects.

The number of the States Parties to the Convention reached 188 (as of February 2011), but North Korea, Myanmar and some Middle Eastern nations have yet to adhere to the Convention. . So the major task is to further promote the universality by encouraging them to accede to the Convention. On the other hand, approximately only 50% of the States Parties have enacted comprehensive national legislation at present, through prohibiting the use and development of chemical weapons by penal legislation. Under the circumstances, a terrorist group could attempt to develop or acquire chemical weapons in the territory of a State not Party to the CWC or of a State Party that has not yet enacted its national legislation to control chemicals. Today the use of chemical weapons by terrorist groups or non - state actors has become an imminent threat. Hence promotion of the universality of the CWC and strengthening of national implementation measures are a task of paramount importance for the international security.

The importance of these issues was stressed at the First CWC Review Conference in April 2003, which led to the formulation of the Action Plan for the Universality of the CWC and the Action Plan on the Implementation of Article VII Obligations (National Implementation). Follow - up measures have been taken regularly since then.

Regarding the destruction of chemical weapons, which is one of the major pillars of the CWC, approximately 62% of declared chemical weapons stockpiles has already been destroyed (as of September 2010). The deadline for destruction of chemical weapons possessed by the States Parties such as the United States and Russia was extended from April 2007 to 2012. At this date, chemical weapons stockpiles of three countries, including Albania and India, have been completely destroyed.

Steady progress can also be observed in regional cooperation for promoting implementation of national obligations under the CWC. In the Asian Region, the First Regional Meeting of National Authorities of States Parties in Asia was held in Singapore in October 2003. More recently, annual meetings have been held in Vietnam (November 2009) and Kuwait (November 2010). Participating States Parties, including Japan, actively exchanged opinions about their experiences regarding national implementation and industry inspections under the CWC.

### 4. Japan's efforts

In order to enhance the effectiveness of the CWC, Japan actively participates in the efforts of the international community. It also harnesses its own approaches to States not Party to the Convention and provides support for establishing legislation for national implementation in particular within the Asian Region. Specifically, Japan has cooperated with the OPCW Technical Secretariat to organize workshops for strengthening national CWC implementation in Cambodia and Laos. In these workshops, Japan introduced its own experiences in implementing the CWC and explained the development of its national implementation system with a view to promoting the enhancement of national implementation measures in other States Parties. Japan held a workshop on chemical process safety management (November 2009) in Tokyo in co-operation with the OPCW Technical Secretariat, and dispatched Japanese experts to the Seminar on the CWC and Chemical Safety Management (July 2010 in The Hague, Netherlands), to establish and develop chemical process safety management in the chemical industry in Asia, and promote the non-proliferation of chemical weapons.

Japan also invites officials from developing countries in Asia every year since 2004, under the Association Programme of the OPCW, to provide them with training in the Japanese chemical industry.



The Workshop of chemical process safety management in Tokyo

#### (Reference) Types of Chemical Weapons

Chemical weapons are relatively easily produced in laboratories or chemical factories, etc. Toxic chemicals that have been developed as chemical weapons thus far are roughly divided into blood agents, such as cyanogen chloride, which inhibit the intake of oxygen into the blood and thereby cause the loss of body function; an asphyxiant called phosgene, which damages bronchi and lungs and there-



by causes choking; blister agents such as mustard, which cause serious inflammation of the skin and the respiratory system; and nerve agents such as sarin,

which inhibit neuro transmission and thereby cause muscle fasciculation and breathing problems. Nerve agents have the highest lethality among them.

## Section 2. Organisation for the Prohibition of Chemical Weapons (OPCW)

The Organisation for the Prohibition of Chemical Weapons (OPCW) has its main duty, the verification of the implementation of the CWC. It was established in The Hague, Netherlands, based on the CWC, which entered into force in April 1997. Since its founding, the OPCW has conducted more than 4,000 on-site inspections. These include on-site inspections falling into two broad categories: inspections of chemical weapon storage facilities and destruction facilities declared to the OPCW by the United States and Russia; and on-site inspections of facilities handling specific chemical agents reported to the OPCW by states parties possessing chemical industries. The latter are commonly called “industrial inspections” and their objective is to confirm the absence of clandestine development or production of chemical weapons under the disguise of the chemical industry. Under the CWC, States Parties to the Convention have the right to request a challenge inspection, which is conducted to clarify non-compliance concerns at all facilities or locations of any other State Party to the Convention. The challenge inspection is groundbreaking in terms of allowing inspections at non-declared facilities or locations, but it has never been requested since the entry into force of the CWC.

The OPCW is composed of the Conference of the States Parties, which is the general assembly of the States Parties that is convened once per year (Japan served as the chair at the 13th session of the Conference of the States Parties), the Executive Council which consists of 41 representative States Parties (including Japan) from each regional group and are usually convened four times a year, and the Technical Secretariat. The Technical Secretariat comprises about 520 officials, of which about 230 are engaged in verification and inspection. On July 25, 2010, Ahmet Üzümcü, former ambassador of Turkey,

Permanent Representative, Permanent Mission of Turkey to the United Nations Office and other International Organizations in Geneva, was appointed Director-General.

The OPCW is actively promoting the implementation of the CWC and co-operation among its States Parties, organizing training sessions and seminars on universality, national implementation support, protection against chemical weapons, and industrial verification.

Japan is the second largest contributor to the OPCW budget after the United States and has built a close cooperative relationship with the OPCW. Japan offers officials with expertise from the Self-Defense Forces and the Ministry of Economy, Trade and Industry to the Technical Secretariat. In December 2010, OPCW Director-General Üzümcü visited Japan as a guest of the Ministry of Foreign Affairs, meeting with Foreign Minister Maehara, and other officials of the Japanese government. The Director-General also delivered a lecture on “Future Challenges of the OPCW” at Keio University, speaking about the challenges facing the OPCW, and conversing with the public and members of the university.



The OPCW Conference of States Parties

## Section 3. Old Chemical Weapons and Abandoned Chemical Weapons

### 1. Abandoned chemical weapons in China

The issue of abandoned chemical weapons in China is derived from the chemical weapons that were brought into China and left by the former Japanese military forces before the end of the Second World War. Both Japan and China are States Parties to the CWC, and Japan is obliged

to destroy these Abandoned Chemical Weapons (ACWs) with the entry into force of the CWC. The CWC stipulates that an Abandoning State Party shall provide all necessary financial, technical, expert, facility as well as other resources to destroy the ACWs and that a Territorial State Party shall provide appropriate cooperation. In May 1997,

Japan submitted to the OPCW a declaration on the ACWs based on the results of a number of joint on-site investigations, which it has amended as necessary since then. Inspection by the OPCW to confirm the contents of the submitted declaration have been conducted 30 times up until present. ACWs are known to exist from Heilongjiang Province in the north, and as far south as Guangdong Province. It is estimated that 300-400 thousand ACWs are buried in Haerba-ling area, Jilin Province. Currently, facilities are under construction in this area in preparation for excavation and recovery operation. To date, approximately 47,000 ACWs have been excavated and recovered across various regions in China. Excavation and recovery operations are ongoing. (The above is current as of October 2010.)

In order to deal with the destruction of the ACWs, by the Government as a whole, the Prime Minister's Office (renamed the Cabinet Office after the reorganization of ministries and agencies in January 2001) was assigned by a Cabinet decision of March 1999 to take charge of the destruction process of ACWs, and the ACW Office was set up in the Prime Minister's Office in April 1999. The Governments of Japan and China came to a common understanding on the basic framework for the destruction of the ACWs and signed a memorandum (entitled the "Memorandum between the Government of Japan and the Government of the People's Republic of China on the Destruction of Abandoned Chemical Weapons in China") in July 1999.

The destruction of ACWs is an extremely difficult task that requires full attention to the security and environment as well as to compliance with Chinese laws to destroy a large amount of deteriorated chemical weapons that had been buried under the soil or water over many years. Therefore, Japan and China jointly requested a five - year extension of the deadline and the request was approved by the OPCW Executive Council in 2006. At the Japan-China summit in April 2007, Japan announced the adoption of mobile destruction facilities to accelerate the destruction of ACW that have already been excavated and recovered. China welcomed this announcement. In September 2010, officials from Japan, China, and OPCW attended an inauguration ceremony for destruction operation, and in October 2010, ACW destruction began at Nanjing. A second mobile destruction facility in northern China and a test destruction facility in Haerba-ling area in Jilin Province are currently being readied. Through efforts such as these, Japan is putting forth the greatest effort to ensure the earliest possible completion of destruction

efforts.

## 2. Destruction of old chemical weapons (OCW) in Japan

Japan has also been faithfully implementing the obligation to destroy old chemical weapons left in Japan by the former Japanese army, pursuant to the provisions of the CWC, and has cooperated with the OPCW for its verification and inspection activities.

Examples of old chemical weapons that Japan has declared to the OPCW and has destroyed are as follows:

- Lake Kussharo, Hokkaido (26 chemical weapons were found in the lakebed in October 1996.)
- Ohkunoshima Island, Hiroshima (Nine suspicious items considered as "Large Red Gas Canisters" were discovered at the site of repair work for old - raid shelters in March 1999.)
- Kanda Port, Fukuoka (Suspicious items that seem to be bombs of the former Japanese army have been found several times since November 2000.)
- The construction site of Sagami Expressway in Kanagawa (Beer bottles containing mustard gas and suspicious items were found at the construction site in September 2002.)
- Hiratsuka - City, Kanagawa (Spherical glass bottles containing hydrogen cyanide (prussic acid) were found at a construction site in April 2003.)
- Hamamatsu city, Shizuoka. (One drum thought to be storage and transportation vessels for blister agents used by the former Japanese military forces was discovered during an excavation survey in August 2007.)



Mobile destruction facility at Nanjing, China



OPCW Inspection of abandoned chemical weapons in China



# Part IV

# Conventional Arms





# Part IV Conventional Arms

## Chapter 1



## Overview

Conventional arms are generally defined as weapons not considered weapons of mass destruction. The category is diverse, covering landmines, combat vehicles, warships, fighter aircraft, cannons, missiles, and small arms and light weapons, such as handguns.

The issues related to conventional arms not only have a close relationship to state security, but also affect the areas of humanitarianism and development. Efforts by the international community include work to create confidence building measures and international standards and norms, and cooperation and assistance activities based on these standards and norms.

Based on the recognition that excessive stockpiles of conventional weapons can lead to regional instability, confidence-building measures aim to improve transparency in armament stockpiles and international transfers of conventional weapons, to foster mutual confidence among states within regions and internationally, thereby preventing the excessive build-up of armaments in any one state. The UN Register of Conventional Arms and the UN Report on Military Expenditures are examples of such confidence building measures.

The creation of international standards and norms includes the establishment of treaties for banning the use of specific weapons that cause humanitarian concerns, and political documents that indicate the course of action taken by states. The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction and the Convention on Cluster Munitions have banned the use of anti-personnel mines and cluster munitions in response to

the humanitarian concerns they have raised, which linger even after conflicts end. The UN Programme of Action on Small Arms and Light Weapons is a political document encompassing efforts that should be implemented by states to address small arms and light weapons, which have been responsible for civilian deaths in recent conflicts, and been called the ‘de facto weapons of mass destruction.’ The implementation of these treaties and political documents also covers the removal and disposal of these weapons.

Cooperation and assistance based on international standards and norms related to conventional weapons is extremely important. Japan has been active in these areas through efforts to remove, collect, and dispose of small arms and unexploded munitions, including anti-personnel landmines and cluster munitions. Japan is working along side people in affected countries in ways that are responsive to local conditions.

Recently, the creation within the UN framework of an arms trade treaty for ensuring the responsible transfer of arms has gained attention. This is an effort that would go beyond confidence building measures for conventional weapons and would establish a framework based on a legally-binding international document for states to regulate international arms transfers. The creation of an arms trade treaty would be an attempt not only to prevent the illegal trade of conventional weapons, but also to preempt the export of weapons to states which may potentially violate international humanitarian law and human rights law. Discussions have intensified to elaborate such a treaty at a UN Conference in 2012.

## Chapter 2

# Anti-Personnel Mines

### Section 1. Anti-Personnel Mines and Efforts in the International Community

Mines, which are primarily deployed in conflict areas, indiscriminately injure civilians, raising serious humanitarian concerns and significantly impeding post-conflict reconstruction and development. Between 1999 and 2008, there have been 73,576 casualties in 119 countries. However, since the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction (the Ottawa Convention) entered into force in 1999, 1,100 km<sup>2</sup> of mined areas and 2,100 km<sup>2</sup> of battle areas have been

cleared of mines in more than 90 countries and regions (Landmine Monitor Report 2009). In the past ten years, more than 42 million mines have been removed and destroyed, significantly reducing the number of casualties (the 2009 Cartagena Declaration). As of 2010, the number of states parties to the Ottawa Convention has reached 156 and non-state-parties have been participating in related meetings. The Convention is the core of global efforts against anti-personnel mines.

### Section 2. Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction (the Ottawa Convention)

1. The Ottawa Convention was made in October 1996, and entered into force on 1 March 1999. (As of December 2011, 158 states including Japan have ratified the convention.) It completely bans the use, storage, production, and transfer of anti-personnel mines, and obliges the destruction of stockpiled mines within four years and the clearance of all deployed mines within ten years. The Ottawa Convention also specifies international cooperation and support for the clearance of mines and assistance for victims. In 2004, the First Review Conference was held in Nairobi, Kenya, where documents including an action plan and a high level declaration were adopted.

2. The Second Review Conference was held in Cartagena, Colombia from 29 November to 4 December 2009. The states parties assessed the activities of the past ten years since the Ottawa Convention entered into force, discussed future agenda, and reaffirmed their commitment to the Convention. In addition to 108 of the 156 states parties, 18 international organizations, and a number of NGOs such as the International Campaign to Ban Landmines (ICBL), participated in the conference. 19 non-states parties, including China, India, and Russia, participated in

the conference as observers, as did the US, which, as a non-state party, was attending a meeting of the Ottawa Convention for the first time.

The Second Review Conference adopted the 2009 Cartagena Declaration and the Cartagena Action Plan, which listed concrete actions that would be taken over the next five years. Also included was assistance for the social and economic integration of victims and assurances of human security and development through timely clearance activities.



The Second Review Conference on the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction (Cartagena, Colombia.)

### Section 3. Japan's Efforts

1. At the Second Review Conference in 2009, Japan announced a comprehensive approach to its mine action assistance based on lessons learned thus far and presented the future direction of its support. The announced approach consists of (1) a focus on partnerships with affected countries and groups, (2) joint efforts among industry, government, academia, and civil society on the mine issue, and (3) mine action and regional development in affected areas. From the perspective that the accession to the Convention by as many countries as possible will make an important contribution to a lasting solution to the anti-personnel mine issue, Japan has at every opportunity urged countries possessing large quantities of mines to conclude the Ottawa Convention, particularly to countries in Asia and the Pacific including Central Asia.

2. Between 1998 and 2009, Japan provided approximately 39 billion yen in assistance. This has included funding for mine clearance (28.9 billion yen), assistance to victims (3.2 billion yen), risk reduction education

(approximately 700 million yen), comprehensive support projects (3.9 billion yen), and other projects (2.1 billion yen). Specifically, Japan has supported efforts that facilitate the realization of goals of local groups through consultations with affected communities and countries. For example, Japan has dispatched experts to the Cambodian Mine Action Centre (CMAC), which has aided the expeditious implementation of clearance activities and infrastructure development in affected areas, in accordance with the Cambodian Government's National Mine Action Strategy.

In addition to working together with other governments, industry, academia, and civil society in activities that pursue the goal of zero mine victims, Japan will focus on the following points.

- **Partnerships with affected countries and victims**  
Japan will continue its cooperation, such as the abovementioned support for CMAC.
- **Need for an united effort by the international community to tackle the mine issue**  
There is a need to work with the international community as a whole, including affected and unaffected countries and states parties and non-states parties, to ensure the prohibition of mines and to promote activities on the ground.
- **Steadily promoting assistance for victims and demining activities with a priority on human security**  
Japan will contribute to education, medical care, and infrastructure development in affected regions with the intent to protect each individual victim and to provide them with capacity building assistance.



A demonstration of mine detection equipment at the Second Review Conference of the Convention of the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction (Cartagena, Colombia).



The Japanese booth at the Second Review Conference of the Ottawa Convention (Cartagena, Colombia).





Risk reduction education of landmines in Afghanistan (Source: AAR)



Landmine clearance activities in Afghanistan (Source: UNOPS).



A demonstration of landmine clearance activities by the Cambodia Mine Action Center (CMAC).

## Chapter 3

# Cluster Munitions

### Section 1. Efforts of the International Community (The Background of the Treaty Making and Overview of the Treaty)

In 2007, Norway and other like-minded states who considered efforts on cluster munitions (see note) within the framework of the Convention on Certain Conventional Weapons (CCW) insufficient, organized an international conference outside of the CCW framework. The meeting adopted the Oslo Declaration, which called for the conclusion by the end of 2008 of an international agreement on cluster munitions that cause unacceptable harm to civilians. The Oslo Process was initiated through this declaration, and led to the adoption of a draft convention at the Dublin Conference in May 2008. In December 2008, a signing ceremony was held in Oslo, Norway. From Japan, Foreign Minister Hirofumi Nakasone attended the ceremony to sign the convention.

Japan ratified the convention in July 2009, and has since worked to ensure its national implementation by establishing the Act on the Prohibition of the Production

of Cluster Munitions and the Regulation of the Possession of Cluster Munitions, which imposes legal penalties, bans the production of cluster munitions, and regulates their possession.

**(Note)**

Cluster munitions are defined, in general, as a bomb or an artillery shell consisting of a large number of small bomblets held within a large container that opens mid-air, spreading the bomblets over a broad area. Cluster munitions have a wider area effect than ordinary weapons, but their unexploded ordnance rate is high.

A recent example of the use of cluster munitions occurred during Israel’s attacks on Lebanon in 2006. The unexploded bomblets from those attacks inflicted injuries on civilians, leading to stronger calls for the regulation of cluster munitions.

### Section 2. The Convention on Cluster Munitions (CCM)

1. The Convention on Cluster Munitions (CCM) bans the use, development, production, acquisition, stockpiling, possession, and transfer of cluster munitions, and mandates the disposal of stockpiles. The CCM also specifies assistance for victims of cluster munitions, and the creation of an international framework for cooperation. The CCM entered into force on 1 August 2010, after the 30th ratification on 16 February 2010.

2. In November 2010, the First Meeting of States Parties to the CCM was held in Vientiane, Laos, which was attended by 33 states parties including Japan. In addition, 87 non-states parties, the United Nations, the International Committee of the Red Cross (ICRC), and civil society representatives including the Cluster Munition Coalition

(CMC) participated in the meeting as observers.

3. At the First Meeting of States Parties, discussions were held on specific efforts for implementing the convention (including universalization, destruction of stockpiled cluster munitions, clearance and destruction of cluster munitions remnants, risk reduction education, and victim assistance). In addition, the meeting produced documents including the Vientiane Declaration and the Vientiane Action Plan. The meeting confirmed the strong will of the states parties to end the suffering caused by cluster munitions, presented specific actions for the implementation of the convention by states parties, and laid out the next steps for moving from “Vision to Action” (the 2010 Vientiane Declaration.)





Speech by Parliamentary Vice-Minister for Foreign Affairs Tokunaga (in front) at the First Meeting of States Parties of the Convention on Cluster Munitions. (November 2010 in Vientiane, Laos)

### Section 3. Japan's Efforts

1. In July 2009, Japan established the “Act on the Prohibition of the Production of Cluster Munitions and on the Regulation of their Possession” and made the necessary preparation for the national implementation of the convention. Japan has also provided support for victim assistance and for the clearance of cluster munitions and other unexploded ordnances, amounting to approximately \$12 million US dollars (1.295 billion yen) up to 2010. States parties utilizing the framework for cooperation under the convention and implementing their obligations will enhance the effectiveness of the CCM. Japan will continue to play an active role in this area.

2. Parliamentary Vice-minister for Foreign Affairs Hisashi Tokunaga attended the First Meeting of States Parties of the CCM as a representative of Japan, and delivered a speech in which he stated that as a Friend of the President on universalization Japan was taking a leading role, and introduced its support for victims and the clearance of unexploded ordnance, including cluster munitions. Vice-Minister Tokunaga furthermore expressed Japan's determination to play an active role in this field. In addition, Akio Suda, Permanent Representative of Japan to the Conference on Disarmament, served as a Vice-President of the meeting.

3. As of December 2011, the number of states parties to the Convention on Cluster Munitions stands at 67. Japan recognizes the grave humanitarian consequences that continue to be caused by cluster munitions. And in this regard, Japan will continue to cooperate with civil soci-

ety, faithfully implement the convention, call upon states not party to the convention especially in the Asia-Pacific region to accede to it, promote universalization, and actively contribute to activities for assisting victims and clearing unexploded ordnances.



Visit to a site affected by cluster munitions by Parliamentary Vice-Minister for Foreign Affairs Tokunaga (center) (Vientiane, Laos.)



Explanation of clearance activities in an area affected by cluster munitions by UXO Lao (implementing tasks related to unexploded ordnance in Laos)

## Chapter 4

# Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW)

### Section 1. Overview of the Convention

The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW, also known as the Convention on Certain Conventional Weapons) restricts or bans the use of conventional weapons that have been recognized as having indiscriminate effects or being excessively injurious. The convention consists of a framework convention, which specifies procedural matters, and annexed protocols, which regulate individual weapons. There are currently five annexed protocols.

- Protocol I: Protocol on Non-Detectable Fragments (entered into force in 1983)
- Amended Protocol II: Protocol on Prohibitions or

Restrictions on the Use of Mines, Booby Traps (Note: meaning any device or material to kill or injure, that appear like harmless objects such as food or toys) and Other Devices (entered into force in 1998)

- Protocol III: Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (entered into force in 1983)
- Protocol IV: Protocol on Blinding Laser Weapons (entered into force in 1998)
- Protocol V: Protocol on Explosive Remnants of War (entered into force in 2006)

Japan has concluded the Framework Convention and Protocols I to IV, including Amended Protocol II.

### Section 2. Recent Development (Cluster Munitions)

1. Discussions on the humanitarian concerns regarding unexploded cluster munitions have taken place under the CCW framework. The Third Review Conference of the CCW in November 2006 decided to further consider the issue of munitions that may cause explosive remnants of war (ERW), with a particular focus on cluster munitions. In June 2007 at the Group of Governmental Experts (GGE) meeting convened by this decision, a recommendation was adopted requesting the Meeting of the States Parties to decide how best to address the humanitarian impact of cluster munitions as a matter of urgency, including the possibility of a new instrument. In response to the recommendations, the November 2007 Meeting of the States Parties decided by consensus that the states parties would negotiate a proposal to address urgently the humanitarian impact of cluster munitions at the earliest possible

date under the framework of the CCW. The GGE started the negotiation in February 2008. (See Chapter 3 on the conclusion of the Convention on Cluster Munitions.)

2. Japan has provided assistance for clearance of unexploded ordnances including cluster munitions in Lebanon, Laos, Afghanistan, and other places. In order to address the humanitarian concerns caused by cluster munitions in an effective manner, it is necessary to carry out discussions with the participation of the major producer and possessor countries of cluster munitions. Japan has actively participated in a variety of international discussions and has supported, from the perspective of effectiveness, the necessity to continue negotiations for concluding an international instrument concerning cluster munitions under the framework of the CCW in which the major producer states are involved.



Removal of unexploded munitions in Laos (Source: Japan Mine Action Service (JMAS))

### Column: Industry-Government-Academia Efforts in the Area of Mines and Unexploded Munitions

Over the ten years since the Ottawa Convention entered into force in 1999, more than 42 million anti-personnel mines have been removed and disposed, significantly reducing the number of mine casualties (2009 Cartagena Declaration). During this time, Japan has provided various types of assistance to promote efforts on the ground. One of the lessons from these activities has been that in order to effectively remove mines and unexploded ordnance and to support their victims, the participation and cooperation of a range of groups, including civil society, the media, and the private sector is necessary.

In Japan, individuals from a diverse set of backgrounds have taken up the issue of mines and unexploded ordnance, initiating action and undertaking long-term activities, which include various public awareness events, development of clearance equipment, books and works of art on the abolition of mines and unexploded ordnance, and education on security and risk avoidance in areas contaminated by ordnance clearance activities. These people have encountered the victims of mines and unexploded ordnance, learned about their plight, and not wavered in their work.

Tens of millions of mines remain buried throughout the world. The people who are working to resolve the mine issue tell us, “The removal of even one mine ensures that there is one fewer out in the world, and that one person has been saved from injury.” The 2009 Cartagena Declaration promises: “As long as people remain at risk, we are compelled to do more to achieve our goal.”



Clearance equipment of Japan (from the left; KOMATSU, Swing type by HITACHI, Push type by HITACHI) (Source: JICA)

# Chapter 5

## Small Arms and Light Weapons (SALW)

### Section 1. Background of SALW Issues and International Efforts

Small arms and light weapons (SALW) are the primary weapons used in crimes and conflicts. They are responsible for many of the actual casualties, and have been called the “de facto weapons of mass destruction.” SALW not only prolong and exacerbate conflicts, but also impede humanitarian relief efforts and reconstruction activities by the UN and other organizations in the post-conflict period, and bring about the resurgence of conflicts and increases in crime.

**(Reference 1)** According to a 2002 report of the UN Secretary-General, the use of small arms and light weapons is responsible for the deaths of at least 500,000 people each year.

**(Reference 2)** According to the Report of the UN Panel of Governmental Experts on Small Arms, “small arms and light weapons” include the following three types: (1) “small arms” are portable and usable by one person, (2) “light weapons” are portable and usable by several persons, and (3) ammunition and explosives. In general, these are collectively called “small arms and light weapons.”

1. The Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was adopted in July 2001 at the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects. The Programme of Action has been a guide for efforts by the international community, and also led to the creation of the International Tracing Instrument and the Report of the UN Group of Governmental Experts on illicit brokering in small arms and light weapons.
2. The International Tracing Instrument was created in 2005, and, as indicated by its official name (the

“International instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons”) provides an efficient means for tracking illicit small arms and light weapons, by marking them at the time of their production and import. In addition, it provides for the storage of information related to the marking of small arms and light weapons, and the exchange of such information when required in international investigations.

3. The Group of Governmental Experts (GGE) on the Prevention of Illicit Brokering of SALW submitted a report summarizing the discussions at its 2007 meetings. In developing countries with weak legal controls, illicit brokering for the import and export of weapons, whereby brokers connect buyers and sellers of weapons, is widespread. In order to control illicit brokering, the GGE produced an action-oriented report in 2007, which included recommendations, examples of elements for national laws and regulations to control brokering, and measures for promoting international cooperation.
4. Regarding the UN Programme of Action on SALW process, although a substantive outcome was not produced at the 2006 UN Review Conference on the Programme of Action, the subsequent biennial meetings have assessed the state of implementation of the Programme of Action and successfully adopted reports containing measures to further strengthen its operation. At the 2008 meeting, participants discussed international cooperation and assistance, illicit brokering, stockpile management and disposal of surplus, and tracing. At the 2010 meeting, discussions were centered on international cooperation and assistance and tracing, as well as border controls and follow-up mechanisms. In particular, on follow-up mechanisms, states recognized the importance of holding review conferences in a six-year cycle in addition to biennial



meetings, and also decided to consider convening a meeting of governmental experts on specified topics.

5. 2011 marks the 10th year since the creation of the Programme of Action. During this period, the discussion

process for the UN Programme of Action on small arms and light weapons has been clarified. Discussions at the UN have also gone beyond the creation of international documents, and extended to strengthening of international cooperation and assistance.

## Section 2. Japan's Efforts

1. Since the issue of small arms and light weapons was first raised in the international community, Japan has worked primarily through the UN framework to take a leading role in this issue. For example, Japan was a primary force in driving the processes before and after the 2001 UN Conference on SALW. Each year Japan has also jointly submitted with Colombia and South Africa a draft resolution on SALW, which has either been adopted by consensus or with overwhelming support.

### (Note)

Prior to the creation of the Programme of Action, representatives from Japan have served as the chair of the Panel of Governmental Experts on Small Arms (Mitsuro Donowaki, former Special Assistant to the Ministry of Foreign Affairs), the vice-chair of the 2001 UN Conference on SALW (Special Assistant Donowaki), and the chair of the 2003

Biennial Meeting on SALW (Kuniko Inoguchi, former Ambassador and Permanent Representative of Japan to the Conference on Disarmament).

2. Japan has aided the regional implementation of the Programme of Action by supporting related regional meetings, such as the 2010 Regional Implementation Meeting for Countries of Southeast Asia (Bali, Indonesia), and the Workshop on Illicit Brokering (Bangkok, Thailand).

3. Japan has also been active in supporting projects to address SALW in affected countries, such as Sri Lanka in 2008. The Sri Lankan project helped to build capacity by forming national committees, creating databases, and gathering information through surveys. In 2011, Japan assisted a training project for law enforcement officials in Nepal conducted by the UN Regional Centre for Peace and Disarmament in Asia and the Pacific.



Small arms and light weapons being incinerated (Cambodia. Source: JSAC.)  
(Note) The JSAC concluded its activities in 2008.



# Chapter 6

## Developments Concerning an Arms Trade Treaty (ATT)

### Section 1. Efforts by the International Community

Until now, global measures on conventional weapons in general have been limited to confidence building measures through the UN Register of Conventional Arms. However, recent attention in the area of conventional weapons has focused on the development of an Arms Trade Treaty (ATT). The ATT initiative seeks to strengthen international controls on conventional arms by creating common international standards to regulate their import, export, and transfer.

1. The ATT initiative spread through discussions among experts and NGOs in the late 1990s. In 2004, UK Foreign Secretary Jack Straw stated his support for the ATT initiative. The ATT was also mentioned in the chair's statement by the UK at the subsequent G8 Foreign Ministers meeting in 2005. In 2006, Japan and the UK were among the countries (Argentina, Australia, Costa Rica, Finland, and Kenya) that proposed a draft resolution to the UN General Assembly entitled "Toward an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms" which called for the establishment of a Group of Governmental Experts (GGE) on this issue. This resolution was adopted by an overwhelming majority of UN member states.

2. The report submitted to the UN Secretary-General, which resulted from the GGE discussions in 2008, concluded that the complexity of the arms transfer issue necessitated further consideration, which should proceed on a step-by-step basis in an open and transparent manner under the UN framework.

3. Following a resolution at the 63rd session of the UN General Assembly in 2008 (focused on the establishment of an Open-Ended Working Group (OEWG)), and the discussions at the OEWG meeting in 2009, the OEWG issued a report acknowledging the need for international

action to address the problems raised by the unregulated trade in conventional weapons.

4. In response to the OEWG report, the UK, Japan, Argentina, Australia, Costa Rica, Finland and Kenya jointly submitted a resolution to the 64th session of the UN General Assembly in 2009, which called for meetings of a preparatory committee in 2010 and 2011. It also called for a 4-week-long UN Arms Trade Treaty Conference in 2012 to elaborate a legally-binding instrument on the highest possible common standards for the transfer of conventional weapons. The resolution also specified that the UN Conference on an Arms Trade Treaty proceed on the basis of consensus. The resolution was adopted with 151 states voting in favor, 1 state against, and 20 states abstaining. (The US, which had voted against the resolution in the past, voted for its adoption on the condition that the 2012 UN Conference is concluded on the basis of consensus.)

5. Based on the resolution at the 64th session of the UN General Assembly, the preparatory committee for the UN Conference on an ATT was held in 2010 at the UN Headquarters. (The meeting was chaired by Ambassador Roberto García Moritán of Argentina, who also had served as chair of the OEWG.) The preparatory committee discussed the objectives, principles, and elements of a treaty, which were summarized in the chair's paper. Talks were also held on the three elements at the core of a treaty – scope, transfer criteria, and implementation mechanisms – and the outcomes of the talks were collated in a separate summary. The preparatory committee made significant progress from the 2009 OEWG meeting in bridging the gaps between countries promoting an ATT and the more cautious states on the feasibility of an ATT. Elements of importance to each state were the subject of active talks.

## Section 2. Japan's Efforts

1. As mentioned above, Japan has actively contributed to the process for creating an Arms Trade Treaty within the UN framework. The ATT's goal of strengthening controls on the transfer of conventional weapons is in agreement with Japan basic position.

2. In February 2009, Japan jointly hosted with the international NGO Oxfam the Asia Pacific Regional Conference on an ATT, which aimed to promote understanding of the ATT initiative in the Asia-Pacific region. Japan also participated in the Asia Pacific Regional Conference on

an ATT held in Malaysia in October 2009, contributing to the vibrant discussions, and facilitating exchanges of opinion on the role that the Asia-Pacific region can play in addressing the arms trade issue.

3. The last preparatory committee meeting will be held in February 2012, which will lead into discussions at the 2012 UN Conference to elaborate a treaty. In order to ensure the creation of an effective treaty at the 2012 UN Conference, Japan will continue to play an active role in the work related to an ATT, through active participation in the preparatory committee.



The Asia Pacific Regional Conference on an Arms Trade Treaty (ATT), jointly hosted by Oxfam and the Ministry of Foreign Affairs (Tokyo, February 2009)

# Chapter 7

## Confidence Building Measures

The UN Register of Conventional Arms and the UN Standardized Instrument for Reporting Military Expenditures are efforts under the UN framework to build

confidence by promoting transparency and openness with regard to armaments, thereby preventing the excessive accumulation of arms.

### Section 1. UN Register of Conventional Arms

1. The UN Register of Conventional Arms was established in response to the regional instabilities produced by Iraq’s excessive stockpiling of weapons during the 1991 Gulf War. In response, Japan announced its “Immediate Response to the Problems in the Middle East,” which called for the main arms exporting countries to exercise restraint and establish a UN registry system for international transactions of conventional weapons. Japan and the EC member countries jointly proposed a UN resolution to this effect the same year. The registry system was a pioneering effort that sought to facilitate confidence building and prevent the excessive accumulation of armaments by improving transparency in armaments with a focus on the international transfer of conventional weapons.

2. This arrangement calls upon the UN member states to keep a record of imports and exports from the preceding year on the seven categories (Note) of conventional arms listed as weapons, specifically the quantity transferred within the year and the names of the importing and exporting countries and to provide the record in a designated form to the UN Secretariat. In addition, the UN member states are invited to provide data on their military holdings and procurements through national production, etc.

**(Note) Seven categories of conventional arms that should be reported**

I. Battle tanks; II. Armored combat vehicles; III. Large-caliber artillery systems; IV. Combat aircraft; V. Attack helicopters; VI. Warships; VII. Missiles and missile launchers.

3. Regarding the UN Register, a Group of Governmental

Experts meeting is convened every three years to review the definitions of these seven categories, the scope, and operation, etc. At the meeting in 2003, weapons subject to the Register were changed as follows: (1) lowering the bore diameter of large-caliber artillery systems to be registered from 100mm to 75mm, and (2) adding man-portable air defense systems (MANPADS) as a sub-category to missiles and missile launchers. It was also recommended that member countries should voluntarily submit additional information concerning the transfer of small arms and light weapons.

At the Meeting in 2006, a form for registering SALW was newly prepared and the threshold of “warships” was lowered from 750 tons to 500 tons. At the 2009 meeting, the focus of discussions was a proposal to include SALW as a new reporting category, but no agreement was reached, which led to a recommendation to seek views from member states on the categorization of small arms. In 2010 Japan submitted its opinion in support of the categorization of small arms.

4. As the major arms exporting states provide data for the Register, it covers most international transfers of arms. However, in view of the low participation rate of African and Middle Eastern countries, it is important to promote further their understanding of and participation in the Register.

5. Japan has been urging the governments of the UN member states to submit data in order to universalize the Register and has been contributing support to the convening of workshops for its strengthening. In addition, Japan has participated and played a central role in every Group

of Governmental Experts meeting, which has been held in principle every three years to discuss the implementation

status of the Register (the next meeting is scheduled for 2012.)

## Section 2. UN Standardized Instrument for Reporting Military Expenditures

1. The UN Standardized Instrument for Reporting Military Expenditures was established by UN General Assembly resolution 35/142B in 1980, and went into operation in 1981. This system makes it possible to track trends in military expenditures of a specified country through the collection of information reported by said national government, thereby contributing to confidence building and improved transparency.

2. The UN Standardized Instrument for Reporting Military Expenditures targets operating costs for reporting, such as staff and maintenance, expenditures for supplies, construction, and research and development, as well as detailed itemizations within these categories.

3. Japan submitted its first report in 1982, and has submitted annual reports each year since 1997. (As of 2009,

Japan has submitted a total of 21 reports.) As of 2009, the major countries have filed reports the following number of times: the US 23 times; the UK 28 times; France 21 times; Germany 28 times; Russia 14 times; China 3 times; and South Korea 6 times.

4. Approximately 20 countries participated in this system in the ten years subsequent to its inception, rising to more than 30 countries in the 1990s following the end of the Cold War. Later, through the efforts of Germany and Romania, the co-authors of the UN resolution for this system, the number of countries participating rapidly increased to 61 in 2001 and 80 in 2002. This number was maintained until 2008, but decreased to 59 in 2009. Governmental experts meetings were held from 2010 to 2011 to address operational issues, reporting forms, and future development.





# **Part V**

# **Non-Proliferation Regimes**



# Part V. Non-Proliferation Regimes

## Chapter 1

# Export Control Regimes

### Section 1. Overview

The export control regimes are frameworks of export control coordination, not legally binding, consisting of countries, mainly industrialized countries, capable of supplying goods and technologies directly used in the production of weapons and related dual-use goods and technologies, and committed to non-proliferation, but not in the form of any legal obligation. There are five export control regimes, as listed below, which provide for controls on nuclear weapons, chemical and biological weapons, missiles, and conventional arms, respectively.

- 1. Nuclear Suppliers Group (NSG: Nuclear weapons)
- 2. Zangger Committee (ZC: Nuclear weapons)
- 3. Australia Group (AG: Chemical and biological weapons)
- 4. Missile Technology Control Regime (MTCR: Missiles)
- 5. Wassenaar Arrangement (WA: Conventional arms)

Japan participates in all of these export control regimes. Export controls are a framework for regulating suppliers of weapons of mass destruction and related materials, to prevent acquisition by and spread to states of proliferation concern or terrorist groups. Japan has long been contributing to strengthening these export control regimes, while making active use of such frameworks.

These export control regimes each represent a common understanding of the particular conventional and dual-use goods and technologies which can contribute to the development of weapons covered by the respective regimes (e.g., high performance computers, machine tools advanced materials and software) Such goods and tech-

nologies are set out in detailed technical lists. Participating states implement strict national export controls over the items listed in the above-mentioned lists in accordance with national laws and regulations. Furthermore, these export control regimes provide for information exchange to track states of proliferation concern, and efforts to urge non-participating states to strengthen export controls.

While the coordination of export controls through the export control regimes is a highly effective basis for ensuring non-proliferation, it is not necessarily sufficient on its own for fully achieving the non-proliferation goals. In particular, loopholes exist in the form of procurement from countries that neither participate in these regimes nor conduct strict export controls. In addition, some developing countries have opposed export control regimes as ‘developed countries’ clubs’: allegedly a form of discrimination which hampers technology transfer. Therefore, it is important for Japan to encourage those countries to participate in the efforts for non-proliferation while firmly maintaining its own export control system.. From this perspective, Japan has been focusing on strengthening the non-proliferation regime in the Asian region. Japan has invited government officials in charge of non-proliferation policy from Asia to the Asian Senior-level Talks on Non-Proliferation (ASTOP) and organized seminars and workshops, such as the “Asian Export Control Seminar”. Japan has actively pursued such initiatives to raise awareness of the importance of export controls among countries not participating in export control regimes, and to call for stronger export controlsystems. (See chapter 4.)

## Section 2. Nuclear Suppliers Group (NSG)

### 1. Overview

The issue of nuclear proliferation first loomed when India conducted a nuclear test (claiming it was “a peaceful nuclear explosion”) in 1974, despite being under IAEA safeguards. This event raised awareness of the necessity for certain conditions on the export of nuclear-related materials and equipment in order to minimize the risk of nuclear proliferation to the greatest extent possible. Based on this understanding, the Nuclear Suppliers Group (NSG) was established in 1978 to coordinate the conditions for exporting nuclear-related material and equipment among countries that are capable of supplying those items.

Since the establishment of the NSG, participating governments have been implementing national export controls in accordance with the NSG Guidelines Part 1 (also referred to as “London Guidelines”) which identify a set of conditions concerning the export of items and related technologies especially designed or prepared for use in nuclear activities. Subsequently, such controls were expanded to nuclear-related dual-use equipment, materials, software and related technologies that can be used both for ordinary industrial use and for nuclear activities (so-called “nuclear-related dual-use items”) (the NSG Guidelines Part 2). As of the end of February 2011, 46 countries including Japan participate in the NSG.

These export controls are not, however, a legally binding obligation for NSG participating states. Instead, they are implemented in accordance with national laws and regulations of each participating country following to the NSG Guidelines, working in effect as a gentleman’s agreement.

### 2. NSG Guidelines Part 1

Each participating government of the NSG exercises export controls on those items especially designed or prepared for nuclear activities and related technologies in accordance with the “NSG Guidelines Part 1.” Under these guidelines, when any of the items listed as those subject to export controls (items listed in the so-called “Trigger List”) (nuclear materials such as plutonium and uranium, nuclear reactors and their auxiliary equipment, heavy water and - reactor-grade graphite, and, reprocessing and enrichment plants) are exported to a non-nuclear-weapon state, the recipient state is obliged to comply with the following four requirements: (a) the government of the recipient state shall give formal assurances to exclude

uses which would result in any nuclear explosive device; (b) the recipient state shall have an agreement brought into force with the IAEA requiring the application of full-scope safeguards (see Part 2, chapter 5, section 2-1); (c) the recipient state shall take measures to protect nuclear materials from any intrusion and contact from outside; and (d) the recipient state shall receive the same assurances as those required by the original supplying state from a third country in retransferring an imported item to that country.

### 3. NSG Guidelines Part 2

The Iraqi covert nuclear development programs revealed after the end of the Gulf War raised awareness on the necessity to extend the range of controls for relevant items. Accordingly, the NSG, under a US initiative, started negotiations to elaborate on new Guidelines. The NSG Guidelines Part 2, agreed upon in 1992, are intended to control exports of nuclear-related dual-use equipment, materials, software and related technologies, such as industrial machinery and materials, devices and components for uranium isotope separation, devices related to heavy-water production facilities, and test and measurement equipment for the development of nuclear-explosive devices.

The basic principle of the NSG Guidelines Part 2 is not to authorize exports of nuclear-related dual-use equipment, materials, software, or related technologies for use: (a) in a non – nuclear-weapon state implicated in a nuclear explosive activity or, an IAEA unsafeguarded nuclear fuel cycle activity; (b) when there is an unacceptable risk of diversion to such activities, when the transfers are contrary to the objective of averting the proliferation of nuclear weapons or; (c) when there is an unacceptable risk of diversion to acts of nuclear terrorism.

### 4. Activities of the Nuclear Suppliers Group (NSG) and Japan’s efforts

The NSG has held plenary meetings annually since 1991 to improve and strengthen the export controls system on nuclear-related material, equipment and technology. The NSG holds Consultative Group (CG) meetings and related meetings several times a year.

The NSG aims to contribute to nuclear non-proliferation through the international export controls for nuclear-related materials, equipment and technology. Further, the NSG has recently been expanding the scope of its activi-

ties, in addition to the coordination of export controls among its participating governments, to flexibly deal with various challenges concerning nuclear non-proliferation. One example is that the NSG revised its Guidelines to include anti-nuclear terrorism measures in 2002. Also, in response to the proposal of new measures to counter the threat of WMD announced by U.S. President George W. Bush in February 2004, the NSG has been continuing active exchanges of opinions concerning restrictions on the transfer of material, equipment or technology relevant to enrichment or reprocessing, as well as the feasibility of making the additional protocol a condition of supply for nuclear-related materials, equipment and technologies of the NSG Guidelines. In the Plenary Meeting in June 2005, the NSG achieved an agreement to modify the NSG Guidelines for the purpose of suspending nuclear transfers to countries found in breach of obligations to comply with an IAEA Safeguard Agreements. Furthermore, NSG meetings were held immediately following the announcement of the North Korean nuclear tests in October 2006 and May 2009 respectively, with both NSG Chair and public statements being issued, each expressing deep regret and grave concern for such proliferation acts. The adoption of UN Security Council Resolutions regarding North Korea and Iran, which refer to the NSG

Guidelines, facilitated and promoted the exchange of opinions and views concerning the implementation of these Resolutions in respective participating countries, and the information sharing on their implementation through their respective national export controls systems. In August and September 2008, Extraordinary Plenary Meetings of the NSG were held to discuss the exemption for India from elements of the NSG Guidelines. These talks resulted in the adoption of the “Statement on Civil Nuclear Cooperation with India” by consensus. At the plenary session in June 2010, the NSG held talks on the fundamental review of its control lists.

Japan actively promotes peaceful uses of nuclear energy, and, with its highly advanced nuclear technologies also assumes responsibility to implement strict export controls on nuclear-related material, equipment and technology, so as to be alert to the misuse of such technology and forestall the development of nuclear weapons in other countries by all means. Therefore, Japan has redoubled its nuclear non-proliferation efforts through the NSG. Japan contributes positively to the activities of the NSG by, for example, assuming the role of the Point of Contact (POC) through its Permanent Mission to International Organizations in Vienna.

### Section 3. Zangger Committee

#### 1. Overview

Article III (2) of the Treaty on the Non-proliferation of Nuclear Weapons (NPT), effective since 1970, stipulates that the Parties to the NPT undertake export controls for specific nuclear-related materials and equipment. However, the description, on targeted items is in particular, relatively general. Therefore, through consultations advocated by Professor Zangger of Switzerland, a list of specific items subject to export controls was finalized and agreed upon as the “Zangger List” in 1974. Member states of the Zangger Committee currently implement export controls based on this list. As of February 2011, 37 member states including Japan participate in the Zangger Committee, which meets usually once a year.

The Zangger Committee was not explicitly established by the provisions of NPT, but is based on the voluntary participation of each state, and does not constitute any obligation to the NPT adherents. In addition, as is the case with the NSG, export controls based on the Zangger List are not a legally-binding obligation up on participating governments, but are implemented by the government of

each member in accordance with its own national laws and regulations.

#### 2. Coordination of export controls

The items listed in the Zangger List are nuclear materials such as plutonium and uranium, nuclear reactors and their auxiliary equipment, heavy water and reactor-grade graphite and reprocessing plants and enrichment plants. There are three basic principles of the Zangger List, which are: (a) to disallow any diversion of directly transferred nuclear materials or those produced, processed or used by the facilities, in which the transferred items are used, to the development of nuclear weapons, or other nuclear explosive devices to a non-nuclear-weapon state not party to the NPT; (b) not to export nuclear materials listed under (a) and transferred items, unless the export is subject to IAEA safeguards, when exporting to a non-nuclear-weapon state not party to the NPT; or, (c) to oblige a recipient state not party to the NPT to accept the application of the IAEA safeguards on items which are to be re-exported.

### 3. Differences between the Nuclear Suppliers Group (NSG) and the Zangger Committee

While the NSG and the Zangger Committee have a common objective of contributing to nuclear non-proliferation through international export controls, they are different in the following manner.

- (1) The NSG functions to deal with various challenges against nuclear non – proliferation promptly and flexibly without being restrained by the framework of the NPT. On the other hand, the Zangger Committee is a voluntary meeting that interprets Article III (2) of the NPT, and its activities remain within the framework of the NPT.
- (2) In terms of specific activities, NSG export controls

covers nuclear - related items and technologies, and, nuclear-related dual-use items and their related technologies, while Zangger Committee export controls covers nuclear-related items only. In addition, while the NSG requires the application of full - scope safeguards in the recipient states as one of four conditions of export, the Zangger Committee only requires the application of safeguards to nuclear materials to be transferred.

The Zangger List of the Zangger Committee and the Trigger List of the NSG Part 1 Guidelines are required to be harmonized with each others content-wise. In the event that either one of the lists is revised, the other list is revised, after due consideration, to reflect that revision.

## Section 4. Australia Group (AG)

### 1. Overview

UN investigation teams revealed that chemical weapons were used by Iraq in 1984 during the Iran-Iraq War. Many of the materials used for the development of chemical weapons by Iraq were so called dual-use goods, which were widely used in private chemical industries and acquired through ordinary trade transactions. This fact made countries recognize the need to enhance export controls on chemical agents usable for chemical weapons development, in order to prevent their own chemical industries from unintentionally helping other countries develop chemical weapons. However, as long as there are differences amongst countries in terms of the scope and the degree of implementation of export controls, countries that seek to develop chemical weapons will continue to procure such goods from those countries that have looser regulations.

To close such loopholes, Australia proposed that the export control policies of countries capable of producing chemical agents should be coordinated. The first meeting was convened inviting these countries in Brussels, Belgium in June 1985.

This framework has come to be called the “Australia Group (AG), “ as it was proposed by Australia. Since the first meeting, Australia acts as the chair and the secretariat. The AG has subsequently expanded the subject of control to chemical and biological weapons-related dual-use goods and technologies, and has been working to prevent the proliferation of chemical and biological weapons to the states of concern through the coordination of export controls.

As of the end of February 2011, 40 countries including Japan participate in the Group, and a Plenary Meeting is

held on an annual basis.

### 2. Coordination of export controls

The Participating states of the AG aim to make their national export controls more effective by reflecting the information exchanges and policy coordination within the AG in their national export control systems, for the purpose of achieving the common goal of non-proliferation of chemical and biological weapons.

Items subject to control as agreed in the AG are:

- (1) Chemical precursors (chemical agents)
- (2) Items that can be used in chemical weapons production facilities (reactor, storage container, etc.) and their related technologies
- (3) Biological agents related to biological weapons (viruses and toxins against humans, animals and plants)
- (4) Items that can be used in biological weapons production facilities and their related technologies.

In the licensing process of export of controlled items, the governments of participating states conduct careful examination so that these items will not be used for the development of chemical or biological weapons.

### 3. Recent developments and Japan's efforts

Chemical and biological weapons have been called the “Poor Man's nuclear weapons”, since these weapons can be developed and produced relatively cheaply compared to nuclear weapons. Their proliferation is currently considered a serious concern for the international community. Despite the fact that the Chemical Weapons Convention



(CWC) and the Biological Weapons Convention (BWC) were established for a comprehensive ban on chemical and biological weapons, worries over the development of chemical and biological weapons still remain even after these conventions were entered into, since there are non-participating states to the conventions and possible non-compliant States Parties. Therefore, the presence of the AG is important in complementing those conventions and making the chemical and biological weapons non-proliferation mechanisms effective. Japan attaches great importance to coordinating policies and exchanging information with AG member states regarding export controls on chemical and biological weapons,-related dual-use goods and technologies through the AG, as one of the pillars of Japan's efforts in the non-proliferation of chemical and biological weapons.

The AG is an informal group that mainly consists of developed countries capable of supplying chemical and biological weapon related materials. There is persistent criticism, therefore, from non-participating states including developing countries that AG is exclusive and discriminatory and impedes the development of the biotechnology and chemical industries of developing countries. Thus, the AG has been making efforts, including establishing a website and offering explanations to non-

participating states to clarify its purpose and outline of its activities.

The sarin attacks on the Tokyo subway in Japan in 1995 and the anthrax attacks in the United States in 2001 clearly showed that the development, acquisition and actual use of chemical and biological weapons by non-state actors such as terrorist groups is a real threat. In response to such situations, states participating in the AG have unanimously recognized the necessity of strengthening measures to prevent the proliferation of chemical and biological weapons-related materials and technologies to non-state actors, as well as preventing states from developing, manufacturing and possessing these weapons. Participating states are also further strengthening the functions of the AG through expansion of the scope of control.

At the Plenary Meeting in 2009, it was decided that newly developed technologies would be included within the scope of the specialist technical advisory group focused on synthetic biological agents, and to strengthen cooperation in the area of Intangible Transfer of Technology (ITT). At the 2010 Plenary Meeting, the prevention of illicit intangible transfer of technology was re-affirmed as an item of high priority and an agreement was reached to produce an outreach pamphlet on ITT to contribute to this goal.

## Section 5. Missile Technology Control Regime (MTCR)

### 1. Overview

The Missile Technology Control Regime is an international framework designed to control exports of missiles capable of delivering weapons of mass destruction and related dual-use goods and technologies that could contribute to the development of such missiles. The MTCR was established by the G7 in April 1987, and seeks export controls for missiles capable of delivering nuclear weapons and related dual-use goods and technologies. The regime was expanded in July 1992 to control missiles capable of delivering not only nuclear weapons but also weapons of mass destruction including chemical and biological weapons and related dual-use goods and technologies. As of the end of February 2011, 34 countries including Japan participate in the regime.

### 2. Coordination of export controls

MTCR participating governments produce lists of missiles and space rockets as well as related dual-use goods and technologies (navigation systems, software, etc.) as items subject to its export controls. The export of these

items is controlled through export licensing in accordance with their domestic laws, ordinances and regulations. (In case of Japan, the "Foreign Exchange and Foreign Trade Act," as well as the "Export Trade Control Order" and "Foreign Exchange Order," both enacted by virtue of the provisions of the Foreign Exchange and Foreign Trade Control Act). Examples of items controlled by the MTCR are as follows:

**Category I items** (their exportation is, in principle, prohibited regardless of purpose): Complete rocket systems and unmanned aerial vehicle systems capable of delivering at least a 500kg payload to a range of at least 300 km, and subsystems such as guidance sets or re-entry vehicles, etc.

**Category II items** (subject to careful examination on a case-by-case basis, albeit their exportation is, in principle, prohibited when considered to be used for the delivery of weapons of mass destruction): Complete rocket systems and unmanned aerial vehi-

cle systems capable of delivering less than a 500kg payload to a range of at least 300 km, propellants, structural materials, jet engines, accelerometers, gyroscopes, unmanned aerial vehicles with an aerosol dispensing system (of a certain capacity) (subject to control regardless of the range), etc.

### 3. Recent developments and Japan's efforts

Japan has attached great importance to the non-proliferation of missiles for its own security and regional and international peace and safety. Therefore, Japan has participated in the MTCR since its establishment and has striven for strict missile technology export controls. Japan is determined to continue contributing to MTCR-related activities. Examples of recent activities are as follows.

(1) In 2003, in addition to existing export controls lists,

MTCR countries agreed on a system to require export licenses for technologies that may be used in missile development, even if they do not appear on lists of controlled items (the Catch-all control system). (Japan adopted this system earlier, in April 2002.)

(2) Recognizing the importance of export controls for technology and materials related to missiles by not only the MTCR countries but also by non-MTCR countries, the MTCR chair as well as the MTCR at large has undertaken efforts to encourage non-MTCR countries to adopt MTCR guidelines and to adopt control lists in national export controls systems. Japan, as one of the few MTCR countries in Asia (the other being South Korea), has used various opportunities to urge countries in Asia in this direction.

## Section 6. Wassenaar Arrangement (WA)

### 1. Overview

The Coordination Committee for Multilateral Strategic Export Controls (COCOM), whose purpose was to control the export of strategic materials from the Western states to the Communist states, lost its roles and was dissolved in March 1994 at the end of the Cold War. However, new problems emerged with the frequent occurrence of new regional conflicts such as Iraq's invasion of Kuwait. Therefore, the necessity of establishing an export control regime was strongly recognized in order to deal with these new challenges, i.e. preventing the excessive accumulations of conventional arms (such as warships and tanks, excluding weapons of mass destruction such as nuclear, chemical and biological weapons) that would threaten regional stability, and the dual-use goods and technologies required to manufacture conventional arms. As the result of consultations of more than two and half years amongst the former COCOM states together with Russia, the establishment of a new export control regime was agreed upon in Wassenaar, the Netherlands in 1995. The "Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (WA)" began operation at the founding meeting in July 1996.

As of the end of February 2011, 40 states including Japan participate in the WA.

The WA is, in effect, a gentleman's agreement without legal binding force, consisting of states capable of producing and supplying conventional arms and related dual-use goods and committed to taking action to prevent the proliferation of conventional arms and dual-use goods. While

the target of the COCOM was limited to the Communist bloc, the scope of the WA covers all states and regions as well as non - state actors, and does not target any specific countries or regions.

The objectives of the WA are (1) to contribute to regional and international security and stability by preventing destabilizing accumulations of conventional arms and related dual-use goods and technologies, and (2) to prevent non-state actors such as terrorist groups from acquiring conventional arms and related dual-use goods and technologies as part of the global fight against terrorism.

### 2. Methods of export controls, etc.

The WA aims to achieve its objectives as mentioned above in two ways. First, the WA defines arms and dual-use goods and their performance levels to be subject to export controls, specifically, by preparing and revising the lists of goods subject to export controls, taking into account the progress in technologies, through consultations among the participating states. Second, the WA identifies the state of accumulation of weapons and other dual-use goods through the exchange of various information indicating what arms and/or dual-use goods have been transferred to which countries.

The participating states are required to implement export controls based on the lists of goods subject to control as agreed by the WA, and to provide a range of relevant information.

**3. Recent developments**

At the 2009 Plenary Meeting, participants discussed the accumulation of weapons responsible for producing instability. Participants also made many revisions to the list of controlled items, in light of changes in the international security environment and trends in the market and technology. Furthermore, states shared best practices for the WA, and agreed on continuing outreach through exchanges with international organizations and non-participating states.

In 2011, there will be focused discussions on strengthening basic functions of WA, as part of the Assessment Year, which takes place every four years.

**4. Japan's efforts**

Japan supports the objectives of the WA from the

standpoint of maintaining both national security and global peace and stability, and was actively involved in the establishment process of the WA. Internally, Japan has enacted related laws and regulations including the “Foreign Exchange and Foreign Trade Act”, “Export Trade Control Order” and “Foreign Exchange Order,” and has been implementing strict export controls on dual-use goods and technologies that are subject to the scope of the WA.

Japan, by principle, does not export arms and strongly advocates the enhancement of transparency of arms transfer under the framework of the WA and the UN Register of Conventional Arms. Japan is determined to continue to actively pursue the prevention of conflicts through the enhancement of transparency.

## Chapter 2

# Non-Proliferation of Missiles

## Section 1. Present Status of the Missile Proliferation Issue

Restrictions on missiles as an effective means of delivering nuclear weapons and other weapons of mass destruction are an important supplement to international agreements banning and restricting the production and possession of weapons of mass destruction. However, no international agreements exists that control the possession or production of missiles. Ballistic missiles are capable of reaching their targets in a short period of time, and their warheads are extremely small compared to bombers, making them extremely difficult to track using ordinary radar. Ballistic missiles loaded with nuclear, biological, or chemical weapons can cause incredible harm, even if they are not very accurate.

In an attempt to prevent the proliferation of missiles, the Group of Seven (G7) established the “Missile Technology Control Regime (MTCR)” in 1987. The MTCR has been making efforts to prevent the spread of missile - related technologies through strict export control, as mentioned above.

However, it is becoming increasingly difficult to com-

pletely block the proliferation of missile technologies solely by preventing the transfer of technologies from the industrialized countries; some countries have developed their own missile technology or have received cooperation from countries other than MTCR - participating states that already possess missiles. North Korea has actually deployed Nodong missiles that can cover most of Japan’s territory. In 1998, North Korea launched a ballistic missile based on the Taepodong 1, which flew over Japan and landed in the Pacific Ocean. In 2006, North Korea launched seven ballistic missiles, including the Taepodong 2, and it forcibly conducted missile launches in April 2009 despite calls for restraint from Japan and other concerned states. These events have reaffirmed that missiles would constitute a serious threat to Japan and that the North Korean ballistic missile activities are having a significant impact on peace and stability in Northeast Asia. Furthermore, India, Pakistan and Iran have also repeated missile launch tests; a considerable number of countries have come to possess missile technologies.

## Section 2. Hague Code of Conduct (HCOC)

### 1. Background of adoption

The proliferation of ballistic missiles became a matter of concern in the international community. MTCR participating states were finding it increasingly difficult to prevent ballistic missile proliferation with the existing conventional export control regulations and came to the conclusion that a complementary framework needed to be formulated on a global basis. Deliberation on the global framework started at the MTCR. During the MTCR Ottawa Plenary Meeting in September 2001, the internal discussions on the framework concluded. The universalization process was then opened to all states (through the Paris meeting in February 2002 (with 78 states) and Madrid meeting in June 2002 (with 96 states)). This pro-

cess led to the adoption of “The Hague Code of Conduct against Ballistic Missile Proliferation (HCOC)” in the Hague, the Netherlands in November 2002, with the subscription of 93 states.

### 2. Overview of the HCOC

#### (1) Legal nature of the HCOC

The HCOC is the first document of international commitment for the non- proliferation of ballistic missiles. The HCOC encompasses confidence-building measures and principles on the non-proliferation of ballistic missiles and self-restraint regarding the development, testing and deployment of ballistic missiles as its major contents. It is not a legally binding international agreement, but a

document that presents subscribing states' political commitment to comply with the principles and measures in the HCOC.

#### (2) Contents of the HCOC

The HCOC contains several basic principles: the proliferation of ballistic missiles must be controlled and prevented; space rocket programs must not be used to conceal ballistic missile programs; states must restrain themselves from the development, testing and deployment of ballistic missiles; states must not contribute to, assist, or support ballistic missile development programs by states which may be developing or acquiring weapons of mass destruction in contravention of obligations under international disarmament and non-proliferation treaties and codes of conduct; states must undertake confidence building measures (pre-launch notification of ballistic missile and space rocket launches, annual reports on policy, etc.).

The HCOC states that the implementation of confidence building measures does not serve as justification for ballistic missile activities.

#### (3) HCOC - subscribing states

The number of subscribing states to the HCOC has increased from 93 at the time of its adoption to 131 as of

the end of February 2011.

For further universalizing the HCOC, subscribing states have continued to urge non - subscribing states to join the HCOC at the initiative of the Chair of the HCOC. The HCOC is open to all states and any state can join by submitting a diplomatic document to the Austrian Government, which works as the Immediate Central Contact for the HCOC, expressing its intention to subscribe.

#### (4) UN General Assembly Resolution on the HCOC

During the 59th UN General Assembly held in December 2004, the UN General Assembly Resolution on the HCOC was adopted with the support of 161 countries. At the 60th and 63rd sessions of the UN General Assembly in 2005 and 2008, similar Resolutions were adopted with the support of 158 and 159 countries, respectively.

These Resolutions welcome the establishment of the HCOC and intend to encourage subscription to the HCOC. Japan was one of the co-sponsors of the Resolutions and actively worked on non-HCOC-subscribing states to support the Resolutions in cooperation with the Chair of the HCOC.

## Section 3. Japan's Efforts

### 1. Efforts concerning ballistic missile proliferation issue

Ballistic missile proliferation is an important issue in the context of Japan's security. There are several means to address the issue, such as diplomatic efforts toward states of concern, export control and the creation of multilateral frameworks. Japan attaches great importance to international coordination within the framework of the MTCR and actively participates in discussions on the HCOC. Japan has also conveyed its concerns to countries engaged in missile activities on various occasions. In particular, Japan has been strongly urging North Korea to stop the development, testing, deployment and export of ballistic missiles, as North Korea's ballistic missile activities, including its deployment of the Nodong missiles (with a range covering most of Japan's territory) and launching tests of ballistic missiles, constitute a grave threat not only to Japan's security but also to international peace and security.

Three times between 2001 and 2008, experts from Japan have participated in the UN Panel of Governmental

Experts on Missiles to consider the missile issue from multiple perspectives, and contributed through strong declarations affirming the importance of measures addressing the missile issue.

### 2. Efforts in the framework of the HCOC

In the process of drawing up the contents of the HCOC, Japan made various concrete proposals with the North Korean ballistic missile activities in mind. The purport of the HCOC that space rocket programs should not be used to conceal ballistic missile programs and that pre-launch notification does not serve as justification for ballistic missile activities are the results of Japanese proposals. Ahead of the adoption of the HCOC, Japan explained its significance to the ASEAN member states on three occasions, jointly with Australia and the ROK.

As the HCOC needs to be further universalized and implemented smoothly in the future, Japan has taken every opportunity, at various seminars, briefing sessions, and the Asian Senior-level Talks on Non-Proliferation as well as bilateral talks, to encourage non-subscribing states, espe-



cially those in the ASEAN, for their understanding of and subscription to the HCOC. At present, the Philippines and Cambodia are the only ASEAN member states that subscribe to the HCOC. Japan will continue to work on other ASEAN member states for their subscription.

Furthermore, Japan was a pioneer in implementing pre-launch notification of space rockets for peaceful purposes and submitted an annual report on its space rocket policies at an early stage, aiming to contribute to the smooth implementation of confidence-building measures of the HCOC.

In November 2005, Japan invited HCOC subscribing states to a Space Center in Japan as a part of confidence-building measures of the HCOC. Such an active attitude is highly appreciated by other HCOC subscribing states. In order to ensure Japan's own security and regional and international peace and safety, Japan intends to continue its contributions so that the HCOC will work to prevent ballistic missile proliferation as a universal and effective code of conduct.

## Chapter 3

# Proliferation Security Initiative (PSI)

### Section 1. Background of its Establishment and Overview

As part of international efforts for the non-proliferation of weapons of mass destruction, missiles and their related materials, which are threats to global peace and security, various international export control regimes as well as international conventions such as the Treaty on the Non - proliferation of Nuclear Weapons (NPT) play an important role.

However, the reality remains that relevant international conventions and export control regimes are not sufficient on their own to prevent proliferation of mass destruction, missiles, and their related materials.

In light of such circumstances, the Bush administration of the United States attached emphasis to the issue of the proliferation of weapons of mass destruction and missiles, and was strongly concerned about the development and transfer of weapons of mass destruction and missiles by states of proliferation concern, including North Korea, Iraq and Iran, especially in light of the September 11th terrorist attacks in 2001. In December 2002, President George W. Bush announced the “National Strategy to Combat Weapons of Mass Destruction” in which he advocated the necessity of a comprehensive approach to stop proliferation (based on (1) Counter - proliferation, (2)

Non - proliferation and (3) consequence management to respond to WMD use).

On May 31, 2003, President Bush made an address during his visit to Krakow, Poland announcing the “Proliferation Security Initiative (PSI)” as a new arrangement to stop proliferation, while asking ten countries, including Japan, to participate in the PSI. The PSI may also be regarded as the embodiment of the concept of “interdiction” in “counter - proliferation” set out in the National Strategy to Combat Weapons of Mass Destruction. The PSI intends to design and implement measures that can be readily used by participating states to interdict the transfer and transport of weapons of mass destruction, missiles and their related materials within the scope of international laws and national laws of respective states, for the purpose of interdiction of proliferation of weapons of mass destruction, missiles and their related materials that are a threat to peace and security of the international community. At present, more than 95 countries worldwide support the “Statement of Interdiction Principles,” which prescribes the fundamental principles of PSI activities, and participate in and cooperate in PSI activities.

### Section 2. Past Experiences

#### 1. Efforts for increasing the number of participating states and cooperative states (outreach activities)

In order to promote activities to interdict the proliferation of weapons of mass destruction, missiles and their related materials under the PSI, the combined efforts of multiple countries are essential. Therefore, it is important to increase the number of participating states and cooperative states so that the web of interdiction efforts will become stable and extensive. At the time of the inauguration of the PSI, there were only 11 participating states, but the number has increased to more than 95 today as a result

of vigorous outreach activities.

#### 2. Examination of the contents of activities through various meetings

During the first two years since its inauguration, the PSI actively held gatherings such as plenary meetings of director - general - level officials and experts meetings of deputy director - general - level officials. As a result of the in - depth discussions on PSI activities in these meetings, it was confirmed that (1) the PSI is a framework to counter the proliferation of weapons of mass destruction, missiles and their related materials, which are threats to

the entire international community, and it does not intend to target specific states of concern, (2) membership is not limited to the current participating states, and (3) PSI activities are conducted on the basis of the existing international law and domestic laws of respective participating states and shall not go beyond legal authority. During the 3rd Plenary Meeting in September 2003 (in Paris), the "Statement of Interdiction Principles" was adopted, which lays down the objectives of the PSI and fundamental principles of PSI activities to prevent proliferation. In June 2006, a High - Level PSI Political Meeting was held in Warsaw, commemorating the 3rd anniversary of the PSI. In September 2008, a meeting was held in Washington, D.C. to mark the 5th anniversary of the PSI.

Including Japan, 21 countries participate in the Operational Experts Group (OEG), which has met regularly since the inauguration of the PSI. The OEG plays a decisive role in the PSI's main activities, closely studying PSI efforts, setting training implementation programs,

and discussing legal issues. In November 2010, Japan hosted its first meeting of the OEG in Tokyo.

### 3. Active implementation of interdiction exercises

Interdiction exercises have been carried out worldwide since the inauguration of the PSI in various styles including land, maritime and air interdiction exercises, in order to ensure the success of actual operations to interdict proliferation of weapons of mass destruction, missiles and their related materials. Major achievements from these exercises include (1) improvement of the capability and skills of relevant organizations of respective countries to interdict proliferation of weapons of mass destruction, missiles and their related materials, (2) enhancement of mutual cooperation among relevant national agencies of the participating states, such as military organizations, authorities to enforce maritime laws, customs authorities, etc. and (3) outreaching effects on non - participating states.

#### [PSI interdiction exercises] (As of the end of February 2011)

##### [2003]

- Sep. 12 to 14: Maritime interdiction exercise hosted by Australia (Pacific Protector) (in the Coral Sea of Australia)
- Oct. 8 and 9: Command post exercise for air interdiction hosted by the United Kingdom (in London)
- Oct. 14 to 17: Maritime interdiction exercise hosted by Spain (Sanso 03) (in the Mediterranean Sea)
- Nov. 24 to 28: Maritime interdiction exercise hosted by France (Basilic 03) (in the Mediterranean Sea)

##### [2004]

- Jan. 11 to 17: Maritime interdiction exercise hosted by the United States (Sea Saber) (in the Arabian Sea)
- Feb. 19: Air interdiction exercise hosted by Italy (Air Brake) (in Sicily)
- Mar. 31 to Apr. 1: Air interdiction exercise hosted by Germany (Hawkeye) (in Frankfurt)
- Apr. 13 to 22: Maritime interdiction exercise hosted by Italy (Clever Sentinel) (in the Mediterranean Sea)
- Apr. 19 to 21: Land interdiction exercise hosted by Poland (Safe Borders) (in Poland)
- Jun. 23 and 24: Command post exercise for air interdiction hosted by France (ASPE 04) (in Paris)
- Sept. 27 to Oct. 1: Table-top exercise for maritime interdiction hosted by the United States (PSI Game) (at the U.S. Naval War College)
- Oct. 25 to 27: Maritime interdiction exercise hosted by Japan (Team Samurai 04) (in the sea off Sagami Bay and in the Port of Yokosuka)
- Nov. 8 to 18: Maritime interdiction exercise hosted by the United States (CHOKE POINT 04) (in Key West)

##### [2005]

- Apr. 8 to 15: Maritime interdiction exercise hosted by Portugal (NINFA 2005) (in Lisbon and the sea off Portugal)
- May 31 to Jun. 2: Land interdiction exercise co-hosted by the Czech Republic and Poland (Bohemian Guard) (in Ostrava)
- Jun. 7 and 8: Air interdiction exercise hosted by Spain (Blue Action 2005) (in the Western Mediterranean area and at the Zaragoza Air Base)

Aug. 15 to 19: Maritime interdiction exercise hosted by Singapore (Deep Sabre 2005) (in Singapore and its surrounding ocean area)

Oct. 3 to 7: Table-top exercise hosted by Norway (PSI Game 2005) (in Bergen)

Nov. 14 to 18: Maritime interdiction exercise hosted by the United Kingdom (Exploring Themis 05) (in capital cities of participating states (Command post exercise: Nov. 14 to 16) and in the Indian Ocean (Live exercise: Nov. 17 and 18))

#### [2006]

Apr. 4 to 6: Air interdiction exercise hosted by Australia (Pacific Protector 06) (in Darwin)

Apr. 4 and 5: Maritime interdiction exercise hosted by the Netherlands (Top Port) (in Rotterdam)

May 24 to 26: Interdiction exercise hosted by Turkey (Anatolian Sun 2006) (in capital cities of participating states (Command post exercise: May 24 to 26) and in Antalya, Turkey (Live exercise: May 25 and 26))

Jun. 21 and 22: Interdiction exercise hosted by France (Hades 06) (in France)

Sept. 13 to 15: PSI Maritime interdiction exercise co-hosted by Poland, Russia and Denmark (Amber Sunrise) (in the coast of the Baltic Sea)

Oct. 25 to 31: Maritime interdiction exercise hosted by the United States (Leading Edge) (in capital cities of participating states (Command post exercise: Oct. 25 to 27) and in the Persian Gulf (Live exercise: Oct. 29 to 31))

#### [2007]

Apr. 26 and 27: Air interdiction exercise hosted by Lithuania jointly with Poland, Latvia, and Estonia (Smart Raven) (in Vilnius and Siauliai, Lithuania)

May 27 to 29: Maritime interdiction exercise hosted by Slovenia (Adriatic Gate 2007) (in Koper Bay, Slovenia)

Jun. 18 to 22: Table-top exercise hosted by the United States (PSI Game) (at the U.S. Naval War College)

Oct. 13 to 15: Maritime interdiction exercise hosted by Japan (Pacific Shield 07) (in the sea east of Izu Oshima Island, the Port of Yokosuka, and the Port of Yokohama)

Oct. 29 to 31: Land and maritime interdiction exercise co-hosted by Ukraine, Poland, and Romania (Eastern Shield 2007) (in Odessa, Ukraine)

#### [2008]

March 10 to 12: Maritime interdiction exercise jointly hosted by France and Djibouti (GUISTIR) (in the Port of Djibouti)

May 12 to 14: Maritime interdiction exercise hosted by Croatia (ADRIATIC SHIELD 08) (Rijeka, Croatia)

September 15 to 19: Maritime interdiction exercise hosted by New Zealand (MARU) (Auckland, New Zealand)

#### [2009]

October 24 to 28: Maritime interdiction exercise hosted by Singapore (Deep Sabre II) (Singapore and surrounding sea)

#### [2010]

January 24 to 28: Maritime interdiction exercise jointly hosted by the US and the UAE (Leading Edge 2010) (Abu Dhabi, UAE)

September 15: Air interdiction exercise hosted by Australia (Pacific Protector 10) (Cairns, Australia)

October 14 to 15: Maritime interdiction exercise hosted by South Korea (Eastern Endeavor 10) (Pusan, South Korea)

## Section 3. Japan's Efforts

Japan considers it necessary to strengthen non - proliferation efforts at all stages encompassing not only import/export control procedures and domestic control processes but also during transportation. Japan has been actively involved in PSI activities including the following, with the recognition that the PSI is consistent with Japan's past efforts for non - proliferation of weapons of mass destruction, missiles and their related materials and contributes to the improvement of the national security of Japan.

### 1. Active outreach activities

As part of efforts to strengthen the non - proliferation regime in Asia, and with the recognition that Asian countries' cooperation and collaboration with Japan in activities to interdict proliferation of weapons of mass destruction will contribute to its own national security, Japan has been actively promoting outreach activities aiming to raise the level of understanding of Asian countries on the PSI and expand their participation.

Japan will continue to actively encourage non - PSI countries, especially neighboring Asian countries, to support the principles of the PSI and participate in as well as cooperate with its activities. (See Chapter 4, section 2).

### 2. Active participation in PSI interdiction exercises (exercises hosted by other countries as well as hosting exercises)

From October 25 to 27, 2004, Japan hosted a maritime interdiction exercise – “Team Samurai 04” – which was carried out in the sea off Sagami Bay and in the Port of Yokosuka. Japanese vessels and aircraft belonging to the Japan Coast Guard, and Defense Agency,/ Self - Defense Forces were deployed in this exercise, in which a total of 21 countries participated, including countries that sent assets and personnel or observers.

Japan hosted the second maritime interdiction exercise “Pacific Shield 07” during October 13 to 15, 2007, in which Japanese vessels, aircraft, boarding and inspection teams were deployed from the Police, Customs and the Japan Coast Guard, as well as from the Ministry of Defense / Self - Defense Forces. A total of 40 countries - nearly double the participants in the 2004 exercise - participated in this exercise, including countries that sent observers and such countries as Australia, France, New Zealand, Singapore, the United Kingdom and the United States that sent assets and personnel. Japan has sent

observers to and participated in almost all of the exercises led by other countries. In particular, Japan made active contributions to the following exercises by deploying its vessels.

- (i) Maritime interdiction exercise hosted by Australia (Pacific Protector) (Sep. 2003) Patrol vessels and a special team of the Japan Coast Guard were deployed.
- (ii) Maritime interdiction exercise hosted by Singapore (Deep Sabre 2005) (Aug. 2005) Patrol vessels of the Japan Coast Guard and a vessel and patrol aircrafts of the Defense Agency / Self-Defense Forces were deployed.
- (iii) Air interdiction exercise hosted by Australia (Pacific Protector 06) (Apr. 2006) An inspection team consisting of officials of the National Police Agency, the Tokyo Metropolitan Police Department and the Ministry of Finance (Japan Customs) were deployed.
- (iv) Maritime interdiction exercise hosted by New Zealand (Maru) (September 2008). An inspection team consisting of officials from the Tokyo Metropolitan Police Department, the Ministry of Finance (Japan Customs) and aircraft from the Maritime Self Defense Force were deployed.
- (v) Maritime interdiction exercise hosted by Singapore (Deep Sabre II) (October 2009). An inspection team consisting of officials from the Tokyo Metropolitan Police Department, the Ministry of Finance (Japan Customs), and vessels and aircraft of the Maritime Self Defense Force were deployed.
- (vi) Maritime interdiction exercise hosted by South Korea (Eastern Endeavor 10) (October 2010). Vessels and ship-borne helicopters from the Maritime Self Defense Force were deployed.



# Chapter 4



## Promotion of Non-Proliferation Measures (Outreach)

As evident by the numerous attempts to illicitly acquire materials related to weapons of mass destruction in Asian countries, there is a pressing need to maintain and further develop the non-proliferation regime in this region. Forming the background of this issue is the expansion of production and supply capability of materials that can be employed in the use and development of weapons of mass destruction in several countries in Asia, the increasing significance of the region as a waypoint for trade, an insufficient awareness of the importance of non-proliferation, and undeveloped export control regimes.

In such conditions, it is particularly important for Asian countries to work within the international non-proliferation regime and undertake intra-regional cooperation to address the issue of non-proliferation. To strengthen regional non-proliferation measures, Japan has hosted various meetings, including the Asian Export Control Seminar (see section 1) and the Asian Senior-level Talks on Non-proliferation (ASTOP) (see section 2). From 2003 to 2010, Japan also dispatched missions to urge countries in Asia to participate in the Proliferation Security Initiative (see chapter 3).

### Section 1. Asian Export Control Seminar

The Asian Export Control Seminar is hosted by the Center for Information on Security Trade Control (CISTEC), and has been held annually since 1993. The seminar takes into account the above conditions, and is organized for government officials from Asian countries and regions in charge of non-proliferation and export controls, as a project commissioned by the Ministry of Foreign Affairs and the Ministry of Economy, Trade and Industry.

The seminar is based on the idea that cooperation among Asian countries and regions is necessary to develop a non-proliferation regime and strengthen the export control regime. Its aim is to raise a common awareness

of the importance of export controls in Asia, and enhance export control regimes.

In January 2010, 17 countries and regions in Asia were invited to the seminar, as well as 9 other cooperating countries, including the US and the UK. In total, 27 countries and regions including Japan participated in the 17th seminar. At the seminar, there were active discussions of recent movements in the proliferation of weapons of mass destruction, trends and issues in export controls in Asia, challenges of effective export controls, efforts to implement the Internal Compliance Program (ICP), regulation efforts for intangible technology transfers, and international cooperation to expand export controls.

### Section 2. Asian Senior-level Talks on Non-Proliferation (ASTOP)

Since 2003, Japan has hosted the Asian Senior-level Talks on Non-proliferation (ASTOP), inviting senior-level government officials in charge of non-proliferation policies from the ASEAN member states, China, and South Korea, as well as countries with a common interest in the security of the Asian region, such as the US, Australia, Canada, and New Zealand. These talks were initiated to enhance and raise awareness of efforts to prevent the proliferation of weapons of mass destruction, missiles, and

related materials in Asia. They also have the goal of introducing the Proliferation Security Initiative (PSI), begun in May 2003, to Asia, and discuss the state of PSI cooperation.

Since its inception, these talks have been held nearly every year. Recently, the 6th meeting was held on December 11, 2009, which consisted of exchanges of opinion and discussions on recent events related to non-proliferation including North Korea's nuclear weapons

and missiles development, the current situation of the Six-Party Talks and sanction measures against North Korea, and the nuclear situation and sanctions against Iran. Furthermore, the meeting addressed IAEA Safeguards and reports on Japan's implementation of the safeguards, the universalization of the IAEA Additional Protocol and challenges of its implementation, possibilities for peaceful uses of nuclear energy, nuclear security, and the PSI.

As a result of efforts such as these, progress has been made in non-proliferation in each country, particularly in efforts related to the PSI and the conclusion of the IAEA

Additional Protocol. The meetings have also facilitated sharing of experiences among participating states in development of national non-proliferation regimes, including implementation of relevant UN Security Council resolutions, increasing understanding between participants, and setting the stage for greater progress in the future. The talks have also clarified the type of assistance and support that is needed for national implementation of non-proliferation measures in Asian countries, setting the direction for future specific cooperation.



# **Part VI**

## **International and Regional Efforts**



# Part VI. International and Regional Efforts

## Chapter 1

# Efforts at the United Nations

### Section1. Discussion at the United Nations

Since its foundation in 1945, the United Nations has been constantly active in dealing with disarmament issues in accordance with Article 11 of the UN Charter, which stipulates that the UN General Assembly may consider disarmament and make recommendations to the Members and/or to the UN Security Council.

Although three UN General Assembly Special Sessions on disarmament were held during the Cold War period in 1978, 1982, and 1988 at the initiative of the Non-Aligned Movement states, specific achievements in the field of disarmament and non-proliferation realized through the United Nations were limited as a whole, and major agreements on disarmament were instead formed through bilateral or regional frameworks.

On the other hand, the United Nations basic contributions to disarmament have been in the form of deliberations and the adoption of resolutions at the UN General Assembly. The interests and views of the international community on disarmament and non-proliferation, which are shaped by the state of international affairs and the security environment of the time, have been reflected in those deliberations and resolutions, which have then played a major role in forming international public opinion on these issues in the medium to long term.

After the end of the Cold War, concrete results were achieved through the UN General Assembly in terms of disarmament and non-proliferation, such as the establishment of the UN Register of Conventional Arms in 1991, the adoption of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in 1996, the adoption of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in 2001, and the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism in 2005. In

addition, after the 11 September terrorist attacks in 2001, in response to the heightened concerns over the proliferation of weapons of mass destruction to non-state actors such as terrorists the UN Security Council also adopted Resolution 1540 on non-proliferation in April 2004. Since 2006, the Security Council has also adopted a series of resolutions including sanctions related to individual regional issues such as North Korea and Iran. As such the Security Council has quickly come to play a growing role in strengthening the international non-proliferation regime.

The Department for Disarmament Affairs of the UN Secretariat supported such UN activities. The post of Under-Secretary-General for Disarmament Affairs was held by Yasushi Akashi from 1987 to 1992, by Nobuyasu Abe, former Ambassador of Japan to Switzerland, from May 2003 to January 2006, and by Nobuaki Tanaka, former Ambassador of Japan to Turkey, from April 2006 to February 2007. However, the UN General Assembly adopted a resolution in February 2007 to place disarmament affairs directly under the UN Secretary-General with a High Representative at the rank of Under-Secretary-General, which took effect in April of that year. From July 2007 until the present, Sergio de Queiroz Duarte, a former Brazilian diplomat, has served as the High Representative to oversee five branches: Conference on Disarmament Secretariat and Conference Support Branch, Weapons of Mass Destruction Branch, Conventional Arms Branch, Regional Disarmament Branch, and the Information and Outreach Branch.

The Secretary-General of the United Nations has also played an active role in addressing the nuclear disarmament and non-proliferation issues. In his keynote address to a meeting of the East-West Institute in October 2008,



Secretary-General Ban Ki-moon put forward a five-point proposal. Similarly, at the NPT Review Conference in May 2010, he proposed five benchmarks in his statement to the Conference. He was also the first Secretary-General to attend the Peace Memorial Ceremony in Hiroshima, which he did in August 2010, and has exhibited initiative, for example, by calling on the international community for the elimination of nuclear weapons and nuclear non-proliferation.

**[The Five-point Proposal by UN Secretary-General Ban Ki-moon (in his address to a meeting hosted by the East-West Institute at the United Nations in October 2008)]**

1. All NPT states parties, in particular the nuclear-weapon states, must be urged to fulfill their obligation under the treaty to negotiate effective measures leading to nuclear disarmament. The states parties could consider negotiating a nuclear-weapons convention, backed by a strong system of verification.
2. The UN Security Council's permanent members should commence discussions on security issues in the nuclear disarmament process. They could unambiguously assure non-nuclear-weapon states that they will not be the subject of the use or threat of use of nuclear weapons. The Security Council could also convene a summit on nuclear disarmament.
3. New efforts are needed to bring the CTBT into force and for the Conference on Disarmament in Geneva to begin negotiations on a fissile material treaty immediately, without preconditions.
4. The nuclear-weapon states are invited to send information on their efforts for accountability and transparency to the United Nations Secretariat, and to encourage its wider dissemination. The nuclear powers could also expand the amount of information they publish about the size of their arsenals, stocks of fissile material, and specific disarmament achievements.
5. The UN General Assembly could also take up the recommendation of the Blix Commission for a "World summit on disarmament, non-proliferation and terrorist use of weapons of mass destruction."

**[UN Secretary General Ban Ki-moon's address to the 2010 NPT Review Conference (May 2010)]**

5 Benchmarks for creating opportunities for nuclear disarmament and non-proliferation

1. Real progress towards disarmament:

The UN Secretary-General urged nuclear-weapon states to reaffirm the "unequivocal undertaking" to eliminate nuclear weapons. He also encouraged all NPT states parties to expand on the 13 practical steps adopted at the 2000 NPT Review Conference.

2. Movement towards the universality of the NPT:

The UN Secretary-General urged countries outside the treaty regime to accede to it as soon as possible. Pending that, there was a need for measures to ensure the safety and security of those countries' arsenals and technology. Other measures should include a moratorium on nuclear tests, and tight export controls on fissile materials.

3. Strengthening the rule of law:

The UN Secretary-General highlighted that serious consideration is needed on setting a timeframe for ratification and entry into force of the CTBT, welcomed Indonesia's announcement that it would soon ratify the treaty, and urged other countries to follow suit. The Secretary-General also called for a conference to review the implementation on the Convention on Nuclear Terrorism to be held that year or the next. The Conference on Disarmament should begin negotiations immediately on a treaty banning the production of fissile material for weapons purposes (FMCT). If it cannot agree on its programme of work, it might need stronger impetus from a higher political level. All states should accept the IAEA Additional Protocol.

4. Progress towards a nuclear-weapon-free zone in the Middle East and on other regional concerns:

The UN Secretary-General strongly supported efforts to create a nuclear-weapon-free zone in the Middle East. The Secretary-General urged the conference to engage in a robust discussion of this matter. With regard to Iran's nuclear programme, he stated that Iran must fully comply with UN Security Council resolutions, and fully cooperate with the IAEA. Regarding Democratic People's Republic of Korea, the Secretary-General encouraged a return to the Six-Party Talks as soon

as possible, without preconditions in order to realize the verifiable denuclearization of the Korean Peninsula.

5. Strengthening the NPT Review Process:

The UN Secretary-General pointed out that the NPT's lack of an effective tool for cases of non-compliance is a significant institutional deficit. The UN Security Council has a special and crucial role to play filling this gap, including through regular ministerial meetings to follow up on last year's UN Security Council summit on nuclear disarmament and non-proliferation.

**[UN Secretary-General Ban Ki-moon's remarks at the Welcome Ceremony in Hiroshima, "Now is the Time" (6 August 2010)]**

- "I have come to Hiroshima on a pilgrimage for peace. Every world leader should join us along this path."
- "Disarmament is among the most important, most noble, goals of the United Nations. And I would like to say, as well, that it is a goal to which I have devoted much of my life."
- "Everywhere, momentum is building. Everywhere, the name of Hiroshima echoes. It is a summons, a global call to action, from ground zero to Global Zero – a world free of nuclear weapons."
- "We see encouraging new commitments by the world's nuclear powers: A new START treaty between Russia and the United States; important progress at the Washington Summit on Nuclear Security, [...] Advances at the recent review of the Treaty on Non-Proliferation of Nuclear Weapons at the United Nations; above all, a rising chorus of conscience from civil society. From leaders such as Mayor Akiba of Hiroshima, Mayor Taue of Nagasaki and the Mayors for Peace movement (a movement of more than 4,000 mayors.)"  
(North Korea and Iran)

- "I urge the DPRK to take concrete actions towards verifiable de-nuclearization of the Korean Peninsula."
- "There are serious concerns regarding Iran's nuclear program. I repeat my call for the government to fully comply with the relevant resolutions of the Security Council and provide the fullest cooperation to the IAEA to resolve any concerns over its nuclear programs."

(UN Security Council Summit and the Five-point Plan)

- "Now is the time: the time to build political momentum."
  - "My proposal: to convene regular Security Council Summits to follow up on our promises and commitments."
  - "I also invite the Government of Japan to consider hosting a regional conference to advance this Five-Point Action Plan on Nuclear Disarmament and Non-proliferation."

(Creation of a timeframe for nuclear disarmament measures)

- "Now is the time,"
  - "[...] for rapid entry into force of the Comprehensive Nuclear-Test-Ban Treaty. Let us set the goal of 2012."
  - "[...] to prohibit the production of fissile materials for weapon purposes."
  - "[...] to move towards agreement on a no-first-use doctrine, paving the way toward a no-use doctrine."
- "The Mayors for Peace have set a goal – a world free of nuclear weapons by the year 2020. That is what I call perfect vision."
- "Let us also teach our children the right path – the path of peace via disarmament. That should include translating the testimonies of the survivors."

**Section 2. The United Nations General Assembly (First Committee)**

At the UN, issues related to disarmament and non-proliferation have been taken up mainly at the "UN First Committee", which is a venue where all the member states of the UN General Assembly are entitled to participate and discuss topics concerning disarmament and international security. In addition, there is also the UN Disarmament Commission (UNDC), where specific items

are discussed at each session outside the framework of the UN General Assembly.

**1. First Committee of the UN General Assembly**

Initially, disarmament issues had been discussed along with political, security, and technological issues at the First Committee of the UN General Assembly. A deci-

sion, however, was later made in 1978 at the First Special Session of the General Assembly devoted to disarmament stipulating that “the First Committee of the General Assembly should deal in the future only with questions of disarmament and related international security questions.” Since then, mainly disarmament and international security issues have been discussed at the First Committee. This committee is held for a period of about five weeks every autumn after the general debate of the General Assembly.

Every year, the First Committee adopts many resolutions related to disarmament, thereby playing a role in increasing international momentum and laying out the future direction. In addition, it is crucial to observe events occurring at the First Committee in order to foresee the direction of international trends concerning disarmament and non-proliferation. Japan also submits draft resolutions on important issues in this field every year.

Specifically, each year from 1994 to 1999, Japan submitted draft resolutions on “Nuclear disarmament with a view to the ultimate elimination of nuclear weapons.” In 2000 and thereafter, Japan submitted draft resolutions entitled “A path to the total elimination of nuclear weapons,” which presented concrete steps to the total elimination of nuclear weapons based on the outcomes of the 2000 NPT Review Conference. From 2005, Japan submitted draft resolutions entitled, “Renewed determination towards the total elimination of nuclear weapons,” in response to the disagreements at the 2005 NPT Review Conference and the lack of reference to disarmament and non-proliferation in the UN World Summit Outcome Document of September 2005. Both these resolutions have been met with overwhelming support. In May 2010, as a result of the adoption of a final document by consensus for the first time in ten years at the NPT Review Conference, Japan submitted a draft resolution titled “United Action towards the Total Elimination of Nuclear Weapons,” which was more comprehensive in comparison to previous resolutions and called for concrete action by the international community toward a world without nuclear weapons. The resolution was adopted by an overwhelming majority. (First Committee: 154 in favor, 1 against, 13 abstentions. UN General Assembly: 173 in favor, 1 against, 11 abstentions.)

Japan has also submitted draft resolutions on small arms and light weapons almost every year since 1995, when the issue of small arms and light weapons was brought fully to the attention of the international community. In 2010, Japan’s draft resolution called on countries to implement the measures emphasized in the report of

the 4th UN Biennial Meeting on Small Arms and Light Weapons, and presented efforts for the Governmental Experts Meeting in 2011 and the Review Conference in 2012. Japan, South Africa, and Colombia jointly proposed this resolution, which was adopted by an overwhelming majority in the First Committee and by consensus at the UN General Assembly.

## 2. The United Nations Disarmament Commission (UNDC)

The United Nations initially established two commissions, the “Atomic Energy Commission” and the “Conventional Disarmament Commission,” to conduct research and make recommendations on disarmament. These were later integrated at the 6th UN General Assembly in 1952 to form the “United Nations Disarmament Commission” (UNDC) as a new forum to deliberate on disarmament issues. The UNDC, nonetheless, remained virtually dormant for a long period without producing any tangible achievements in the field of disarmament. It was decided at the first Special Session on Disarmament in 1978 to reorganize and reestablish the UNDC in its current form, which is a subsidiary body of the UN General Assembly with the participation of all UN member states.

Since 1979, the UNDC has held a three to four week session every April in New York, and it normally deals with the same agenda items for two to three years in succession. The agenda items dealt with for the three years from 1997 to 1999 were “Nuclear weapon-free zones,” “The 4th Special Session of the General Assembly devoted to disarmament,” and “Practical disarmament”.

Two new agenda items, “Ways and means to achieve nuclear disarmament” and “Practical confidence building measures in the field of conventional arms,” were dealt with from 2000 to 2003. However, no agreement was reached among participating countries, and no working paper was thus adopted (exceptionally the UNDC was not convened in 2002). Although discussions over new agenda items had been planned from 2004, sessions in both 2004 and 2005 ended without any agreement on new agenda items being reached.

From 2006, the UNDC held active discussions on the agenda items “Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons,” “Practical confidence-building measures in the field of conventional weapons”, and “Measures for improving the effectiveness of methods of the Commission” with a view to compiling a final docu-

ment by the end of the 2008 session, but no working paper was adopted.

In recognition of the growing momentum for nuclear disarmament, the new UNDC cycle beginning in 2009 has

undertaken discussions on the “Declaration of the fourth disarmament decade” and “Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons.”

### Section 3. The United Nations Security Council

The issues of disarmament and non-proliferation have been taken up at the UN Security Council, which is primarily responsible for international peace and security.

At the same time as the NPT was being established in 1968, Resolution 255 was adopted in the UN Security Council on “positive security assurances” (the assurance that assistance shall be actively provided to non-nuclear-weapon states that have suffered from the use of nuclear weapons or are under the threat of nuclear weapons). In addition, in 1995 Resolution 984 was adopted by the Security Council on “negative security assurances” (the assurance that nuclear-weapon states shall not use or threaten to use nuclear weapons against non-nuclear-weapon states), which had been continuously raised by non-nuclear-weapon states since the start of the process of NPT negotiations. In January 1992, the President of the Security Council issued a statement reaffirming the critical role of the progress of disarmament, arms control, and non-proliferation in the maintenance of international peace and security and expressing that the proliferation of weapons of mass destruction constitutes a threat to international peace and security.

In April 2004, the UN Security Council unanimously adopted Resolution 1540 on non-proliferation. This was the first Security Council resolution under Chapter VII of the Charter of the United Nations that stipulated that the proliferation of weapons of mass destruction and their means of delivery poses a threat to international peace and security. The main content of the resolution is as follows: (1) decides that all states shall refrain from providing any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, or use weapons of mass destruction, etc.; (2) decides that all states shall adopt and enforce appropriate effective laws which prohibit any non-state actor to manufacture, acquire, possess, develop, transport, or use weapons of mass destruction and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them; and (3) decides that all states shall adopt and implement effective measures to establish domestic

controls over related materials and equipment to prevent the proliferation of weapons of mass destruction and their means of delivery, and decides that all states shall develop and implement physical protection measures, border controls, law enforcement measures, and strict export control. Based on this resolution, a committee (commonly known as the 1540 Committee) was set up under the Security Council for a period of no longer than two years, and all UN member states were required to present a report on the implementation of this resolution to the committee. In addition, all UN member states were called on to provide appropriate support at the request of states lacking the legal and regulatory infrastructure necessary to implement the provisions of the resolution within their own territory. The mandate of the 1540 Committee was extended another two years by Security Council resolution 1673 adopted in April 2006. Security Council Resolution 1810 adopted in April 2008 extended the mandate of the committee for an additional three years.

Based on UN Security Council Resolution 1540, Japan has been reporting to the 1540 Committee on the measures it has taken to implement the resolution. At the same time Japan has also been calling for other states to fully implement the resolution and has been expressing its readiness to provide the necessary assistance for that purpose.

In September 2009, US President Obama served as chair of the UN Security Council Summit on nuclear disarmament and non-proliferation. This marked the first time that a Security Council summit had been organized on the themes of nuclear disarmament and non-proliferation. The summit was held through the initiative of US President Obama, who also chaired the meeting. Prime Minister Hatoyama attended from Japan, and expressed Japan’s intention to stand at the forefront of the movement to abolish nuclear weapons. He also strongly called for nuclear disarmament by the nuclear weapons states, the immediate entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), and the early commencement of negotiations for a fissile material cut-off treaty. The summit adopted by consensus Security Council Resolution 1887, which comprehensively covers the areas of nuclear

disarmament, non-proliferation, peaceful uses of nuclear energy, and nuclear security, specifies the direction for the international community to take in these areas, and calls for cooperation to achieve the goals outlined.

In addition to the above-mentioned resolutions and presidential statements on security, disarmament, and non-proliferation in general, the UN Security Council has also issued resolutions and statements on individual regional issues (See Part 2, chapter 4). Especially since 2006, a series of resolutions have been adopted concerning the North Korean and Iranian nuclear issues. This is particularly significant progress in the field of non-proliferation by the Security Council, and Japan has earnestly implemented all of these resolutions.

Until present, several UN Security Council resolutions that include sanctions have been adopted against North Korea. In response to the ballistic missile launches by North Korea in July 2006, the Security Council unanimously adopted Resolution 1695, which condemned North Korea's ballistic missile launches and required North Korea and UN member states to implement specific measures. The resolution demanded that North Korea suspend all activities related to its ballistic missile programme and re-establish its pre-existing commitments to a moratorium on missile launches, strongly urged North Korea to return immediately to the Six-Party Talks, and also required all UN member states to conduct strict export controls and measures to prevent financial transactions of concern.

In response to the North Korean announcement of a nuclear test in October 2006, the UN Security Council, which Japan was chairing at the time, unanimously adopted Resolution 1718. The resolution obliged North Korea to abandon all nuclear weapons and existing nuclear programmes as well as all other existing weapons of mass destruction and ballistic missile programmes. The resolution also decided that all UN member states should prevent the supply to North Korea of specific items related to the military, nuclear and other weapons of mass destruction, and missiles, ban exports of luxury goods, prohibit the entry of designated persons from North Korea, and freeze North Korean assets.

Furthermore, in response to North Korea's nuclear test in May 2009, the UN Security Council adopted Resolution 1874 by consensus in June. This resolution strengthens sanctions against North Korea, including reinforcing the weapons embargo; enhancing inspections of cargo suspected of containing items violating the import/export ban; bolstering financial measures such as banning public

financial support for new assistance and trade, blocking the transfer of financial assets with greater monitoring, and implementing freezes on assets; and further empowering the Security Council committee established to oversee sanctions against North Korea. (The mandate of the Panel of Experts created by this resolution was extended for one year by Security Council Resolution 1928.)

With regard to Iran, which had ignored repeated calls from the international community and had continued its uranium enrichment-related activities, in March 2006 the UN Security Council adopted a presidential statement requesting Iran to implement the IAEA Board of Governors' requirements on its nuclear issues, and also adopted Resolution 1696 in July 2006 obliging Iran to suspend all uranium enrichment-related and reprocessing activities. In spite of the adoption of this resolution, Iran continued its enrichment-related activities. Therefore, the Security Council unanimously adopted the following resolutions which include sanctions on Iran.

Security Council Resolution 1737 adopted in December 2006 again obliged Iran to suspend all uranium enrichment-related and reprocessing activities and heavy water-related projects. The resolution also obliged all UN member states to take measures, such as to prevent the transfer of nuclear and missile-related materials and technologies and related financial transactions to Iran, prohibit the procurement of nuclear and missile-related items from Iran, freeze assets of entities and individuals related to Iranian nuclear and other activities, exercise vigilance and notify the Committee regarding the entry into or transit through their territories of designated persons, and invited them to take measures, such as to exercise vigilance and prevent specialized teaching or training in the related fields.

Security Council Resolution 1747 adopted in March 2007 further increased the numbers of entities and persons subject to the measures including freezing assets, and also requested UN member states to prohibit the procurement of arms from Iran and take measures such as to exercise vigilance and restraint on exports of large combat system to Iran, and suspend new grants and loans to Iran (except for humanitarian and developmental purposes).

Resolution 1803, which was adopted in March 2008, froze the assets of additional groups and individuals, and confirmed measures to restrict the entry into or transit through countries by specific individuals. It also obliged UN member states to implement measures including monitoring of transactions with all banks in Iran and public financial support including export credits, and inspections of aircraft and vessels owned or operated by speci-



fied Iranian corporations for cargo suspected of containing items banned for import or export.

Due to Iran's continuing violation of its resolutions, the UN Security Council adopted Resolution 1929 in June 2010. This resolution imposed additional sanctions, including a stronger arms embargo, the freezing of assets and travel and immigration restrictions on additional entities and individuals, and enhanced inspections

of cargo suspected of containing items banned for import or export. The resolution also prevents the provision of financial services to Iran under specific conditions, bans establishing new joint ventures companies and transaction relations (correspondent banking relationships) with domestic corporations via Iranian banks, and further strengthens the Iran Sanctions Committee (through the creation of the Panel of Experts).

## Section 4. The United Nations Secretary-General's Advisory Board on Disarmament Matters

The United Nations Secretary-General's Advisory Board on Disarmament Matters is an advisory board that directly advises the Secretary-General on general disarmament issues. The Advisory Board also functions as the board of directors to supervise the management of the UN Institute for Disarmament Research (UNIDIR) in Geneva.

This Advisory Board has its origin in the Advisory Board on Disarmament Studies, which consisted of 30 eminent persons to advise the Secretary-General and was established based on a proposal presented by UN Secretary-General Waldheim to the first Special Session on Disarmament in 1978. The Advisory Board on Disarmament Studies completed its mandate in 1981 after holding seven meetings. The Board was re-established in 1982 based on a resolution submitted to the 37th UN General Assembly (37/99K) and has continued up to the present (its name was changed to the current name in 1989).

This Advisory Board meets biannually (usually in February and July) in New York and Geneva. The

Board consists of about 20 members appointed by the UN Secretary-General in their personal capacity on the basis of their knowledge and experience and on the principle of equitable geographical representation. From Japan, Mitsuhiro Donowaki, former Permanent Representative to the Conference on Disarmament, served as a member of the Advisory Board from 1992 to 1998, and Yoshitomo Tanaka, former Special Assistant to the Minister of Foreign Affairs (and former Permanent Representative to the Conference on Disarmament) from 1999 to 2002. Ambassador Kuniko Inoguchi, former Permanent Representative to the Conference on Disarmament, served as a member of the Board from 2003. The former Ambassador of Japan to Switzerland, Nobuyasu Abe, has served as a member of the board since 2008. At the 54th Session of the Secretary-General's Advisory Board on Disarmament Matters held in July 2010, there were discussions to follow up on the 2002 report of the UN Group of Governmental Experts on Disarmament and Non-proliferation Education, as well as on the outcome of the 2010 NPT Review Conference in May.

## Section 5. The United Nations Conference on Disarmament Issues

Based on a proposal made by then-Prime Minister Noboru Takeshita at the third Special Session on Disarmament in 1988 that the Japanese Government was ready to convene a UN disarmament conference in Japan, every year since 1989 the Conference on Disarmament Issues has been held in Japan. The conference is sponsored by the United Nations (the Office for Disarmament Affairs and the UN Regional Centre for Peace and Disarmament in Asia and the Pacific), and is held with the support of the Japanese Ministry of Foreign Affairs and the local government of the host city. Rather than negotiating agreements, adopting resolutions, or making appeals, as occurs at disarmament meetings composed of government representatives of various countries, like the UN General Assembly or the Conference on Disarmament in Geneva, at this conference high-level government offi-

cials and experts on disarmament affairs from various countries participate in their personal capacity and engage in discussions in line with each year's topic.

Holding meetings such as this in various cities across the country not only presents a good opportunity to put forward the positive stance of Japan on disarmament issues both domestically and internationally, but also provides a valuable occasion to raise the public's awareness of disarmament issues and to let them know what the government is doing to address these issues. The conference has been held in Hiroshima, Nagasaki, Kyoto, Sendai, Sapporo, Akita, Kanazawa, Osaka, Saitama, and Niigata. From 25 to 27 August 2010, the conference was held in Saitama for the second time since 2008.

Each year, government representatives attend the conference to deliver introductory speeches. Local high

school students participate in side events, making the conferences effective from the perspective of disarmament and non-proliferation education. The conferences have

the potential to make a lasting contribution to the development of people who will become involved in the disarmament issue in the future.

**Column: Resolution on nuclear disarmament titled “United action towards the total elimination of nuclear weapons” proposed by Japan: 90 co-sponsor countries in 2010, the most of any to date.**

#### <Japan's Position>

Japan emphasizes the realistic and incremental efforts involving nuclear-weapon states towards a world without nuclear weapons. For this purpose, Japan has sought to gain large numbers of co-sponsor countries, including nuclear-weapon states, in the drafting of its nuclear disarmament resolutions for submission to the UN General Assembly. Japan has worked to determine the content of the draft resolutions through close exchanges of views with various countries, and to gain the understanding and cooperative action of other countries.

### 1 October 2010: Opening of the First Committee of the UN General Assembly

#### <Important new elements in the draft resolution submitted by Japan in 2010>

Expressed deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and reaffirmed the need for all states all time to comply with applicable international law, including international humanitarian law. Reaffirmed the necessity of the full implementation of the action plan adopted at the 2010 NPT Review Conference. Reaffirmed the unequivocal undertaking by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals.

#### <Efforts targeting various countries>

The Japanese delegation encouraged delegations of other countries to become co-sponsors of its draft resolution on nuclear disarmament at every possible opportunity including at various meetings to discuss other draft resolutions. The Japanese delegation explained the updates from the previous year's resolution to the delegations of various countries. As the number of co-sponsors grew, more states were inclined to decide to co-sponsor the resolution.

#### <Burden sharing among the Japanese delegates>

Maximizing the use of personal relationships, the Japanese delegates encouraged the delegations of other countries to co-sponsor the resolution. Each delegate approached approximately 50 countries to become co-sponsors.

#### 14 October, 11:30 <Efforts prior to the deadline for submission of draft resolutions>

Just before the deadline of the submission of the list of original co-sponsors of the draft, many delegates were gathering at the café in the UN Headquarters. Those delegates were performing outreach activities until five minutes before the deadline in order to gain more co-sponsors. One diplomat was observed in contact with his headquarters by mobile phone to receive instructions on becoming a co-sponsor of Japan's draft resolution. (This country became an original co-sponsor only 3 minutes prior to the deadline.)

### 14 October, 12:00: Deadline for submission of draft resolutions

(At this point, the number of original co-sponsors was 55, exceeding the pace of the previous year.)

#### <Additional efforts>

Japanese embassies in various countries requested support for the resolution from their host countries. To countries whose delegations were not seen in the meeting, the Japanese delegates requested support or co-sponsorship for the resolution by phone or fax. To countries which had expressed that they had difficulty supporting the resolution, the Japanese delegates gathered information on reasons behind this decision and their voting position, and at the same time they continued to work on those countries seeking their support.

### 26 October 2010: Action at the First Committee of the UN General Assembly

- 90 countries co-sponsored the resolution (the largest number to date.)
- The resolution was adopted by an overwhelming majority (154 voted in favor, 1 against, 13 abstentions.)

### 8 December 2010: Action at the UN General Assembly

- 90 countries co-sponsored the resolution (the largest number to date.)
- The resolution was adopted by an overwhelming majority (the largest to date) (173 voted in favor, 1 against, 11 abstentions.)

## Chapter 2

# Efforts at the G8

The issues of disarmament and non-proliferation have recently been given greater importance at the G8 Summits, where the leaders of the main developed countries hold discussions with a view to taking specific actions in unison to deal with the most important issues facing the international community.

Since the 11 September 2001 terrorist attacks on the United States, the connection between terrorism and weapons of mass destruction has become recognized as the greatest and most pressing threat facing the international community within the broader range of issues associated with WMD proliferation. In addition, the Iranian and North Korean nuclear issues have demanded exigent responses. Reflecting its awareness of these issues, the G8 has adopted statements on disarmament and non-proliferation since the 2002 Kananaskis Summit in Canada. (See Part 2, Chapter 9, Section 2 regarding the “G8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction” and related documents (“Statement,” “Guidelines,” and “Principles”).)

These statements express the G8’s position of pursuing the universalization and strengthening of the functions of multilateral agreements, including the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the IAEA Comprehensive Safeguards Agreement and Additional Protocol, the Biological Weapons Convention (BWC), and the Chemical Weapons Convention (CWC). The G8 has also emphasized voluntary efforts by like-minded countries such as the steady implementation of UN Security Council resolutions like Resolution 1540, which prevents the proliferation of weapons of mass destruction to terrorist groups and other non-state entities, PSI, restrictions on the transfer of enrichment and fuel reprocessing-related equipment and technology, and nuclear security. The above represents the G8’s posture of effectively pursuing non-proliferation efforts through a variety of approaches.

Recent statements have also put more emphasis on efforts regarding the peaceful uses of nuclear energy and nuclear disarmament. As issues of energy security and

climate change have gained attention, the importance of nuclear power generation has been reaffirmed, as reflected in the term “nuclear renaissance.” Also, in light of the fact that developing countries experiencing economic growth are working towards the adoption of nuclear power, since the 2006 St. Petersburg Summit in Russia the G8 has been pointing out the importance of considering measures for non-proliferation, safety, and security in the peaceful uses of nuclear power. At the 2008 Toyako Summit in Hokkaido, this approach was summarized as “3S” (nuclear safeguards/non-proliferation, nuclear safety, and nuclear security) in a chair’s initiative by Japan. Efforts from the perspective of 3S have been carried out through subsequent summits. (See Part 2, Chapter 7, Section 1.)

Regarding nuclear non-proliferation, in response to the increase in momentum for realizing a world without nuclear weapons that has emerged since US President Obama’s Prague Speech, following the L’Aquila Summit in Italy in 2009 the G8 announced its own commitment to create the conditions for such a world. Furthermore, the G8 Foreign Ministers meeting in March 2010 issued the “G8 Foreign Ministers Statement on Nuclear Non-Proliferation, Disarmament and Peaceful Uses of Nuclear Energy” as a contribution toward the success of the May 2010 NPT Review Conference. Past statements by the G8 have focused on non-proliferation, but as the title of the 2010 statement shows, the G8 made clear that a balanced approach to all of three pillars of the NPT (nuclear non-proliferation, nuclear disarmament, and the peaceful uses of nuclear power) must be pursued. The statement also reflected the G8’s sensitivity towards developing countries regarding nuclear disarmament, the peaceful uses of nuclear power, and the Resolution on the Middle East, and also sent a clear message that the G8 would actively contribute to the success of the 2010 NPT Review Conference. At the Muskoka Summit in Canada in June of that year, the G8 welcomed the outcome of the NPT Review Conference, and urged the implementation of the action plan adopted unanimously at the Conference.

## Column: The International Commission on Nuclear Non-Proliferation and Disarmament (ICNND)

The International Commission on Nuclear Non-Proliferation and Disarmament (ICNND) was established through a joint Japan-Australia initiative, which was proposed by Australian Prime Minister Kevin Rudd and welcomed by Prime Minister Yasuo Fukuda during a meeting between the two leaders at the G8 Toyako Summit in July 2008. Former Japanese Foreign Minister Yoriko Kawaguchi and former Australian Foreign Minister Gareth Evans were appointed as co-chairs of the committee. In September 2009, based on advice from the joint committee chairs, Prime Minister Taro Aso and Prime Minister Rudd named 15 distinguished individuals (including the joint chairs) as committee members and formally announced the initiation of the ICNND.

The goal of the ICNND is to revitalize international discussions at high levels of government on nuclear non-proliferation and disarmament in the context created by and following the 2010 NPT Review Conference. Specifically, the ICNND has contributed to the international consensus formed following the NPT Review Conference by taking up all aspects of the NPT and providing practical guidance. Thus far, a total of four meetings have been held in Sydney, Australia; Washington, D.C., US; Moscow, Russia; and Hiroshima, Japan. In parallel, regional meetings have been held in Santiago, Chile; Beijing, China; Cairo, Egypt; and New Delhi, India, which have taken up regional aspects of the nuclear disarmament and non-proliferation issues. The members of the ICNND each act not as representatives of their respective governments, but participate in committee meetings in their private capacity.

In December 2009, joint chairs Kawaguchi and Evans submitted the ICNND report, “Eliminating Nuclear Threats - A practical agenda for global policymakers” to Prime Minister Hatoyama and Prime Minister Rudd. Later, the chairs undertook efforts to publicize the report with the support of both the Japanese and Australian governments. The report was also submitted to the NPT Review Conference, adding greatly to the discussions there.

The activities of the ICNND have been supported by an advisory board consisting of 27 distinguished experts appointed at the request of the joint chairs from various countries. The advisory board includes Nobuyasu Abe (former UN Under-secretary-General for Disarmament Affairs), Shunsuke Kondo (chairman of the Japan Atomic Energy Commission), and Yukio Satoh (former Permanent Representative of Japan to the United Nations). In addition, nine noted think tanks from around the world have been named as associated research centres, including the Japan Institute of International Affairs (Yoshiji Nogami, President). These organizations provide assistance by contributing research papers to ICNND meetings and offering meeting venues.

Information in Japanese on the ICNND, including translations of ICNND reports, is available on the Ministry of Foreign Affairs website (<http://www.mofa.go.jp/mofaj/gaiko/icnnd>). The same reports and other information including committee member lists are available on a website operated by the Australian government (<http://www.icnnd.org/>).



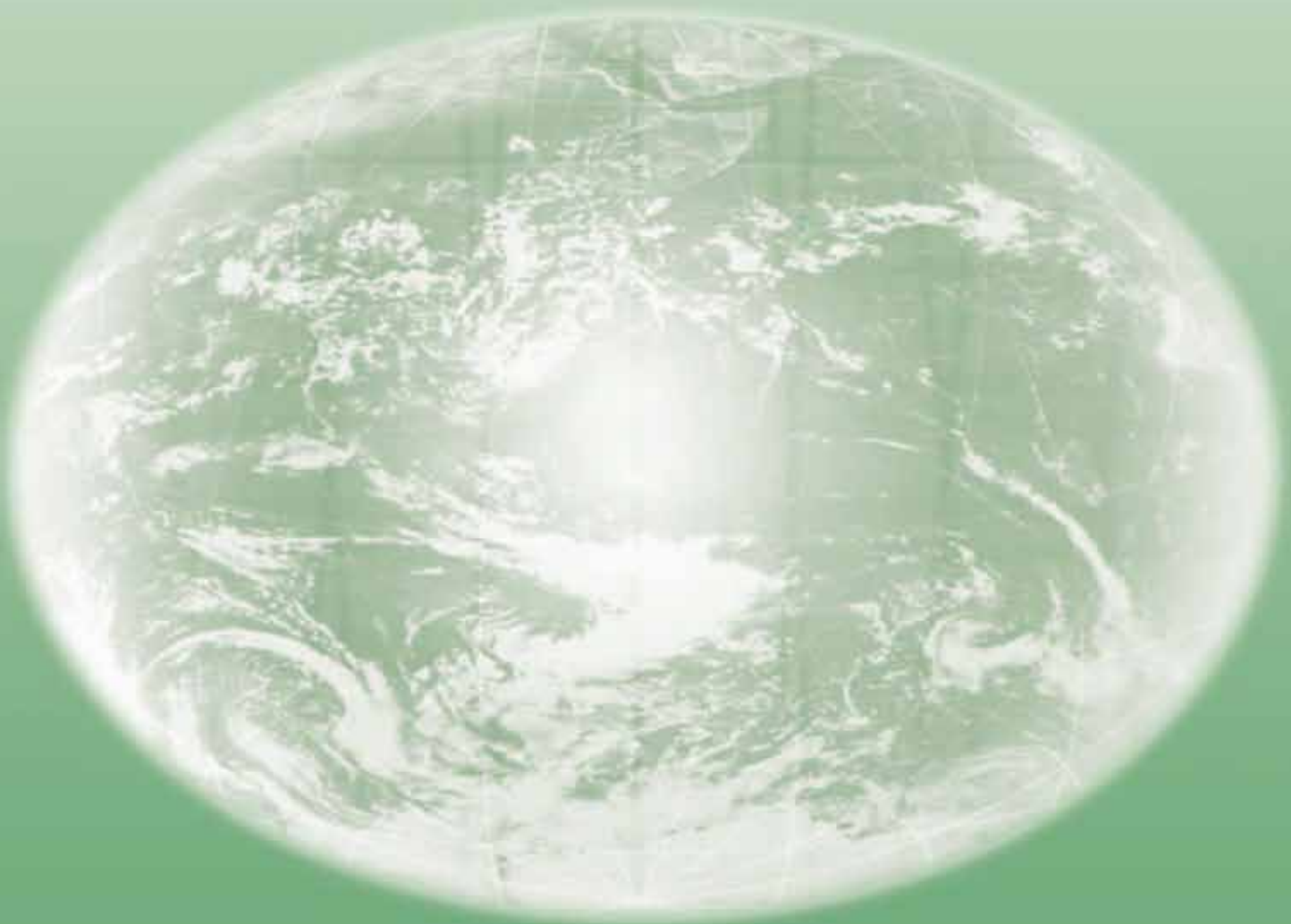
Members of the International Committee for Nuclear Non-proliferation and Disarmament (ICNND) (in Hiroshima), including former Foreign Minister Kawaguchi (front row, 3rd from left) and former Foreign Minister Evans (center).





# **Part VII**

## **Dialogue and Cooperation with Civil Society**



# Part VII. Dialogue and Cooperation with Civil Society

## Chapter 1



## Overview

In recent years, civil society, including non-governmental organizations (NGOs), has come to play an increasingly important role in responding to global issues. Collaborations between NGOs, which can act quickly, governments, and international organizations are indispensable, particularly for emergency aid activities in post-conflict regions. The efforts of NGOs and civil society also play important roles in the areas of disarmament and non-proliferation, helping to foster momentum for advancing international efforts, and implementing projects on the ground to assist victims.

In the area of nuclear weapons, the mayors of the cities of Hiroshima and Nagasaki are at the center of the movement “Mayors for Peace,” which established the “2020 Vision” campaign to abolish nuclear weapons by the year 2020. This policy has gained the support of many local

governments around the world. Moreover, the NGO session held at the 2010 NPT Review Conference in May 2010 included speeches from the representatives of 15 NGOs, including nuclear bomb victims who attended the conference from Japan. In the area of conventional weapons, stronger international links among NGOs have increased civil society’s power to influence governments as symbolized by the “Ottawa Process” which targeted anti-personnel mines.

The Government of Japan considers it meaningful to amply listen to the opinions of civil society, including NGOs, and to ensure collaboration with them in its endeavors to promote disarmament and non-proliferation. Indeed, the government has strengthened dialogue and cooperation with civil society in recent years.

## Chapter 2

# Holding of Symposia and Workshops, and Dialogue and Cooperation with NGOs

### 1. Nuclear disarmament and non-proliferation

As the only country in the world to have suffered the consequences of a nuclear attack, Japan's citizens share an earnest hope for the total elimination of nuclear weapons. Activities in pursuit of this goal are very dynamic in the cities of Hiroshima and Nagasaki, the sites of the nuclear attacks, as well as in other regional centers, among victims of the atomic bombs, and NGOs. The tragedy caused by the use of nuclear weapons must not be repeated, and it is important to continue to speak about this disaster to the international community. For this reason, the Japanese government continues dialogue with NGOs and other groups.

For example, in August of each year, peace memorial ceremonies are held in Hiroshima and Nagasaki. The Prime Minister and other representatives of the Japanese government attend these ceremonies, and also participate in meetings with victims of the attacks. In addition, the government frequently exchanges views with NGOs in Tokyo and the areas hosting the meetings, and attends meetings organized by NGOs during international meetings including the UN General Assembly.

In May 2009, as a side event to the 3rd session of the Preparatory Committee for the NPT Review Conference in New York, a disarmament and non-proliferation seminar was jointly organized by the Japanese Ministry of Foreign Affairs, the UN Office for Disarmament Affairs, the United Nations Institute for Disarmament Research, and the James Martin Center for Nonproliferation Studies at the Monterey Institute of International Studies. The seminar saw the participation of approximately 90 representatives of NGOs and governments of various countries, and discussions took place on how disarmament and non-proliferation education can contribute to disarmament and non-proliferation efforts, particularly the strengthening of the NPT regime. In addition, there were active discussions on educational tools for raising the awareness of citizens to disarmament and non-proliferation.

As a side event to the 2010 NPT Review Conference, the Production Committee for Reproducing Images of Hiroshima Peace Memorial Park, which consists of com-

panies from Hiroshima and scholarly associations from the US and Japan, held a screening of prewar images reconstructed using computer graphics of the areas of Hiroshima that are now the Peace Memorial Park. The screening was sponsored by the Ministry of Foreign Affairs, and Vice-Minister of Foreign Affairs Fukuyama delivered a speech at its opening.

From 2010, the Ministry of Foreign Affairs is also holding exchanges of views with various NGO groups. Parliamentary Vice-Minister for Foreign Affairs Nishimura attended one of these exchanges in April 2010, while Parliamentary Vice-Minister Tokunaga participated in a similar event in September.

### 2. Non-proliferation of Chemical Weapons

In November 2008, the Ministry of Foreign Affairs invited the Deputy Director-General of the Organization for the Prohibition of Chemical Weapons (OPCW), John Freeman, to the Center for the Promotion of Disarmament and Non-proliferation at the Japan Institute of International Affairs. Freeman delivered a lecture entitled "The OPCW's Mission at a Time of Development and Expansion in Global Chemical Activities" in which he discussed the OPCW's efforts to date, and emphasized the importance of the non-proliferation of chemical weapons. Afterwards a lively discussion took place among the participants.

In December 2010, Director-General of the OPCW, Ahmet Üzümcü, visited Japan as a guest of the Ministry of Foreign Affairs. The Director-General delivered a lecture on "the Future Challenges of the OPCW" at the Global Security Research Institute (G-SEC) of Keio University, speaking about the challenges facing the OPCW, and conversing with the public and members of the university.

### 3. Conventional Arms

#### (1) Anti-personnel mines

In December 2007, the Ministry of Foreign Affairs and the Association for Aid and Relief, Japan (AAR) hosted a symposium to mark the tenth anniversary of the opening for signature of the Anti-Personnel Mine Ban Convention

(the Ottawa Convention). Overseas experts from UN agencies, governmental organizations in countries affected by mines, and international NGOs participated in the symposium. Representatives from industry, government, and academia, as well as NGOs, actively exchanged views in order to share their past efforts in mine action and to discuss on future initiatives. The concrete examples of the assistance program for mine action carried out by the Government of Japan since 1998 as well as its outcomes were reported to the participants to deepen their understanding on Japan's past efforts.

At the 2nd Review Conference of the Ottawa Convention, held from 29 November to 4 December 2009 in Cartagena, Colombia, Japan jointly hosted with NGOs two symposia entitled "Victim assistance partnerships symposium: current aid and future efforts" and "Universalization of the Ottawa and Oslo Conventions" for the purpose of highlighting the cooperation between industry, government, academia, and civil society, and to show Japan's efforts for the universalization of these conventions. In addition, Japanese-made mine detection devices and information on technological developments in this area were presented, and demining equipment was exhibited and demonstrated at the meeting venue. English-language pamphlets were also distributed, which introduced cases of accelerated demining activities using Japanese technology.

## (2) Convention on Cluster Munitions (CCM)

In March 2010, the State Secretary for Foreign Affairs, Koichi Takemasa, hosted a reception for the promotion and the universalization of the Convention on Cluster Munitions (CCM). The purpose of the reception was to raise awareness of the damage caused by mines, cluster munitions, and other unexploded ordnance, as well as to advance the universalization of the CCM and activities to remove unexploded ordnance. Introductory speeches were delivered by State Secretary Takemasa, the Ambassador of the Kingdom of Norway to Japan, and a representative of the Japan Campaign to Ban Landmines (JCBL). Also, presentations were given by the Association for Aid and Relief, Japan (AAR), and a representative of the Ministry of Foreign Affairs of Laos (Laos is one of the most heavily affected countries by cluster munitions in the world, and was the chair of the 1st Meeting of States Parties of the CCM.) Approximately 120 people including representatives from embassies in Tokyo, NGOs, Diet members, and various experts participated in this gathering.

In addition, in October 2010 on the occasion of the

First Committee of the UN General Assembly held at the UN Headquarters, Japan hosted a special event on the CCM. This event was held in advance of the 1st Meeting of States Parties in November 2010. Japan assisted the chair of this meeting, Laos, as the Friend of the Chair for Universalization of the Convention, in order to promote understanding among non-states parties and to encourage participation in the Meeting of States Parties, as well as to provide an opportunity for various countries to report on the status of their progress towards conclusion of the convention. Over 130 participants, including delegates from more than 70 country and 50 NGO representatives attended this event.

## (3) Small Arms and Light Weapons (SALW)

In March 2007, the Ministry of Foreign Affairs hosted a workshop in Tokyo on small arms and light weapons entitled, "SALW Issues from the Perspective of the Protection and Empowerment of the Peaceful Community." A total of 26 government representatives from 18 countries, as well as 29 other participants including members of the Diet, representatives of international organizations, NGOs from inside and outside of Japan, and various experts took active part in the workshop.

Along with the promotion of nuclear disarmament, efforts to address the SALW issue are an important pillar of Japan's disarmament diplomacy. This workshop presented Japanese position on the SALW issue both nationally and internationally. The workshop also reaffirmed the need for the international community to continue efforts based on the UN Programme of Action on SALW, while providing an opportunity to deepen partnerships with civil society on this issue.

## (4) Arms Trade Treaty (ATT)

In February 2009, the Ministry of Foreign Affairs and the international NGO Oxfam jointly hosted the Asia Pacific Regional Conference on an Arms Trade Treaty. Lively discussions took place over two days among the participants, who included 16 government representatives from 12 countries, 16 NGO representatives from 11 countries, and 47 other individuals including various experts and representatives from international organizations. Participants at the meeting pointed to the wide-ranging impact of the irresponsible transfer of arms (such as serious violations of international humanitarian and human rights laws, the exacerbation of poverty, the diversion of resources from education, health and welfare services to undesirable purposes). The meeting affirmed the impor-

tance of the involvement of many actors, including arms exporting and importing countries, countries acting as intermediaries for arms transfers, the weapons industry, and civil society. This meeting was the first meeting for countries in the Asia Pacific region focused on the ATT.

Additionally, in September 2010, international organi-

zations, experts, NGOs, and representatives from the governments of 34 countries gathered at a symposium held in Boston, which deepened discussions on the primary elements of an ATT. Nationally, as well, the Japanese government continues exchanges of views with experts and NGOs, such as Oxfam Japan.



# Chapter 3



## Disarmament/non-proliferation and education

Disarmament and non-proliferation education is part of the foundation supporting efforts by civil society and government to ensure the steady progress of global disarmament and non-proliferation. This kind of education raises the awareness of individuals and societies about the destructive consequences of various types of weapons, including nuclear arms, and the dangers of and the need for measures against their proliferation. This knowledge and practice provides the basis for increasing the capacity at the individual, societal, and national levels to devise concrete efforts to ensure international security, disarmament, and non-proliferation.

For disarmament and non-proliferation education to develop, close communication among actors such as governments, international organizations, and civil society, including NGOs and the media, is important. As a country with active civil society efforts owing to its singular experience as a victim of nuclear attack in war, education is an area in which Japan has a major presence in disarmament and non-proliferation diplomacy. Efforts by the Japanese government include translating into multiple languages the testimonies of victims of the atomic bombs and the initiative of the Special Communicators for a World without Nuclear Weapons. Additionally, Japan is involved in a training program for conveying the reality of nuclear attack to young foreign diplomats at the sites of the atomic bombings. Japan also submits working documents to and deliver statements in the NPT review process and assists the UN Conference on Disarmament Issues in Japan. Examples of activities in civil society include events to present the testimonies of atomic bomb victims, national and international citizens' movements, and the introduction of the effects of nuclear and other weapons through news and television specials in order to shift public attitudes through the media.

Some of the main government efforts in the area of disarmament and non-proliferation education are set out below.

### 1. Submission of working papers on disarmament and non-proliferation education

Japan and the United Nations University jointly submitted a working paper on disarmament and non-proliferation education to the 2010 NPT Review Conference. The document stated the need for partnerships between governments and civil society in disarmament and non-proliferation education, the use of digital technologies to inform the next generation of the realities of nuclear attack, and venues for exchanging views with civil society. The document also called for the organization of a Global Forum on Disarmament and Non-proliferation Education. In addition, Akio Suda, Ambassador Extraordinary and Plenipotentiary Permanent Representative of Japan to the Conference on Disarmament, acting as the representative of 42 countries delivered a joint statement on disarmament and non-proliferation education. These efforts led by Japan resulted in the inclusion for the first time of statements on disarmament and non-proliferation education into the final document of an NPT Review Conference.

### 2. Organization and assistance for overseas atomic bomb exhibitions

In order to communicate the horrors of the use of nuclear weapons and the strong desire to prevent their use, the Japanese government through its diplomatic missions abroad has supported the organization of exhibitions in foreign countries on the atomic bombs with the involvement of the mayors of Hiroshima and Nagasaki and many other groups. In addition, each year since 2005, the Nagasaki National Peace Memorial Hall for the Atomic Bomb Victims has held an overseas exhibit on the atomic bombings.

### 3. Pop culture

In 2007, at the First Session of the Preparatory Committee for the 2010 NPT Review Conference, Japan submitted a working paper proposing the use of Japanese pop culture, like anime and manga, which is popular

overseas. As a result, copies of manga and other works were distributed at appropriate opportunities, including seminars and the NPT Preparatory Committees up to the third one in 2009. (These included: in 2007, “Barefoot Gen” (English version manga) and an exhibition of images from the Hiroshima Reconstruction Project; in 2008, “Town of Evening Calm, Country of Cherry Blossoms” (English version manga); and in 2009, “On That Summer Day”, a Japanese and English picture book)

#### **4. UN Conference on Disarmament Issues and Special Communicators for a World without Nuclear Weapons**

Every year, Japan cooperates in the organization of the UN Conference on Disarmament Issues in a regional city of Japan. The side events accompanying these conferences are significant as a part of disarmament and non-proliferation education for ordinary citizens and young people, including high school and university students. (See chapter 1.) In September 2010, an initiative was launched called “Special Communicators for a World without Nuclear Weapons” in order to strengthen efforts to convey the realities of the terrible devastation caused by nuclear weapons use through cooperation with civil society. (See “Column: Special Communicators for a World without Nuclear Weapons”.)

#### **5. Meeting of the UN Group of Governmental Experts on Disarmament and Non-Proliferation Education**

At the UN Advisory Board on Disarmament Matters held in New York in 2000, it was pointed out that in order to break the current stalemate in nuclear disarmament, it would be necessary to actively educate the younger generations on nuclear disarmament issues. Based on these deliberations a draft resolution was submitted requesting the UN Secretary-General to carry out preparations for a study to evaluate the current situation and to promote disarmament and non-proliferation education. The draft was adopted by consensus at the 55th UN General Assembly in the same year.

In accordance with the resolution, the UN Group of Governmental Experts on Disarmament and Non-proliferation Education was convened, consisting of 10 experts from governments, NGOs, and research institutes, including Yukiya Amano, former Ambassador of Japan to the US and current Director-General of the IAEA. The group met a total of four times, and in August 2002, it submitted “the United Nations Study on Disarmament and

Non-proliferation Education” to the UN Secretary General, which he presented to the UN General Assembly that year.

Since then, a draft resolution, “United Nations study on disarmament and non-proliferation education”, calling for the implementation of the report’s recommendations for revitalizing disarmament and non-proliferation education, has been submitted to the UN General Assembly biennially, and adopted by consensus. (Japan is a joint sponsor of the resolution.)

#### **6. Training in Japan under the United Nations Disarmament Fellowship Programme**

At the first Special Session on Disarmament in 1978 it was decided to implement the UN Disarmament Fellowship Programme to train experts on disarmament issues, particularly from developing countries. Every year since 1979, participants from various states, including experienced diplomats and officials of national defense departments who are engaged in disarmament, have participated in this Fellowship Programme. Participants have deepened their knowledge by visiting international organizations, research institutions related to disarmament and non-proliferation, and relevant countries.

With regard to the involvement of Japan in this Programme, then Prime Minister Zenko Suzuki made a proposal to invite the participants in the Fellowship Programme to Hiroshima and Nagasaki at the second Special Session on Disarmament in 1982. A group of approximately 30 participants has been invited to visit Japan every year since 1983. Japan invited the Fellowship Programme to visit for the 28th time in 2010. To date, a total of 736 diplomats from various countries have visited Japan under the Programme. The participants of the Programme listen to presentations on Japan’s disarmament and non-proliferation policy and visit Hiroshima and Nagasaki. With the cooperation of both cities, the participants deepen their understanding of the devastation caused by the use of nuclear weapons. From 2009, participants have visited nuclear power facilities, and observed Japan’s efforts and technology for the peaceful uses of nuclear power.

Currently, many diplomats from various countries are alumni of the Fellowship Programme, and have spoken of the deep impression that their visits to Hiroshima and Nagasaki made on them. This training programme is significant because it brings the inhumane consequences of the use of nuclear weapons to the world’s attention, while presenting Japan’s efforts for disarmament, non-proliferation, and the peaceful uses of nuclear power.

## Column: Special Communicators for a World without Nuclear Weapons

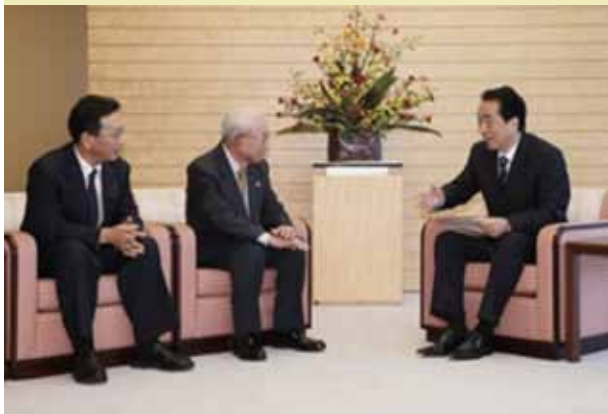
The year 2010 marked the 65th anniversary of the first use in warfare of nuclear weapons. Every year in August, peace memorial ceremonies are held in Hiroshima and Nagasaki, the cities on which the atomic bombs were dropped, to pray for the spirits of those who perished and for peace in the world. To preserve the memory of the tragedy caused by the nuclear attacks, these ceremonies and the testimonies of the survivors have become part of the ongoing efforts of the cities of Japan including Hiroshima and Nagasaki, as well as civil society, to call on the people of the world to abolish nuclear weapons. However, as time has gone by, the survivors have grown older. Therefore, a current issue is how to pass on the actual experiences of the survivors to future generations.

To address this issue, Prime Minister Naoto Kan announced in his introductory remarks at the 2010 Peace Memorial Ceremonies in Hiroshima and Nagasaki the launch by the Japanese government of an initiative called “Special Communicators for a World without Nuclear Weapons.”

The Special Communicators for a World without Nuclear Weapons initiative was started to enable survivors of the nuclear attacks to share their experiences as “Special Communicators,” and to spread knowledge of the horrors caused by nuclear weapons use across the international community. The survivors have testified on their experiences individually and with the support of the government and other organizations. By being commissioned by the Japanese government as Special Communicators, their words carry even more weight for the people who receive them and increase the reach of their activities both inside and outside Japan. As of the end of February 2011, a total of 12 events involving about 27 Special Communicators have been commissioned under this initiative since it began in September 2010.

Record of activities of Special Communicators for a World without Nuclear Weapons (as of the end of January 2011)

- (1) Visit by the participants of the United Nations Disarmament Fellowship Programme to Hiroshima and Nagasaki.
- (2) Events at the 30th anniversary of the declaration of Manchester, UK as a non-nuclear city, and testimonies to local junior high school students.
- (3) Peace exchange and “the Hiroshima and Nagasaki Atomic Bomb Exhibit” in Turkey.
- (4) Testimonies in Kuwait, and testimony and exhibition of Hiroshima Ground Zero reproduction images in Cairo, Egypt.
- (5) Visit of Joseph Deiss, President of the 65th Session of the UN General Assembly, to Hiroshima.
- (6) Peace exchange and “the Hiroshima and Nagasaki Atomic Bomb Exhibit” in Turkey.
- (7) Visit of Sheikh Hasina, Prime Minister of Bangladesh, to Hiroshima.
- (8) Testimonies at Los Angeles Japanese School, Asahi Gakuen in Los Angeles, USA.
- (9) Testimonies and atomic bomb exhibit in Chiang Mai, Thailand.
- (10) The fourth Global Voyage for a Nuclear-Free World – Peace Boat Hibakusha Project.
- (11) Visit by Ion Botnaru, Director, General Assembly and ECOSOC Affairs Division, Department of General Assembly and Conference Management, to Hiroshima.
- (12) “Hiroshima no yube” event and testimonies at local schools in Anglet, France.



Prime Minister Kan meeting with the first Special Communicator for a World without Nuclear Weapons



Testimony by a Special Communicator during the Hiroshima visit of the United Nations Disarmament Fellowship Programme

Survivors of the atomic bombs have shared their experiences in Japan and overseas. Through the Special Communicators for a World without Nuclear Weapons initiative, the Japanese government will support efforts to provide more opportunities for atomic bomb survivors to give their testimonies in a greater number of countries. The Japanese government will undertake further efforts to ensure that humanity does not forget the tragedies that occurred in Hiroshima and Nagasaki 65 years ago.





# Concordance

## Note:

1. The list and Index of Abbreviations contain terms from the main text (including diagrams.)
2. The numbers refer to the pages on which the term appears.

## A

- ACW → Abandoned Chemical Weapons / 86, 87
- AG → Australia Group / 106, 109, 110
- ASTOP → Asian Senior-level Talks on Non-Proliferation / 10, 54, 106, 114, 120
- ATT → Arms Trade Treaty / 11, 90, 100, 101, 138

## B

- BW → Biological Weapons / 34, 41, 80, 81, 83
- BWC → Biological Weapons Convention / 11, 24, 41, 80, 81, 83, 110, 132

## C

- CBM → Confidence Building Measures / 18, 26, 27, 82, 90, 100, 102, 113, 115, 127
- CCM → Convention on Cluster Munitions / 7, 11, 90, 94, 95, 96, 138
- CCW → Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects / 11, 94, 96
- CD → Conference on Disarmament / 17, 24, 25, 26, 33, 84, 124, 125
- CTBT → Comprehensive Nuclear-Test-Ban Treaty / 9, 16, 17, 18, 19, 20, 21, 22, 24, 32, 35, 45, 47, 48, 49, 124, 125, 126, 128
- CW → Chemical Weapons 34, 41, 67, 80, 84, 85, 86, 87, 88, 109, 137
- CWC → Chemical Weapons Convention / 11, 24, 41, 45, 80, 81, 84, 109, 132

## F

- FMCT → Fissile Material Cut-off Treaty / 16, 24, 50, 125, 128

## G

- GI → Global Initiative to Combat Nuclear Terrorism / 62, 63

## H

- HCOC → Hague Code of Conduct against Ballistic Missile Proliferation / 33, 39, 113, 114, 115

## I

- ICBL → International Campaign to Ban Landmines / 91
- ICNND → International Commission on Nuclear Non-Proliferation and Disarmament / 133
- IMS → International Monitoring System / 17, 18, 21
- ISTC → International Science and Technology Center / 73
- IAEA → International Atomic Energy Agency / 8, 9, 10, 14, 15, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 65, 72, 73, 107, 108, 121, 125, 126, 129, 132, 141

## M

- MD → Missile Defense / 30, 34, 35
- MNA → Multilateral Nuclear Approaches / 56
- MTCR → Missile Technology Control Regime / 39, 106, 110, 111, 112, 114

## N

- NFU → no first use / 32
- NPT → Treaty on the Non-Proliferation of Nuclear Weapons / 7, 8, 9, 14, 15, 16, 19, 20, 24, 28, 29, 31, 32, 34, 35, 36, 37, 38, 39, 40, 42, 45, 46, 47, 48, 49, 51, 52, 53, 54, 58, 65, 72, 74, 76, 77, 108, 109, 116, 125, 127, 128, 130, 131, 132, 133, 136, 137, 140
- NSA → Negative Security Assurance / 24, 31, 32, 34, 35, 74, 77, 128
- NSG → Nuclear Suppliers Group / 49, 56, 106

## O

- OCW → Old Chemical Weapons / 86
- OPCW → Organisation for the Prohibition of Chemical Weapons / 41, 84, 86, 137

## P

- PAROS → Prevention of Arms Race in Outer Space / 24, 25, 26
- PSA → Positive Security Assurance / 128
- PSI → Proliferation Security Initiative / 10, 116, 117, 118, 120, 121, 132

## S

- SSAC → State System of Accounting for and Control of

## Concordance

Nuclear Material / 63, 72, 73

- START → Strategic Arms Reduction Treaty / 28, 29, 30, 31, 35, 126

## U

- UNDC → United Nations Disarmament Commission / 126, 127, 128
- UNIDIR → United Nations Institute for Disarmament Research / 130

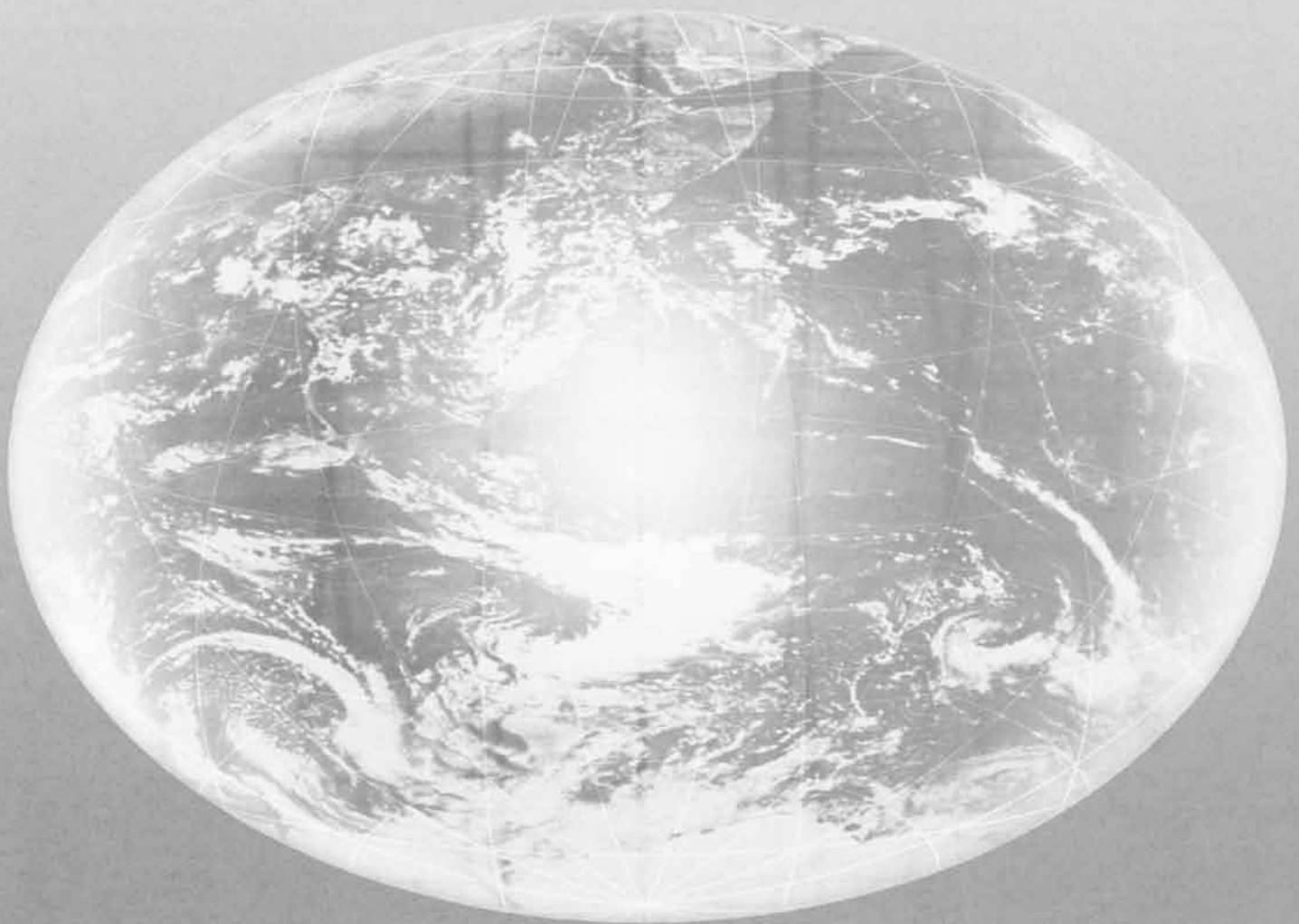
## W

- WA → Wassenaar Arrangement / 106, 111, 112
- WMD → Weapons of Mass Destruction / 11, 25, 26, 29, 39, 45, 66, 77, 84, 90, 98, 106, 110, 111, 114, 116, 120, 125, 128, 132

## Z

- ZC → Zangger Committee / 106, 108, 109

# **II Documents**





# Documents

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## **1. UN**

- United action towards the total elimination of nuclear weapons
- The illicit trade in small arms and light weapons in all its aspects

## **2. NPT**

- A New Package of Practical Nuclear Disarmament and Non-Proliferation Measures for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

## **3. Statement, Fact Sheet**

- Joint Statement by Minister for Foreign Affairs of Japan and Minister for Foreign Affairs of Australia “Toward a World without Nuclear Weapons”
- Joint Statement by Foreign Ministers on nuclear disarmament and non-proliferation
- Fact Sheet on U.S.-Japan Cooperation on Reducing Nuclear Risks
- Joint Statement on Nuclear Disarmament and Non-Proliferation
- JOINT MINISTERIAL STATEMENT ON THE CTBT

## **4. UN Security Council Resolution**

- Resolution 1540 (2004)
- Resolution 1695 (2006)
- Resolution 1718 (2006)
- Resolution 1737 (2006)
- Resolution 1747 (2007)
- Resolution 1803 (2008)
- Resolution 1874 (2009)
- Resolution 1929 (2010)





# 1. UN

Sixty-fifth session

Agenda item 97 (x)

## Resolution adopted by the General Assembly

*[on the report of the First Committee (A/65/410)]*

### 65/72. United action towards the total elimination of nuclear weapons

*The General Assembly,*

*Recalling* the need for all States to take further practical steps and effective measures towards the total elimination of nuclear weapons, with a view to achieving a peaceful and secure world free of nuclear weapons, and in this regard confirming the determination of Member States to take united action,

*Noting* that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under strict and effective international control,

*Recalling* its resolution 64/47 of 2 December 2009,

*Expressing deep concern* at the catastrophic humanitarian consequences of any use of nuclear weapons, and reaffirming the need for all States at all times to comply with applicable international law, including international humanitarian law, while convinced that every effort should be made to avoid nuclear war and nuclear terrorism,

*Reaffirming* that the enhancement of international peace and security and the promotion of nuclear disarmament are mutually reinforcing,

*Reaffirming also* that further advancement in nuclear disarmament will contribute to consolidating the international regime for nuclear non-proliferation, which is, inter alia, essential to international peace and security,

*Reaffirming further* the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons<sup>1</sup> as the cornerstone of the international nuclear non-proliferation regime and an essential foundation for the pursuit of the Treaty's three pillars, namely nuclear disarmament, nuclear non-proliferation and the peaceful uses of nuclear energy,

*Welcoming* the successful outcome of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held from 3 to 28 May

1. United Nations, *Treaty Series*, vol. 729, No. 10485.

2010, and reaffirming the necessity of fully implementing the action plan adopted at the Conference,<sup>2</sup>

*Welcoming also* this year's visit of the Secretary-General to Hiroshima and Nagasaki, Japan, which marked the sixty-fifth anniversary of the atomic bombings,

*Noting* the high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations, convened by the Secretary-General on 24 September 2010,

*Welcoming* the signing on 8 April 2010 of the Treaty between the Russian Federation and the United States of America on Measures for the Further Reduction and Limitation of Strategic Offensive Arms,

*Noting* the recent announcements on overall stockpiles of nuclear warheads by France, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as well as the update of the Russian Federation on its nuclear arsenals, which further enhance transparency and increase mutual confidence, and noting in this regard the announcement of the first 2010 Review Conference follow-up meeting of the five nuclear-weapon States, to be convened in Paris in 2011,

*Expressing deep concern* regarding the growing dangers posed by the proliferation of weapons of mass destruction, inter alia, nuclear weapons, including that caused by proliferation networks,

*Recognizing* the importance of the objective of nuclear security, along with the shared goals of Member States of nuclear disarmament, nuclear non-proliferation and peaceful uses of nuclear energy, and welcoming the Nuclear Security Summit, held on 12 and 13 April 2010, which represented a remarkable contribution to strengthening nuclear security and reducing the threat of nuclear terrorism,

*Recognizing also* the importance of implementing Security Council resolutions 1718 (2006) of 14 October 2006 and 1874 (2009) of 12 June 2009 with regard to the nuclear tests announced by the Democratic People's Republic of Korea on 9 October 2006 and on 25 May 2009, respectively, and declaring that the Democratic People's Republic of Korea cannot have the status of a nuclear-weapon State under the Treaty on the Non-Proliferation of Nuclear Weapons under any circumstances,

1. *Reaffirms* the importance of all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons complying with their obligations under all the articles of the Treaty;

2. *Also reaffirms* the vital importance of the universality of the Treaty on the

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2. See *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vols. I–III (NPT/CONF.2010/50 (Vols. I–III)), vol. I, part I.

Non-Proliferation of Nuclear Weapons, and calls upon all States not parties to the Treaty to accede as non-nuclear-weapon States to the Treaty promptly and without any conditions and, pending their accession to the Treaty, to adhere to its terms and take practical steps in support of the Treaty;

3. *Further reaffirms* the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, to which all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons are committed under article VI thereof;

4. *Calls upon* nuclear-weapon States to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons, deployed and non-deployed, including through unilateral, bilateral, regional and multilateral measures;

5. *Emphasizes* the importance of applying the principles of irreversibility, verifiability and transparency in relation to the process of nuclear disarmament and non-proliferation;

6. *Recognizes* that nuclear disarmament and achieving the peace and security of a world without nuclear weapons require openness and cooperation, and affirms the importance of enhanced confidence through increased transparency and effective verification;

7. *Encourages* the Russian Federation and the United States of America to seek the early entry into force and full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms and to continue discussions on follow-on measures in order to achieve deeper reductions in their nuclear arsenals;

8. *Urges* all States that have not yet done so to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty <sup>3</sup> at the earliest opportunity, with a view to its early entry into force and universalization, stresses the importance of maintaining existing moratoriums on nuclear-weapon test explosions or any other nuclear explosions pending the entry into force of the Treaty, and reaffirms the importance of the continued development of the Treaty verification regime, which will be a significant contribution to providing assurance of compliance with the Treaty;

9. *Calls for* the immediate commencement of negotiations on a fissile material cut-off treaty at the 2011 session of the Conference on Disarmament and its early conclusion, and calls upon all nuclear-weapon States and States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons to declare and maintain moratoriums on the production of fissile material for any nuclear weapons or other nuclear explosive devices pending the entry into force of the treaty;

10. *Calls upon* the nuclear-weapon States to take measures to further reduce the risk of an accidental or unauthorized launch of nuclear weapons in ways that promote inter-

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3. See resolution 50/245.

national stability and security, while welcoming the measures already taken by several nuclear-weapon States in this regard;

11. *Also calls* upon the nuclear-weapon States to promptly engage with a view to further diminishing the role and significance of nuclear weapons in all military and security concepts, doctrines and policies;

12. *Recalls* Security Council resolution 984 (1995) of 11 April 1995, noting the unilateral statements by each of the nuclear-weapon States, and calls upon all nuclear-weapon States to fully respect their existing commitments with regard to security assurances;

13. Encourages the establishment of further nuclear-weapon-free zones, where appropriate, on the basis of arrangements freely arrived at among States of the region concerned and in accordance with the 1999 guidelines of the Disarmament Commission;<sup>4</sup>

14. *Calls upon* all States to redouble their efforts to prevent and curb the proliferation of nuclear weapons and their means of delivery and to fully respect and comply with obligations undertaken to forswear nuclear weapons;

15. *Stresses* the importance of the universalization of the comprehensive safeguards agreements of the International Atomic Energy Agency to include States which have not yet adopted and implemented such an agreement, while also strongly encouraging further works for achieving the universalization of the Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safeguards approved by the Board of Governors of the Agency on 15 May 1997,<sup>5</sup> and the full implementation of relevant Security Council resolutions, including resolution 1540 (2004) of 28 April 2004;

16. *Encourages* every effort to secure all vulnerable nuclear and radiological material, and calls upon all States to work cooperatively as an international community to advance nuclear security, while requesting and providing assistance, including in the field of capacity-building, as necessary;

17. *Encourages* all States to implement the recommendations contained in the report of the Secretary-General on the United Nations study on disarmament and non-proliferation education,<sup>6</sup> in support of achieving a world without nuclear weapons, and to voluntarily share information on efforts they have been undertaking to that end;

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4. See *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42 (A/54/42)*.

5. International Atomic Energy Agency, document INFCIRC/540 (Corrected).

6. See A/57/124.



18. *Commends and further encourages* the constructive role played by civil society in promoting nuclear non-proliferation and nuclear disarmament, and encourages all States to promote, in cooperation with civil society, disarmament and non-proliferation education which, inter alia, contributes to raising public awareness of the tragic consequences of the use of nuclear weapons and strengthens the momentum of international efforts to promote nuclear disarmament and non-proliferation;

19. *Decides* to include in the provisional agenda of its sixty-sixth session an item entitled “United action towards the total elimination of nuclear weapons”.

*60th plenary meeting  
8 December 2010*

Sixty-fifth session

Agenda item 97 (z)

## **Resolution adopted by the General Assembly**

*[on the report of the First Committee (A/65/410)]*

### **65/64. The illicit trade in small arms and light weapons in all its aspects**

*The General Assembly,*

*Recalling* its resolution 64/50 of 2 December 2009, as well as all previous resolutions entitled “The illicit trade in small arms and light weapons in all its aspects”, including resolution 56/24 V of 24 December 2001,

*Emphasizing* the importance of the continued and full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,<sup>1</sup>

*Emphasizing also* the importance of the continued and full implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (the International Tracing Instrument),<sup>2</sup>

*Recalling* the commitment of States to the Programme of Action as the main framework for measures within the activities of the international community to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects,

*Underlining* the need for States to enhance their efforts to build national capacity for the effective implementation of the Programme of Action and the International Tracing Instrument,

*Welcoming* the early designation of New Zealand as the Chair of the 2011 open-ended meeting of governmental experts,

*Welcoming also* the efforts by Member States to submit, on a voluntary basis, national reports on their implementation of the Programme of Action,

*Stressing* the importance of voluntary national reporting to follow up on the Pro-

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1. See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, New York, 9–20 July 2001 (A/CONF.192/15), chap. IV, para. 24.

2 A/60/88 and Corr.2, annex; see also decision 60/519.

gramme of Action as a means of assessing overall implementation efforts, including implementation challenges and opportunities, and which could greatly facilitate the rendering of international cooperation and assistance to affected States,

*Noting* that tools developed by the Office for Disarmament Affairs of the Secretariat, including the Programme of Action Implementation Support System, and developed by Member States could be used to assess progress made in the implementation of the Programme of Action,

*Taking into account* the importance of regional approaches to the implementation of the Programme of Action,

*Noting with satisfaction* regional and subregional efforts being undertaken in support of the implementation of the Programme of Action, and commending the progress that has already been made in this regard, including tackling both supply and demand factors that are relevant to addressing the illicit trade in small arms and light weapons,

*Welcoming* the holding of such regional meetings in the Democratic Republic of the Congo, Indonesia and Peru,

*Recognizing* that illicit brokering in small arms and light weapons is a serious problem that the international community should address urgently,

*Recognizing also* the efforts undertaken by non-governmental organizations in the provision of assistance to States for the implementation of the Programme of Action,

*Welcoming* the coordinated efforts within the United Nations to implement the Programme of Action, including through developing the Programme of Action Implementation Support System, which forms an integrated clearing house for international cooperation and assistance for capacity-building in the area of small arms and light weapons,

*Taking note* of the report of the Secretary-General<sup>3</sup> which includes an overview of the implementation of resolution 64/50,

1. *Underlines* the fact that the issue of the illicit trade in small arms and light weapons in all its aspects requires concerted efforts at the national, regional and international levels to prevent, combat and eradicate the illicit manufacture, transfer and circulation of small arms and light weapons, and that their uncontrolled spread in many regions of the world has a wide range of humanitarian and socioeconomic consequences and poses a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the individual, local, national, regional and international levels;

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3. A/65/153.

2. *Encourages* all initiatives, including those of the United Nations, other international organizations, regional and subregional organizations, non-governmental organizations and civil society, for the successful implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,<sup>1</sup> and calls upon all Member States to contribute towards the continued implementation of the Programme of Action at the national, regional and global levels;

3. *Encourages* States to implement the recommendations contained in the report of the Group of Governmental Experts established pursuant to resolution 60/81 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons;<sup>4</sup>

4. *Endorses* the report adopted at the fourth biennial meeting of States to consider the implementation of the Programme of Action,<sup>5</sup> and encourages all States to implement, as appropriate, the measures highlighted in the section of the report entitled “The way forward”;

5. *Encourages* all efforts to build national capacity for the effective implementation of the Programme of Action, including those highlighted in the report of the fourth biennial meeting of States;

6. *Decides* that, in conformity with resolution 64/50, the open-ended meeting of governmental experts, to be convened to address key implementation challenges and opportunities relating to particular issues and themes, including international cooperation and assistance, shall be held in New York from 9 to 13 May 2011;

7. *Encourages* States to identify, in cooperation with the Chair-designate of the open-ended meeting of governmental experts, and well in advance of that meeting, key implementation challenges and opportunities relating to particular issues and themes, including international cooperation and assistance;

8. *Also encourages* States, before the open-ended meeting of governmental experts and with the collaboration of the Chair-designate, to develop pragmatic, action-oriented draft agendas for the meeting, with a view to strengthening the implementation of the Programme of Action;

9. *Further encourages* States to contribute relevant national expertise to the open-ended meeting of governmental experts;

10. *Stresses* the importance of the contribution of civil society to the implementation of the Programme of Action with regard to the preparation of the open-ended

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4. See A/62/163 and Corr.1.

5. See A/CONF.192/BMS/2010/3, sect. IV, para. 23.

meeting of governmental experts;

11. *Encourages* States to submit, on a voluntary basis, national reports on their implementation of the Programme of Action,<sup>6</sup> notes that States will submit national reports on their implementation of the International Tracing Instrument,<sup>7</sup> to the extent possible by the end of 2011, and encourages those States in a position to do so to use the new reporting template prepared by the Office for Disarmament Affairs and to include therein information, as appropriate, on progress made in the implementation of the measures highlighted in the reports of the third and fourth biennial meetings of States;

12. *Also encourages* States, on a voluntary basis, to make increasing use of their national reports as another tool for communicating assistance needs and information on the resources and mechanisms available to address such needs, and encourages States in a position to render such assistance to make use of these national reports;

13. *Encourages* States, relevant international and regional organizations and civil society with the capacity to do so to cooperate with and assist other States, upon request, in the preparation of comprehensive reports on their implementation of the Programme of Action;

14. *Calls upon* all States to implement the International Tracing Instrument by, inter alia, including in their national reports the name and contact information of the national points of contact and information on national marking practices used to indicate country of manufacture and/or country of import, as applicable;

15. *Encourages* States to consider ways to enhance cooperation and assistance and to assess their effectiveness in order to ensure the implementation of the Programme of Action, including at the open-ended meeting of governmental experts in 2011;

16. *Recognizes* the urgent need to maintain and enhance national controls to prevent, combat and eradicate the illicit trade in small arms and light weapons;

17. *Recalls* its decision to convene a conference to review progress made in the implementation of the Programme of Action, for a period of two weeks, in New York in 2012;

18. *Decides* to convene a preparatory committee for the review conference, for no longer than a total of five working days, in New York in early 2012;

19. *Recognizes* the importance of the early designation of one Chair for both

6. See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, New York, 9–20 July 2001 (A/CONF.192/15), chap. IV (sect. II, para. 33, of the quoted text).

7. See A/60/88 and Corr.2, annex, para. 36.

the preparatory committee and the review conference, and encourages the relevant regional group to nominate the Chair-designate by May 2011;

20. *Also recognizes* that, to strengthen the implementation of the Programme of Action, the 2012 review conference may consider recommending convening a further open-ended meeting of governmental experts;

21. *Encourages* States to consider the timely establishment of a voluntary sponsorship fund through which financial assistance could be provided, upon request, to States otherwise unable to participate in meetings on the Programme of Action in order to increase the engagement of States in the Programme of Action process;

22. *Encourages* interested States and relevant international and regional organizations in a position to do so to convene regional meetings to consider and advance the implementation of the Programme of Action, as well as the International Tracing Instrument, in preparation for the meetings on the Programme of Action;

23. *Encourages* States to make use, as appropriate, of the Programme of Action Implementation Support System and the United Nations Institute for Disarmament Research clearing house for matching assistance needs with potential donors as additional tools to facilitate global action on small arms and light weapons;

24. *Emphasizes* the need to facilitate the implementation at the national level of the Programme of Action through the strengthening of national coordination agencies or bodies and institutional infrastructure;

25. *Also emphasizes* the fact that initiatives by the international community with respect to international cooperation and assistance remain essential and complementary to national implementation efforts, as well as to those at the regional and global levels;

26. *Recognizes* the necessity for interested States to develop effective coordination mechanisms, where they do not exist, in order to match the needs of States with existing resources to enhance the implementation of the Programme of Action and to make international cooperation and assistance more effective;

27. *Encourages* States to consider, among other mechanisms, the coherent identification of needs, priorities, national plans and programmes that may require international cooperation and assistance from States and regional and international organizations in a position to do so;

28. *Encourages* civil society and relevant organizations to strengthen their cooperation and work with States at the respective national and regional levels to achieve the implementation of the Programme of Action;

29. *Invites* Member States to communicate to the Secretary-General their



views on the progress made on the implementation of the Programme of Action, ten years following its adoption, and requests the Secretary-General to present a report containing that information as an input to the 2012 review conference;

30. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution;

31. Decides to include in the provisional agenda of its sixty-sixth session the item entitled “The illicit trade in small arms and light weapons in all its aspects”.

*60th plenary meeting  
8 December 2010*

## 2. NPT

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### **A New Package of Practical Nuclear Disarmament and Non-Proliferation Measures for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons**

The Government of Japan and the Government of Australia propose that States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) endorse the following practical nuclear disarmament and non-proliferation measures at the 2010 Review Conference, while reaffirming the importance of the Treaty and stressing the necessity to strengthen the international nuclear disarmament and non-proliferation regimes through the universalisation of the Treaty,

1. Reaffirm an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under Article VI of the Treaty;
2. Welcome the nuclear disarmament steps taken by the French Republic, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America, including the progress of negotiations for the START follow-on treaty between the United States and Russia, and call on all states possessing nuclear weapons to pursue negotiations on nuclear disarmament bilaterally and/or multilaterally;
3. Call on all states possessing nuclear weapons to make an early commitment to reducing, or at least not increasing, their nuclear arsenals, pending the conclusion of such negotiations, in a way that promotes international stability, and based on the principle of undiminished security for all;
4. Call on the nuclear-weapon States and on all other states possessing nuclear weapons to commit themselves to reducing the role of nuclear weapons in their national security strategies, and call on the nuclear-weapon States to take, as soon as possible, such measures as providing stronger negative security assurances that they will not use nuclear weapons against non-nuclear-weapon States that comply with the NPT;
5. Call on all states possessing nuclear weapons to take measures to reduce the risk

of their accidental or unauthorized launch and to further reduce the operational status of nuclear weapon systems in ways that promote international stability and security;

6. Emphasise the importance of applying the principles of irreversibility and verifiability to the process of reducing nuclear weapons;
7. Call for increased transparency by all states possessing nuclear weapons with regard to their nuclear weapons capabilities, including by reporting regularly such information as the numbers of nuclear weapons and their delivery systems, and on their deployment status in a format to be agreed among States parties to the Treaty;
8. Urge all states that have not yet done so to sign and ratify the Comprehensive Nuclear Test-Ban Treaty (CTBT) at the earliest opportunity with a view to its early entry into force, and emphasise the importance of maintaining the moratorium on nuclear weapons testing pending the entry into force of the CTBT;
9. Call for the immediate commencement and early conclusion of negotiations on a Fissile Material Cut-off Treaty (FMCT), while urging all states possessing nuclear weapons to declare and maintain a moratorium on the production of fissile material for weapons purposes, to declare voluntarily fissile material that is no longer required for military purposes and to place such material under IAEA safeguards or other relevant international verification;
10. Reaffirm the threat posed to international peace and security by nuclear weapons proliferation and the need for strict compliance by all states with their non-proliferation obligations, including compliance with their IAEA safeguards agreements and relevant UN Security Council resolutions;
11. Emphasise that a Comprehensive Safeguards Agreement (CSA) accompanied by an Additional Protocol based on the model additional protocol (AP) should be the internationally recognised safeguards standard, urge all states that have yet to do so to conclude and bring into force a CSA and an AP as soon as possible and call on all states to apply this safeguards standard to the supply of nuclear material and equipment;

12. Underline the importance of appropriate international responses to notice of withdrawal from the Treaty, including consultations on a bilateral, regional or international basis. In particular, in the case of notice of withdrawal by a state which has been found by the IAEA to be in non-compliance with its safeguards obligations, the United Nations Security Council should convene immediately in accordance with the body's role under the UN Charter;
13. Emphasise that a State withdrawing from the NPT is not free to use for non-peaceful purposes nuclear materials or equipment acquired while party to the Treaty, as well as special nuclear material produced through the use of such material or equipment;
14. Reaffirm the right of all States parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I, II and III of the Treaty, and support the work of the IAEA in assisting states, particularly developing countries, in the peaceful use of nuclear energy;
15. Urge all states commissioning, constructing or planning nuclear power reactors to become party to the four international conventions relating to nuclear safety, namely, Convention on Nuclear Safety, Convention on Early Notification of a Nuclear Accident, Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, and Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management; and
16. Urge all states to take further measures to strengthen the security of nuclear materials and facilities, such as conclusion of the Convention on the Physical Protection of Nuclear Material including its 2005 Amendment and the International Convention for the Suppression of Nuclear Terrorism as soon as practicable.

### 3. Statement, Fact Sheet

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#### **Joint Statement by Minister for Foreign Affairs of Japan and Minister for Foreign Affairs of Australia “Toward a World without Nuclear Weapons”**

In today’s meeting, the Foreign Ministers for Japan and Australia, Mr Katsuya Okada and Mr Stephen Smith, reaffirmed the common recognition that the threat of nuclear weapons is one of the most serious issues that humankind faces. They shared their intention to deepen cooperation between the two countries in the field of nuclear disarmament and non-proliferation in order to fundamentally strengthen the current international nuclear disarmament and non-proliferation regime.

The Ministers engaged in intense discussion on practical steps that should be taken by the international community immediately and in the future with a view to reducing the role of nuclear weapons in national security strategy and ultimately reaching the goal of a peaceful and safe world without nuclear weapons, while recognising the role of nuclear deterrence in the real world where weapons of mass destruction including nuclear weapons exist. The Ministers decided to work together to realize a world of decreased nuclear risk on the way to a world without nuclear weapons, and expressed their determination to take the following practical steps:

With renewed recognition of the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Ministers confirmed that the two countries will cooperate so that the NPT Review Conference in May this year can strengthen the treaty, reaffirm the central role of the Treaty in the international nuclear disarmament and non-proliferation regime, and attain a meaningful agreement concerning each of the NPT’s three pillars, namely nuclear disarmament, nuclear non-proliferation and the peaceful use of nuclear energy.

The Ministers shared the view that the report of the International Commission on Nuclear Non-proliferation and Disarmament (ICNND) contains many valuable proposals to achieve the objective of a world without nuclear weapons. They decided to hold regular meetings between the two foreign ministers and to have experts and officials review the progress of the report with the possibility of reflecting the report in present and future policies.

Upon receipt of the report of the ICNND, the governments of Japan and Australia have given further serious consideration to nuclear disarmament and non-proliferation measures. The Ministers announced their intention to pursue a package on practical nuclear disarmament and non-proliferation measures for the NPT Review Conference. The Ministers confirmed that Japan and Australia, in consultation with other partners, will make their utmost efforts so that this package will be embodied in the final document of the NPT Review Conference.

The Ministers found worthy of consideration such ideas as enhancing the effectiveness of security assurances not to use nuclear weapons against non-nuclear weapon states, or retaining nuclear weapons solely for the purpose of deterring others from using such weapons, as a first step toward a world without nuclear weapons, and decided to deepen discussions on these issues.

The Ministers confirmed that Japan and Australia will continue to urge states which have not yet signed and ratified the Comprehensive Nuclear Test-Ban Treaty (CTBT) to do so with a view to its early entry into force. The Ministers also expressed their determination to pursue the immediate commencement and early conclusion of negotiations on a Fissile Material Cut-off Treaty at the Conference on Disarmament.

Recognizing the global trend that an increasing number of states are considering nuclear power generation as a way to deal with climate change and concerns of their energy security, the Ministers confirmed the significance of nuclear non-proliferation/safeguards, safety and security (3S). They shared the view that Japan and Australia should cooperate to strengthen the International Atomic Energy Agency (IAEA), to enhance the efficiency of its safeguards, and to reinforce efforts so that all states using nuclear energy adhere to the IAEA Additional Protocol. Mindful that ensuring 3S is a basis for maintaining the international nuclear non-proliferation regime and securing international transparency and confidence in the use of nuclear energy, the Ministers decided to cooperate in the provision of assistance on safeguards, safety and security to countries concerned, in cooperation with the IAEA.

The Ministers condemned in the strongest terms last year's nuclear test and missile launches in North Korea. The Ministers shared the view that North Korea's development of nuclear and ballistic missile programs remains a major threat to peace and stability in the Asia-Pacific region and the entire international community, which



cannot be tolerated. Furthermore, they urged North Korea to take positive and concrete actions, including an immediate return to the Six-Party Talks and commitment to full implementation of the September 2005 Joint Statement including the abandonment of all its nuclear weapons and existing nuclear program in a verifiable and irreversible manner. From this perspective, they reaffirmed the importance of the full implementation of the UN Security Council Resolutions 1718 and 1874 and urged all UN Member States to implement them.

The Ministers shared serious concerns about the nature and intent of Iran's nuclear program and reaffirmed that Iran should take all possible steps to enhance the transparency of its nuclear activities and regain the confidence of the international community. To this end, the Ministers were of one voice in urging Iran to comply with the requirements of the relevant UN Security Council resolutions, including the suspension of all uranium enrichment activities, and cooperate fully with the IAEA, including by concluding an Additional Protocol, to resolve all the outstanding issues concerning Iran's nuclear program. While the IAEA continues to verify the non-diversion of declared nuclear material in Iran, Iran has not provided the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran is in peaceful activities. The Ministers also urged Iran to accept the proposal brokered by the IAEA to exchange Iran's low-enriched uranium (LEU) for processed fuel for the Tehran Research Reactor as an opportunity to change course from confrontation to cooperation and to begin to build international trust and confidence.

Finally, the Ministers confirmed that, recognizing the continuing threat of nuclear terrorism, Japan and Australia will cooperate for the success of the Nuclear Security Summit to be hosted by the United States in April this year and promote efforts to strengthen nuclear security in the Asia-Pacific region.

Perth, 21 February, 2010

## **Joint Statement by Foreign Ministers**

On nuclear disarmament and non-proliferation

1. We, the Foreign Ministers of Australia, Canada, Chile, Germany, Japan, Mexico, the Netherlands, Poland, Turkey and the United Arab Emirates, share a common purpose: to take forward the consensus outcomes of the 2010 NPT Review Conference and jointly to advance the nuclear disarmament and non-proliferation agendas as mutually reinforcing processes.
2. We reaffirm our shared commitment to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as the essential foundation for the achievement of nuclear disarmament, the cornerstone of the global nuclear non-proliferation regime and the basis for the development of the peaceful uses of nuclear energy. We stress the importance of universal adherence to the NPT and call on all states not party to the Treaty to accede to it immediately as non-nuclear weapon states.
3. We welcome the successful outcome of the NPT Review Conference in May 2010 and renew our determination to achieve the goal of a world without nuclear weapons. We reaffirm the fundamental importance of the unequivocal undertaking by nuclear-weapon states to accomplish the total elimination of their nuclear arsenals. We also recognise the importance of full compliance with the NPT and International Atomic Energy Agency (IAEA) obligations by all States Parties.
4. Recognizing that nuclear weapons pose a grave threat to humanity we express deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons and reaffirm the need for all states at all times to fully comply with applicable international law, including international humanitarian law.
5. With a view to enhancing international peace and security, we have decided to work together on concrete and practical measures for a world of decreased nuclear risk as a milestone on our path towards realising a world without nuclear weapons.

### *I. Nuclear Disarmament*

6. We reaffirm that the only guarantee against the use or threat of use of nuclear

weapons is their total elimination. We agree that nuclear disarmament strengthens the nuclear non-proliferation regime.

7. We are of the view that nuclear disarmament can best be achieved by:

- (a) reducing the number of both strategic and non-strategic (tactical) nuclear weapons;
- (b) diminishing the role of nuclear weapons in security strategies;
- (c) reducing the risk of accidental use of nuclear weapons and considering further reducing the operational status of nuclear weapon systems in ways that promote international stability and security;
- (d) applying the principles of irreversibility, verifiability and transparency to the nuclear disarmament process.

8. Nuclear disarmament can be advanced effectively when these four measures are promoted in a comprehensive manner leading to a steady growth in mutual confidence among states possessing nuclear weapons.

9. We firmly believe that early entry into force of the Comprehensive Nuclear Test Ban Treaty (CTBT) and the immediate commencement and early conclusion of negotiation on a Fissile Material Cut-off Treaty (FMCT) on the basis of the Shannon Mandate are essential steps to achieve nuclear disarmament, and should be pursued with vigour and determination.

10. We urge all states possessing nuclear weapons to make an early – or, in the case of the United States and the Russian Federation, an additional – commitment to reduce their nuclear arsenals and to pursue confidence building measures such as effective verification and increased transparency, including by reporting regularly on progress in implementing their disarmament undertakings. The immediate first step for all states possessing nuclear weapons should be a commitment at least not to increase their arsenals above current levels.

11. We support the practical steps endorsed by the 2010 NPT Review Conference toward the convening of a Conference in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction and will offer the necessary assistance for the realisation of such a Conference.

12. We note the five-point proposal for nuclear disarmament of the Secretary-General of the United Nations, which includes 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

## *II. Nuclear Non-Proliferation*

13. Non-proliferation and nuclear disarmament are mutually reinforcing. We agree that an effective non-proliferation regime enhances the possibilities for nuclear disarmament.
14. We believe it is time to deepen discussions on how nuclear-weapon-free-zones serve to enhance global and regional peace and stability through reinforcing the nuclear non-proliferation regime and contributing to the achievement of nuclear disarmament, and support steps taken to establish nuclear weapon-free zones on the basis of arrangements freely arrived at among the states of the region concerned.
15. We underscore the importance of resolving all cases of non-compliance with safeguards obligations in full conformity with the International Atomic Energy Agency (IAEA) Statute and the respective commitments and legal obligations of Member States, including relevant UN Security Council resolutions.
16. We call on all States Parties to the NPT to ensure that the IAEA continues to have all the support it needs to effectively and efficiently discharge its mandates and responsibilities. We urge all states that have not yet done so to conclude and implement a Comprehensive Safeguards Agreement (CSA) and an Additional Protocol (AP) as soon as possible, and stress the importance of providing developing countries with the cooperation and assistance they need to implement their IAEA safeguards obligations.

## *III. Peaceful Uses of Nuclear Energy*

17. Recognising the inalienable right of every State party to the NPT to the peaceful use of nuclear energy and considering the increasing demand for nuclear power as a means of addressing climate change and energy security concerns, we emphasise

that cooperation to accelerate and to enlarge the contribution of the peaceful uses of nuclear energy to peace, health and prosperity throughout the world is a core objective of the IAEA Statute. We confirm that the use of nuclear energy must be accompanied by commitments to, and on-going implementation of, safeguards as well as appropriate and effective levels of safety and security, consistent with States' national legislation and respective international obligations.

18. Recognising the serious threat of nuclear terrorism, we reaffirm our commitment to work together to strengthen nuclear security, including by fully implementing relevant international requirements such as UNSCR 1540 (2004). We will earnestly seek to fulfil the commitments we made at the 2010 Washington Nuclear Security Summit – and will take forward at the next Nuclear Security Summit in the Republic of Korea in 2012 – to work cooperatively to secure all vulnerable nuclear material within four years.

#### *Next Steps*

19. We reaffirm our commitment to the implementation of the conclusions and all 64 recommendations of the 2010 NPT Review Conference under the four sub-headings of nuclear disarmament, nuclear non-proliferation, peaceful uses of nuclear energy, and the Middle East.
20. We decide to focus on efforts to further reduce the number of nuclear weapons, including tactical nuclear weapons, and to reduce the role of nuclear weapons in security strategies, concepts, doctrines and policies. In this context, we find worthy of consideration, as important steps on the path to nuclear disarmament, ideas such as enhancing the effectiveness of negative security assurances.
21. We hope to contribute to a growing consensus that any perceived security or political advantages of nuclear weapons are outweighed by the grave threat they pose to humanity.
22. We will consider how we might most effectively contribute to the development of the “standard reporting form” for use by Nuclear Weapons States in meeting their commitments to report their nuclear disarmament undertakings to the 2014 NPT Preparatory Committee meeting.

23. We will support all efforts to promote early entry into force of the CTBT, and support the development of its verification system, while emphasizing the importance of maintaining the moratorium on nuclear- weapon test explosions and any other nuclear explosions pending entry into force of the Treaty. We will also encourage the negotiation and development of a FMCT while urging all states possessing nuclear weapons to declare and maintain a moratorium on the productions of fissile material for weapons purposes. As a part of these efforts, we will help to develop approaches to issues such as verification which would support implementation of a FMCT through dialogue with others.
24. We decide also to explore ways of enhancing cooperation with the IAEA as a means of promoting the IAEA's outreach activities, particularly in those states which have yet to conclude and implement a CSA and AP with a view to contributing to the universalisation of the AP in our respective regions.
25. We encourage all states to promote to the greatest extent possible disarmament and non-proliferation education to raise public awareness in order to advance our goal of a world without nuclear weapons.

New York

22 September 2010



## Fact Sheet on U.S.-Japan Cooperation on Reducing Nuclear Risks

This fact sheet summarizes discussions between the United States Government (USG) and the Government of Japan (GOJ) on the reduction of nuclear risks, and reflects the commitment of the two governments to deepen their cooperation and collaboration in the fields of nuclear security, nuclear disarmament and nuclear non-proliferation. In the context of growing momentum in the international community to deal seriously with nuclear risks, they welcome the adoption by consensus of the Final Document at the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) held last May, and underscore the need to pursue concrete measures towards the implementation of its conclusions and recommendations.

### Nuclear Security

The USG and the GOJ welcome the Communiqué and the Work Plan issued at the 2010 Nuclear Security Summit's conclusion, and reaffirm the goal of securing all vulnerable nuclear material within four years.

The USG and the GOJ share more than fifty years of partnership in the peaceful uses of nuclear technology. As responsible stewards of this technology, they pledge to expand and accelerate their scientific and technical cooperation with a particular view to advancing and integrating measures to ensure nuclear safety, safeguards and security. They confirm the need to strengthen cooperative activities to implement the highest standards of security for nuclear materials at civilian nuclear facilities and during transportation, and to expand joint activities in the fields of nuclear forensics and nuclear material detection and measurement.

As leaders in the field of civil nuclear energy, the USG and the GOJ will continue to promote the development of expertise on nuclear security and the corresponding investment in human capital, particularly in areas like the Asia-Pacific region where nuclear power utilization can be expected to increase. In this light, the USG welcomes Japan's efforts to establish an Integrated Support Center for Nuclear Non-proliferation and Nuclear Security. To further support these efforts, the USG and

the GOJ have decided to establish a bilateral Nuclear Security Working Group to identify areas for cooperation and to assist in the identification and coordination of tangible outcomes for the 2012 Nuclear Security Summit. The Working Group will build upon both countries' commitment to the highest nuclear security standards and practices and demonstrate internationally continued U.S. and Japanese leadership in the nuclear security sphere.

### **Nuclear Disarmament**

The USG and the GOJ recognize that significant efforts are underway to reduce the number and role of nuclear weapons, including through the U.S. Nuclear Posture Review and the New START Treaty, while maintaining a credible deterrent and ensuring the security of the United States and its allies. In this context, the GOJ appreciates the USG decision to strengthen its long-standing negative security assurance, and recognizes that while the United States is not prepared at the present time to adopt a universal policy that deterring nuclear attack on the United States, its allies and partners is the "sole purpose" of nuclear weapons, it will work to establish conditions under which such a policy could be safely adopted.

The USG and GOJ also recognize the need for progress in the realm of multilateral nuclear disarmament, including the entry into force of the Comprehensive Test Ban Treaty and the immediate commencement and earliest possible conclusion of negotiations on a Fissile Material Cut-off Treaty (FMCT). They are convinced of the urgency of revitalizing the Conference on Disarmament (CD) as endorsed at the High-level Meeting convened by the Secretary General of the United Nations on September 24, 2010. They reaffirm their readiness to seek, in collaboration with other like-minded countries, recourse to alternative arrangements to the CD for multilateral negotiations on an FMCT if the deadlock is not broken next year.

### **Nuclear Nonproliferation and Peaceful Uses of Nuclear Energy**

The USG and the GOJ emphasize the role of the International Atomic Energy Agency (IAEA) in verifying the peaceful use of nuclear energy and extending its benefits to those nations that require IAEA assistance and comply with their nuclear nonproliferation obligations. On the serious challenges of nonproliferation, they reaffirm the urgent need for Iran to comply with the relevant UN Security Coun-

cil resolutions and to provide the necessary cooperation to the IAEA to determine that Iran's nuclear programs are for exclusively peaceful purposes. They also emphasize that it is imperative for North Korea to abandon all nuclear weapons and existing nuclear programs in accordance with the 2005 Joint Statement of the Six-Party Talks and UN Security Council resolutions 1718 and 1874. They will also continue to work closely with the IAEA and its Director General to ensure the Agency has the resources, authorities, capabilities, and technical support necessary to discharge its responsibilities. In this regard, they are prepared to join with the IAEA to encourage universalization of the Additional Protocol, and to coordinate efforts to promote the Peaceful Uses Initiative launched by the United States in May.

They also underscore the importance of effective and transparent export controls for ensuring a robust nuclear nonproliferation regime and facilitating the peaceful uses of nuclear energy. As an immediate priority, they urge the Nuclear Suppliers Group (NSG) to reach consensus at the earliest possible time on strengthened controls on enrichment and reprocessing transfers.

## **Joint Statement on Nuclear Disarmament and Non-Proliferation**

November 23, 2010

1. Meeting today in Canberra, we, the Foreign Ministers of Australia and Japan, Kevin Rudd and Seiji Maehara, recognise the grave threat that nuclear weapons pose to humanity and renew our commitment to work together determinedly to realise a peaceful and safe world without nuclear weapons. In this effort, we are encouraged by the positive developments which have emerged since our two governments issued the Joint Statement, “Toward a World without Nuclear Weapons”, in February this year.
2. Our two nations have a strong record of promoting global engagement in nuclear disarmament and non-proliferation. Beginning in 2008, with the establishment of the International Commission on Nuclear Non-proliferation and Disarmament – which produced specific and timely recommendations for addressing many challenges on the path to a world without nuclear weapons – our two nations have forged a partnership dedicated to achieving a world without nuclear weapons. The two governments worked closely to promote global efforts for a successful outcome to the May 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation on Nuclear Weapons (NPT). Our initiatives included the submission to the Review Conference of a joint package of practical disarmament and non-proliferation measures, and leading an urgent call for unity among the Parties to the treaty.
3. To build on the worldwide momentum generated by the successful conclusion to the Review Conference, our two governments convened in September a meeting of foreign ministers from states similarly dedicated to finding concrete ways to advance nuclear disarmament and strengthen non-proliferation agenda. The key priority which emerged from the meeting, co-chaired by Australia and Japan, and attended by Canada, Chile, Germany, Mexico, the Netherlands, Poland, Turkey and the United Arab Emirates, was the need to promote steady implementation of the sixty-four Actions adopted by consensus at the Review Conference to advance nuclear disarmament and strengthen non-proliferation.

4. We hope that this group – diverse in membership but united in its determination to support and advance the objectives of the NPT – will find common ground and develop creative and practical proposals to overcome the blockages to progress on the nuclear disarmament and non-proliferation agenda. We firmly believe that all countries have a responsibility to co-operate in this endeavour.
5. In view of the above, our two governments will propose that the group's initial work should focus on confidence building measures such as promoting increased transparency in nuclear disarmament through, inter alia, the development of a standardised method for nuclear-weapon states to report progress towards disarmament commitments. This mechanism could cover elements such as numbers of nuclear warheads, deployed and non-deployed as well as strategic and non-strategic nuclear weapons. The reporting mechanism could also contain information in a standard form on the role of nuclear weapons in national security policies.
6. We also stress the particular importance of a swift commencement of negotiations on a treaty banning the production of fissile material for nuclear weapons (known as a Fissile Material Cut-off Treaty or FMCT); early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT); strengthened IAEA safeguards against proliferation by universal adoption of the IAEA Additional Protocol; support for nuclear weapon-free zones and strengthened co-operation among them; and promotion of strict compliance with all non-proliferation obligations by all states. We reaffirm our readiness, in collaboration with other supportive countries, including members of the group, to seek recourse to alternative arrangements to the Conference on Disarmament (CD) for multilateral negotiations on an FMCT if the deadlock in the CD on this issue is not broken within the next year. Consistent with this approach, our two governments will propose that the group could undertake an analysis for the development of a framework to surmount the technical challenges for a verifiable FMCT. This could include consideration of options for verifying prohibitions under an FMCT, as well as the policy issues surrounding stockpiles of fissile material already accumulated by those states possessing nuclear weapons.
7. Our two governments also pledge to cooperate to propose concrete and practical steps towards a world without nuclear weapons. These proposed steps could extend to deepening discussion about such ideas as making negative security assurances more effective and establishing conditions under which a universal policy

that deterring nuclear attack is the “sole purpose” of nuclear weapons could safely be adopted.

8. We take this opportunity to express our grave concern over the nuclear activities by North Korea. We are exceedingly alarmed by the report of North Korea's construction of a light water reactor and of the existence of a uranium enrichment facility. We strongly urge North Korea to fulfil its commitments including the September 2005 Joint Statement of the Six-Party Talks and its obligations stipulated in the relevant Security Council resolutions. We will further continue our policy coordination on this issue.
9. Finally, we once again reiterate our firm resolution to co-operate and collaborate in all our undertakings in the field of nuclear disarmament and non-proliferation, making the most of the growing momentum to encourage members of the international community to move towards a world without nuclear weapons.



## JOINT MINISTERIAL STATEMENT ON THE CTBT

September 23, 2010

New York

1. We, the Foreign Ministers who have issued this statement, reaffirm our strong support for the Comprehensive Nuclear-Test-Ban Treaty (CTBT), which would rid the world of nuclear weapons test explosions and would contribute to nuclear disarmament and non-proliferation.
2. In this year marking the 14th anniversary of the Treaty's opening for signature, we emphasize that the CTBT is a major instrument in the field of nuclear disarmament and non-proliferation. The Treaty was an integral part of the 1995 agreements by the States parties to the Nuclear Non-Proliferation Treaty (NPT) allowing the indefinite extension of the Treaty. The 2010 NPT Review Conference reaffirmed the vital importance of the early entry into force of the CTBT as a core element of the international nuclear disarmament and non-proliferation regime.
3. We recall that the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (Article XIV Conference) in September 2009, with its unprecedented attendance at the Ministerial level, adopted under the successful co-presidency of France and Morocco a declaration by consensus outlining measures consistent with international law to encourage further signature and ratification of the CTBT. The entry into force of the Treaty is vital to the broader framework of multilateral disarmament and non-proliferation. We also recall that the United Nations General Assembly Resolution 64/35 of 2 December 2009 declared 29 August as the International Day Against Nuclear Tests.
4. We affirm that the CTBT will make an important contribution by constraining the development and qualitative improvements of nuclear weapons and ending the development of advanced new types of nuclear weapons, as well as preventing the proliferation of nuclear weapons in all its aspects.
5. We welcome that the CTBT has achieved near universal adherence with signature by 182 States and ratification by 153 States as of today. We welcome the ratifi-

cations that have occurred since the Article XIV Conference last year, notably of the Republic of the Marshall Islands, Trinidad and Tobago and the Central African Republic. Of the 44 States whose ratification is necessary for the entry into force of the Treaty, nine have yet to do so.

6. We call upon all States that have not yet done so to sign and ratify the Treaty without delay, in particular those whose ratification is needed for its entry into force. While appreciating the positive development initiated in some of the Annex 2 States toward ratification, we strongly encourage all the Annex 2 States to ratify the Treaty as soon as possible. We recognise the extensive range of bilateral and joint outreach efforts by signatories and ratifiers to encourage and assist States which have not yet signed and ratified the Treaty. We commit ourselves individually and together to make the Treaty a focus of attention at the highest political level and to take measures to facilitate the signature and ratification process as recommended in the 2010 NPT Review Conference 2010 Final Document. We support the efforts by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization to facilitate such process by providing legal and technical information and advice.
7. We call upon all States to continue a moratorium on nuclear weapon test explosions or any other nuclear explosions. Voluntary adherence to such a moratorium is a welcome step, but does not have the same permanent and legally binding effect as the entry into force of the Treaty. We reaffirm our commitment to the Treaty's basic obligations and call on all States to refrain from acts which would defeat the object and purpose of the Treaty pending its entry into force.
8. The nuclear tests announced by the Democratic People's Republic of Korea on 9 October 2006 and 25 May 2009, internationally condemned as in UN Security Council Resolutions 1718 (2006) and 1874 (2009), highlight the urgent need for the entry into force of the Treaty as soon as possible. Underlining the need for a peaceful solution of the nuclear issues through successful implementation of the Joint Statement agreed upon in the framework of the Six-Party Talks, and recalling the importance of the full compliance with the relevant UN Security Council Resolutions, including Resolutions 1718 and 1874, we demand that the DPRK not conduct any further tests and fulfil its commitment to the complete and verifiable abandonment of all nuclear weapons and existing nuclear programmes in accor-

dance with the Joint Statement. We note that the CTBT verification regime successfully detected the aforementioned nuclear tests.

9. We welcome the progress made in building up all elements of the verification regime, which will be capable of verifying compliance with the Treaty at its entry into force. We will continue to provide the support required to complete the verification regime in the most efficient and cost-effective way. We will also promote technical cooperation to enhance verification capabilities under the CTBT.
10. In addition to its primary function, the CTBT verification regime's International Monitoring System provides scientific and civil benefits for States, including for tsunami warning systems and possibly other disaster alert systems, through civil and scientific applications of waveform and radionuclide technologies and other uses of the data. We will continue to seek ways to ensure that these benefits will be broadly shared by the international community, in conformity with the Treaty.
11. We appeal to all States to make maximum efforts towards achieving the early entry into force of the CTBT. We dedicate ourselves to realizing this goal.

## 4. UN Security Council Resolution

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### **Resolution 1540 (2004)**

**Adopted by the Security Council at its 4956th meeting,  
on 28 April 2004**

*The Security Council,*

*Affirming* that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, \* constitutes a threat to international peace and security,

*Reaffirming*, in this context, the Statement of its President adopted at the Council's meeting at the level of Heads of State and Government on 31 January 1992 (S/23500), including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction,

*Recalling* also that the Statement underlined the need for all Member States to resolve peacefully in accordance with the Charter any problems in that context threatening or disrupting the maintenance of regional and global stability,

*Affirming* its resolve to take appropriate and effective actions against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in conformity with its primary responsibilities, as provided for in the United Nations Charter,

*Affirming* its support for the multilateral treaties whose aim is to eliminate or prevent the proliferation of nuclear, chemical or biological weapons and the importance for all States parties to these treaties to implement them fully in order to promote international stability,

*Welcoming* efforts in this context by multilateral arrangements which contribute to non-proliferation,

*Affirming* that prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes while goals of peaceful utilization should not be used as a cover for proliferation,

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\* Definitions for the purpose of this resolution only:

Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

Non-State actor: individual or entity, not acting under the lawful authority of any State in conducting activities which come within the scope of this resolution.

Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

*Gravely concerned* by the threat of terrorism and the risk that non-State actors\* such as those identified in the United Nations list established and maintained by the Committee established under Security Council resolution 1267 and those to whom resolution 1373 applies, may acquire, develop, traffic in or use nuclear, chemical and biological weapons and their means of delivery,

*Gravely concerned* by the threat of illicit trafficking in nuclear, chemical, or biological weapons and their means of delivery, and related materials,\* which adds a new dimension to the issue of proliferation of such weapons and also poses a threat to international peace and security,

*Recognizing* the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security,

*Recognizing* that most States have undertaken binding legal obligations under treaties to which they are parties, or have made other commitments aimed at preventing the proliferation of nuclear, chemical or biological weapons, and have taken effective measures to account for, secure and physically protect sensitive materials, such as those required by the Convention on the Physical Protection of Nuclear Materials and those recommended by the IAEA Code of Conduct on the Safety and Security of Radioactive Sources,

*Recognizing further* the urgent need for all States to take additional effective measures to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery,

*Encouraging* all Member States to implement fully the disarmament treaties and agreements to which they are party,

*Reaffirming* the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

*Determined* to facilitate henceforth an effective response to global threats in the area of non-proliferation,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Decides that* all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;

2. *Decides also* that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes,

as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

3. *Decides also* that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:

(a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;

(b) Develop and maintain appropriate effective physical protection measures;

(c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;

(d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations;

4. *Decides to establish*, in accordance with rule 28 of its provisional rules of procedure, for a period of no longer than two years, a Committee of the Security Council, consisting of all members of the Council, which will, calling as appropriate on other expertise, report to the Security Council for its examination, on the implementation of this resolution, and to this end calls upon States to present a first report no later than six months from the adoption of this resolution to the Committee on steps they have taken or intend to take to implement this resolution;

5. *Decides* that none of the obligations set forth in this resolution shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons;

6. Recognizes the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest



opportunity the development of such lists;

7. *Recognizes* that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure

8. *Calls upon* all States:

(a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;

(b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral nonproliferation treaties;

(c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;

(d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws;

9. *Calls upon* all States to promote dialogue and cooperation on nonproliferation so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons, and their means of delivery;

10. Further to counter that threat, *calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;

11. *Expresses* its intention to monitor closely the implementation of this resolution and, at the appropriate level, to take further decisions which may be required to this end;

12. *Decides* to remain seized of the matter.

**Resolution 1695 (2006)**

**Adopted by the Security Council at its 5490th meeting, on  
15 July 2006**

*The Security Council,*

*Reaffirming* its resolutions 825 (1993) of 11 May 1993 and 1540 (2004) of 28 April 2004,

*Bearing in mind* the importance of maintaining peace and stability on the Korean peninsula and in north-east Asia at large,

*Reaffirming* that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

*Expressing* grave concern at the launch of ballistic missiles by the Democratic People's Republic of Korea (DPRK), given the potential of such systems to be used as a means to deliver nuclear, chemical or biological payloads,

*Registering* profound concern at the DPRK's breaking of its pledge to maintain its moratorium on missile launching,

*Expressing* further concern that the DPRK endangered civil aviation and shipping through its failure to provide adequate advance notice,

*Expressing* its grave concern about DPRK's indication of possible additional launches of ballistic missiles in the near future,

*Expressing* also its desire for a peaceful and diplomatic solution to the situation and welcoming efforts by Council members as well as other Member States to facilitate a peaceful and comprehensive solution through dialogue,

*Recalling* that the DPRK launched an object propelled by a missile without prior notification to the countries in the region, which fell into the waters in the vicinity of Japan on 31 August 1998,

*Deploring* the DPRK's announcement of withdrawal from the Treaty on Non-Proliferation of Nuclear Weapons (the Treaty) and its stated pursuit of nuclear weapons in spite of its Treaty on Non-Proliferation of Nuclear Weapons and International Atomic Energy Agency (IAEA) safeguards obligations,

*Stressing* the importance of the implementation of the Joint Statement issued on 19 September 2005 by China, DPRK, Japan, Republic of Korea, the Russian Federation and the United States,

*Affirming* that such launches jeopardize peace, stability and security in the region and beyond, particularly in light of the DPRK's claim that it has developed nuclear

weapons,

*Acting* under its special responsibility for the maintenance of international peace and security,

1. *Condemns* the multiple launches by the DPRK of ballistic missiles on 5 July 2006 local time;

2. *Demands* that the DPRK suspend all activities related to its ballistic missile programme, and in this context re-establish its pre-existing commitments to a moratorium on missile launching;

3. *Requires* all Member States, in accordance with their national legal authorities and legislation and consistent with international law, to exercise vigilance and prevent missile and missile-related items, materials, goods and technology being transferred to DPRK's missile or WMD programmes;

4. *Requires* all Member States, in accordance with their national legal authorities and legislation and consistent with international law, to exercise vigilance and prevent the procurement of missiles or missile related-items, materials, goods and technology from the DPRK, and the transfer of any financial resources in relation to DPRK's missile or WMD programmes;

5. *Underlines*, in particular to the DPRK, the need to show restraint and refrain from any action that might aggravate tension, and to continue to work on the resolution of non-proliferation concerns through political and diplomatic efforts;

6. *Strongly urges* the DPRK to return immediately to the Six-Party Talks without precondition, to work towards the expeditious implementation of 19 September 2005 Joint Statement, in particular to abandon all nuclear weapons and existing nuclear programmes, and to return at an early date to the Treaty on Non-Proliferation of Nuclear Weapons and International Atomic Energy Agency safeguards;

7. *Supports* the six-party talks, calls for their early resumption, and urges all the participants to intensify their efforts on the full implementation of the 19 September 2005 Joint Statement with a view to achieving the verifiable denuclearization of the Korean Peninsula in a peaceful manner and to maintaining peace and stability on the Korean Peninsula and in north-east Asia;

8. *Decides* to remain seized of the matter.

**Resolution 1718 (2006)**

**Adopted by the Security Council at its 5551st meeting, on  
14 October 2006**

*The Security Council,*

*Recalling* its previous relevant resolutions, including resolution 825 (1993), resolution 1540 (2004) and, in particular, resolution 1695 (2006), as well as the statement of its President of 6 October 2006 (S/PRST/2006/41),

*Reaffirming* that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

*Expressing* the gravest concern at the claim by the Democratic People's Republic of Korea (DPRK) that it has conducted a test of a nuclear weapon on 9 October 2006, and at the challenge such a test constitutes to the Treaty on the Non-Proliferation of Nuclear Weapons and to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons, and the danger it poses to peace and stability in the region and beyond,

*Expressing* its firm conviction that the international regime on the non-proliferation of nuclear weapons should be maintained and recalling that the DPRK cannot have the status of a nuclear-weapon state in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons,

*Deploring* the DPRK's announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons and its pursuit of nuclear weapons,

*Deploring* further that the DPRK has refused to return to the Six-Party talks without precondition,

*Endorsing* the Joint Statement issued on 19 September 2005 by China, the DPRK, Japan, the Republic of Korea, the Russian Federation and the United States,

*Underlining* the importance that the DPRK respond to other security and humanitarian concerns of the international community,

*Expressing* profound concern that the test claimed by the DPRK has generated increased tension in the region and beyond, and *determining* therefore that there is a clear threat to international peace and security,

*Acting* under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Condemns* the nuclear test proclaimed by the DPRK on 9 October 2006 in flagrant disregard of its relevant resolutions, in particular resolution 1695 (2006),

as well as of the statement of its President of 6 October 2006 (S/PRST/2006/41), including that such a test would bring universal condemnation of the international community and would represent a clear threat to international peace and security;

2. *Demands* that the DPRK not conduct any further nuclear test or launch of a ballistic missile;

3. *Demands* that the DPRK immediately retract its announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons;

4. *Demands* further that the DPRK return to the Treaty on the Non-Proliferation of Nuclear Weapons and International Atomic Energy Agency (IAEA) safeguards, and underlines the need for all States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to continue to comply with their Treaty obligations;

5. *Decides* that the DPRK shall suspend all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launching;

6. *Decides* that the DPRK shall abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner, shall act strictly in accordance with the obligations applicable to parties under the Treaty on the Non-Proliferation of Nuclear Weapons and the terms and conditions of its International Atomic Energy Agency (IAEA) Safeguards Agreement (IAEA INFCIRC/403) and shall provide the IAEA transparency measures extending beyond these requirements, including such access to individuals, documentation, equipments and facilities as may be required and deemed necessary by the IAEA;

7. *Decides* also that the DPRK shall abandon all other existing weapons of mass destruction and ballistic missile programme in a complete, verifiable and irreversible manner;

8. *Decides* that:

(a) All Member States shall prevent the direct or indirect supply, sale or transfer to the DPRK, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of:

- (i) Any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register on Conventional Arms, or related materiel including spare parts, or items as determined by the Security Council or the Committee established by paragraph 12 below (the Committee);
- (ii) All items, materials, equipment, goods and technology as set out in the lists in documents S/2006/814 and S/2006/815, unless within 14 days of adoption

of this resolution the Committee has amended or completed their provisions also taking into account the list in document S/2006/816, as well as other items, materials, equipment, goods and technology, determined by the S/RES/1718 (2006) Security Council or the Committee, which could contribute to DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes;

(iii) Luxury goods;

(b) The DPRK shall cease the export of all items covered in subparagraphs (a) (i) and (a) (ii) above and that all Member States shall prohibit the procurement of such items from the DPRK by their nationals, or using their flagged vessels or aircraft, and whether or not originating in the territory of the DPRK;

(c) All Member States shall prevent any transfers to the DPRK by their nationals or from their territories, or from the DPRK by its nationals or from its territory, of technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of the items in subparagraphs (a) (i) and (a) (ii) above;

(d) All Member States shall, in accordance with their respective legal processes, freeze immediately the funds, other financial assets and economic resources which are on their territories at the date of the adoption of this resolution or at any time thereafter, that are owned or controlled, directly or indirectly, by the persons or entities designated by the Committee or by the Security Council as being engaged in or providing support for, including through other illicit means, DPRK's nuclear-related, other weapons of mass destruction-related and ballistic missile-related programmes, or by persons or entities acting on their behalf or at their direction, and ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of such persons or entities;

(e) All Member States shall take the necessary steps to prevent the entry into or transit through their territories of the persons designated by the Committee or by the Security Council as being responsible for, including through supporting or promoting, DPRK policies in relation to the DPRK's nuclear-related, ballistic missile-related and other weapons of mass destruction-related programmes, together with their family members, provided that nothing in this paragraph shall oblige a state to refuse its own nationals entry into its territory;

(f) In order to ensure compliance with the requirements of this paragraph, and thereby preventing illicit trafficking in nuclear, chemical or biological weapons, their means of delivery and related materials, all Member States are called upon to take, in



accordance with their national authorities and legislation, and consistent with international law, cooperative action including through inspection of cargo to and from the DPRK, as necessary;

9. *Decides* that the provisions of paragraph 8 (d) above do not apply to financial or other assets or resources that have been determined by relevant States:

(a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or

(c) To be subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person referred to in paragraph 8 (d) above or an individual or entity identified by the Security Council or the Committee, and has been notified by the relevant States to the Committee;

10. *Decides* that the measures imposed by paragraph 8 (e) above shall not apply where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution;

11. *Calls upon* all Member States to report to the Security Council within thirty days of the adoption of this resolution on the steps they have taken with a view to implementing effectively the provisions of paragraph 8 above;

12. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks:

(a) To seek from all States, in particular those producing or possessing the items,

materials, equipment, goods and technology referred to in paragraph 8 (a) above, information regarding the actions taken by them to implement effectively the measures imposed by paragraph 8 above of this resolution and whatever further information it may consider useful in this regard;

(b) To examine and take appropriate action on information regarding alleged violations of measures imposed by paragraph 8 of this resolution;

(c) To consider and decide upon requests for exemptions set out in paragraphs 9 and 10 above;

(d) To determine additional items, materials, equipment, goods and technology to be specified for the purpose of paragraphs 8 (a) (i) and 8 (a) (ii) above;

(e) To designate additional individuals and entities subject to the measures imposed by paragraphs 8 (d) and 8 (e) above;

(f) To promulgate guidelines as may be necessary to facilitate the implementation of the measures imposed by this resolution;

(g) To report at least every 90 days to the Security Council on its work, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraph 8 above;

13. *Welcomes and encourages further* the efforts by all States concerned to intensify their diplomatic efforts, to refrain from any actions that might aggravate tension and to facilitate the early resumption of the Six-Party Talks, with a view to the expeditious implementation of the Joint Statement issued on 19 September 2005 by China, the DPRK, Japan, the Republic of Korea, the Russian Federation and the United States, to achieve the verifiable denuclearization of the Korean Peninsula and to maintain peace and stability on the Korean Peninsula and in north-east Asia;

14. *Calls upon* the DPRK to return immediately to the Six-Party Talks without precondition and to work towards the expeditious implementation of the Joint Statement issued on 19 September 2005 by China, the DPRK, Japan, the Republic of Korea, the Russian Federation and the United States;

15. *Affirms* that it shall keep DPRK's actions under continuous review and that it shall be prepared to review the appropriateness of the measures contained in paragraph 8 above, including the strengthening, modification, suspension or lifting of the measures, as may be needed at that time in light of the DPRK's compliance with the provisions of the resolution;

16. *Underlines* that further decisions will be required, should additional measures be necessary;

17. *Decides* to remain actively seized of the matter.

## **Resolution 1737 (2006) \***

**Adopted by the Security Council at its 5612th meeting, on  
23 December 2006**

*The Security Council,*

*Recalling* the Statement of its President, S/PRST/2006/15, of 29 March 2006, and its resolution 1696 (2006) of 31 July 2006,

*Reaffirming* its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons, and recalling the right of States Party, in conformity with Articles I and II of that Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

*Reiterating* its serious concern over the many reports of the IAEA Director General and resolutions of the IAEA Board of Governors related to Iran's nuclear programme, reported to it by the IAEA Director General, including IAEA Board resolution GOV/2006/14,

*Reiterating* its serious concern that the IAEA Director General's report of 27 February 2006 (GOV/2006/15) lists a number of outstanding issues and concerns on Iran's nuclear programme, including topics which could have a military nuclear dimension, and that the IAEA is unable to conclude that there are no undeclared nuclear materials or activities in Iran,

*Reiterating* its serious concern over the IAEA Director General's report of 28 April 2006 (GOV/2006/27) and its findings, including that, after more than three years of Agency efforts to seek clarity about all aspects of Iran's nuclear programme, the existing gaps in knowledge continue to be a matter of concern, and that the IAEA is unable to make progress in its efforts to provide assurances about the absence of undeclared nuclear material and activities in Iran,

*Noting* with serious concern that, as confirmed by the IAEA Director General's reports of 8 June 2006 (GOV/2006/38), 31 August 2006 (GOV/2006/53) and 14 November 2006 (GOV/2006/64), Iran has not established full and sustained suspension of all enrichment-related and reprocessing activities as set out in resolution 1696 (2006), nor resumed its cooperation with the IAEA under the Additional Protocol, nor taken the other steps required of it by the IAEA Board of Governors, nor complied with the provisions of Security Council resolution 1696 (2006) and which are essential to build confidence, and *deploring* Iran's refusal to take these steps,

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\* Reissued for technical reasons.

*Emphasizing* the importance of political and diplomatic efforts to find a negotiated solution guaranteeing that Iran's nuclear programme is exclusively for peaceful purposes, and noting that such a solution would benefit nuclear nonproliferation elsewhere, and welcoming the continuing commitment of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the support of the European Union's High Representative to seek a negotiated solution,

*Determined* to give effect to its decisions by adopting appropriate measures to persuade Iran to comply with resolution 1696 (2006) and with the requirements of the IAEA, and also to constrain Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Security Council determines that the objectives of this resolution have been met,

*Concerned* by the proliferation risks presented by the Iranian nuclear programme and, in this context, by Iran's continuing failure to meet the requirements of the IAEA Board of Governors and to comply with the provisions of Security Council resolution 1696 (2006), mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

*Acting* under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Affirms* that Iran shall without further delay take the steps required by the IAEA Board of Governors in its resolution GOV/2006/14, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions;

2. *Decides*, in this context, that Iran shall without further delay suspend the following proliferation sensitive nuclear activities:

(a) all enrichment-related and reprocessing activities, including research and development, to be verified by the IAEA; and

(b) work on all heavy water-related projects, including the construction of a research reactor moderated by heavy water, also to be verified by the IAEA;

3. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, Iran, and whether or not originating in their territories, of all items, materials, equipment, goods and technology which could contribute to Iran's enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems, namely:

(a) those set out in sections B.2, B.3, B.4, B.5, B.6 and B.7 of INFCIRC/254/Rev.8/Part 1 in document S/2006/814;

(b) those set out in sections A.1 and B.1 of INFCIRC/254/Rev.8/Part 1 in document S/2006/814, except the supply, sale or transfer of:

- (i) equipment covered by B.1 when such equipment is for light water reactors;
- (ii) low-enriched uranium covered by A.1.2 when it is incorporated in assembled nuclear fuel elements for such reactors;

(c) those set out in document S/2006/815, except the supply, sale or transfer of items covered by 19.A.3 of Category II;

(d) any additional items, materials, equipment, goods and technology, determined as necessary by the Security Council or the Committee established by paragraph 18 below (herein “the Committee”), which could contribute to enrichment-related, or reprocessing, or heavy water-related activities, or to the development of nuclear weapon delivery systems;

4. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, Iran, and whether or not originating in their territories, of the following items, materials, equipment, goods and technology:

(a) those set out in INFCIRC/254/Rev.7/Part2 of document S/2006/814 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities;

(b) any other items not listed in documents S/2006/814 or S/2006/815 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems;

(c) any further items if the State determines that they would contribute to the pursuit of activities related to other topics about which the IAEA has expressed concerns or identified as outstanding;

5. *Decides* that, for the supply, sale or transfer of all items, materials, equipment, goods and technology covered by documents S/2006/814 and S/2006/815 the export of which to Iran is not prohibited by subparagraphs 3 (b), (c) or 4 (a) above, States shall ensure that:

(a) the requirements, as appropriate, of the Guidelines as set out in documents S/2006/814 and S/2006/985 have been met; and

(b) they have obtained and are in a position to exercise effectively a right to verify the end-use and end-use location of any supplied item; and

(c) they notify the Committee within ten days of the supply, sale or transfer; and

(d) in the case of items, materials, equipment, goods and technology contained in

document S/2006/814, they also notify the IAEA within ten days of the supply, sale or transfer;

6. *Decides* that all States shall also take the necessary measures to prevent the provision to Iran of any technical assistance or training, financial assistance, investment, brokering or other services, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of the prohibited items, materials, equipment, goods and technology specified in paragraphs 3 and 4 above;

7. *Decides* that Iran shall not export any of the items in documents S/2006/814 and S/2006/815 and that all Member States shall prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran;

8. *Decides* that Iran shall provide such access and cooperation as the IAEA requests to be able to verify the suspension outlined in paragraph 2 and to resolve all outstanding issues, as identified in IAEA reports, and calls upon Iran to ratify promptly the Additional Protocol;

9. *Decides* that the measures imposed by paragraphs 3, 4 and 6 above shall not apply where the Committee determines in advance and on a case-by-case basis that such supply, sale, transfer or provision of such items or assistance would clearly not contribute to the development of Iran's technologies in support of its proliferation sensitive nuclear activities and of development of nuclear weapon delivery systems, including where such items or assistance are for food, agricultural, medical or other humanitarian purposes, provided that:

(a) contracts for delivery of such items or assistance include appropriate end-user guarantees; and

(b) Iran has committed not to use such items in proliferation sensitive nuclear activities or for development of nuclear weapon delivery systems;

10. *Calls upon* all States to exercise vigilance regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Committee of the entry into or transit through their territories of the persons designated in the Annex to this resolution (herein "the Annex"), as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities and for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods,



equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 above, except where such travel is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) above;

11. *Underlines* that nothing in the above paragraph requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of the above paragraph, take into account humanitarian considerations as well as the necessity to meet the objectives of this resolution, including where Article XV of the IAEA Statute is engaged;

12. *Decides* that all States shall freeze the funds, other financial assets and economic resources which are on their territories at the date of adoption of this resolution or at any time thereafter, that are owned or controlled by the persons or entities designated in the Annex, as well as those of additional persons or entities designated by the Security Council or by the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or the development of nuclear weapon delivery systems, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them, including through illicit means, and that the measures in this paragraph shall cease to apply in respect of such persons or entities if, and at such time as, the Security Council or the Committee removes them from the Annex, and *decides further* that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of these persons and entities;

13. *Decides* that the measures imposed by paragraph 12 above do not apply to funds, other financial assets or economic resources that have been determined by relevant States:

(a) to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(b) to be necessary for extraordinary expenses, provided that such determination

has been notified by the relevant States to the Committee and has been approved by the Committee;

(c) to be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated pursuant to paragraphs 10 and 12 above, and has been notified by the relevant States to the Committee;

(d) to be necessary for activities directly related to the items specified in subparagraphs 3 (b) (i) and (ii) and have been notified by the relevant States to the Committee;

14. *Decides* that States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 12 above of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

15. *Decides* that the measures in paragraph 12 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that:

(a) the contract is not related to any of the prohibited items, materials, equipment, goods, technologies, assistance, training, financial assistance, investment, brokering or services referred to in paragraphs 3, 4 and 6 above;

(b) the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 12 above; and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, ten working days prior to such authorization;

16. *Decides* that technical cooperation provided to Iran by the IAEA or under its auspices shall only be for food, agricultural, medical, safety or other humanitarian purposes, or where it is necessary for projects directly related to the items specified in subparagraphs 3 (b) (i) and (ii) above, but that no such technical cooperation shall be provided that relates to the proliferation sensitive nuclear activities set out in paragraph 2 above;

17. *Calls upon* all States to exercise vigilance and prevent specialized teaching

or training of Iranian nationals, within their territories or by their nationals, of disciplines which would contribute to Iran's proliferation sensitive nuclear activities and development of nuclear weapon delivery systems;

18. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks:

(a) to seek from all States, in particular those in the region and those producing the items, materials, equipment, goods and technology referred to in paragraphs 3 and 4 above, information regarding the actions taken by them to implement effectively the measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 of this resolution and whatever further information it may consider useful in this regard;

(b) to seek from the secretariat of the IAEA information regarding the actions taken by the IAEA to implement effectively the measures imposed by paragraph 16 of this resolution and whatever further information it may consider useful in this regard;

(c) to examine and take appropriate action on information regarding alleged violations of measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 of this resolution;

(d) to consider and decide upon requests for exemptions set out in paragraphs 9, 13 and 15 above;

(e) to determine as may be necessary additional items, materials, equipment, goods and technology to be specified for the purpose of paragraph 3 above;

(f) to designate as may be necessary additional individuals and entities subject to the measures imposed by paragraphs 10 and 12 above;

(g) to promulgate guidelines as may be necessary to facilitate the implementation of the measures imposed by this resolution and include in such guidelines a requirement on States to provide information where possible as to why any individuals and/or entities meet the criteria set out in paragraphs 10 and 12 and any relevant identifying information;

(h) to report at least every 90 days to the Security Council on its work and on the implementation of this resolution, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 above;

19. *Decides* that all States shall report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 4, 5, 6, 7, 8, 10, 12 and 17 above;

20. *Expresses* the conviction that the suspension set out in paragraph 2 above as well as full, verified Iranian compliance with the requirements set out by the IAEA

Board of Governors, would contribute to a diplomatic, negotiated solution that guarantees Iran's nuclear programme is for exclusively peaceful purposes, underlines the willingness of the international community to work positively for such a solution, encourages Iran, in conforming to the above provisions, to re-engage with the international community and with the IAEA, and stresses that such engagement will be beneficial to Iran;

21. *Welcomes* the commitment of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the support of the European Union's High Representative, to a negotiated solution to this issue and encourages Iran to engage with their June 2006 proposals (S/2006/521), which were endorsed by the Security Council in resolution 1696 (2006), for a long-term comprehensive agreement which would allow for the development of relations and cooperation with Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran's nuclear programme;

22. *Reiterates* its determination to reinforce the authority of the IAEA, strongly supports the role of the IAEA Board of Governors, commends and encourages the Director General of the IAEA and its secretariat for their ongoing professional and impartial efforts to resolve all remaining outstanding issues in Iran within the framework of the IAEA, underlines the necessity of the IAEA continuing its work to clarify all outstanding issues relating to Iran's nuclear programme;

23. *Requests* within 60 days a report from the Director General of the IAEA on whether Iran has established full and sustained suspension of all activities mentioned in this resolution, as well as on the process of Iranian compliance with all the steps required by the IAEA Board and with the other provisions of this resolution, to the IAEA Board of Governors and in parallel to the Security Council for its consideration;

24. *Affirms* that it shall review Iran's actions in the light of the report referred to in paragraph 23 above, to be submitted within 60 days, and:

(a) that it shall suspend the implementation of measures if and for so long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA, to allow for negotiations;

(b) that it shall terminate the measures specified in paragraphs 3, 4, 5, 6, 7, 10 and 12 of this resolution as soon as it determines that Iran has fully complied with its obligations under the relevant resolutions of the Security Council and met the requirements of the IAEA Board of Governors, as confirmed by the IAEA Board;

(c) that it shall, in the event that the report in paragraph 23 above shows that Iran

has not complied with this resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with this resolution and the requirements of the IAEA, and underlines that further decisions will be required should such additional measures be necessary;

25. *Decides* to remain seized of the matter.

## Annex

### A. Entities involved in the nuclear programme

1. Atomic Energy Organisation of Iran
2. Mesbah Energy Company (provider for A40 research reactor — Arak)
3. Kala-Electric (aka Kalaye Electric) (provider for PFEP — Natanz)
4. Pars Trash Company (involved in centrifuge programme, identified in IAEA reports)
5. Farayand Technique (involved in centrifuge programme, identified in IAEA reports)
6. Defence Industries Organisation (overarching MODAFL-controlled entity, some of whose subordinates have been involved in the centrifuge programme making components, and in the missile programme)
7. 7th of Tir (subordinate of DIO, widely recognized as being directly involved in the nuclear programme)

### B. Entities involved in the ballistic missile programme

1. Shahid Hemmat Industrial Group (SHIG) (subordinate entity of AIO)
2. Shahid Bagheri Industrial Group (SBIG) (subordinate entity of AIO)
3. Fajr Industrial Group (formerly Instrumentation Factory Plant, subordinate entity of AIO)

### C. Persons involved in the nuclear programme

1. Mohammad Qannadi, AEOI Vice President for Research & Development
2. Behman Asgarpour, Operational Manager (Arak)
3. Dawood Agha-Jani, Head of the PFEP (Natanz)
4. Ehsan Monajemi, Construction Project Manager, Natanz
5. Jafar Mohammadi, Technical Adviser to the AEOI (in charge of managing the production of valves for centrifuges)
6. Ali Hajinia Leilabadi, Director General of Mesbah Energy Company
7. Lt Gen Mohammad Mehdi Nejad Nouri, Rector of Malek Ashtar University of Defence Technology (chemistry dept, affiliated to MODALF, has conducted experiments on beryllium)

### D. Persons involved in the ballistic missile programme



1. Gen Hosein Salimi, Commander of the Air Force, IRGC (Pasdaran)
2. Ahmad Vahid Dastjerdi, Head of the AIO
3. Reza-Gholi Esmaeli, Head of Trade & International Affairs Dept, AIO
4. Bahmanyar Morteza Bahmanyar, Head of Finance & Budget Dept, AIO

**E. Persons involved in both the nuclear and ballistic missile programmes**

1. Maj Gen Yahya Rahim Safavi, Commander, IRGC (Pasdaran)

**Resolution 1747 (2007)**

**Adopted by the Security Council at its 5647th meeting on  
24 March 2007**

*The Security Council,*

Recalling the Statement of its President, S/PRST/2006/15, of 29 March 2006, and its resolution 1696 (2006) of 31 July 2006, and its resolution 1737 (2006) of 23 December 2006, and reaffirming their provisions,

*Reaffirming* its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons, the need for all States Party to that Treaty to comply fully with all their obligations, and recalling the right of States Party, in conformity with Articles I and II of that Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

*Recalling* its serious concern over the reports of the IAEA Director General as set out in its resolutions 1696 (2006) and 1737 (2006),

*Recalling* the latest report by the IAEA Director General (GOV/2007/8) of 22 February 2007 and *deploring* that, as indicated therein, Iran has failed to comply with resolution 1696 (2006) and resolution 1737 (2006),

*Emphasizing* the importance of political and diplomatic efforts to find a negotiated solution guaranteeing that Iran's nuclear programme is exclusively for peaceful purposes, and noting that such a solution would benefit nuclear non-proliferation elsewhere, and welcoming the continuing commitment of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the support of the European Union's High Representative to seek a negotiated solution,

*Recalling* the resolution of the IAEA Board of Governors (GOV/2006/14), which states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery,

*Determined* to give effect to its decisions by adopting appropriate measures to persuade Iran to comply with resolution 1696 (2006) and resolution 1737 (2006) and with the requirements of the IAEA, and also to constrain Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Security Council determines that the objectives of these resolutions have been met,

*Recalling* the requirement on States to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,

*Concerned* by the proliferation risks presented by the Iranian nuclear programme and, in this context, by Iran's continuing failure to meet the requirements of the IAEA Board of Governors and to comply with the provisions of Security Council resolutions 1696 (2006) and 1737 (2006), mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

*Acting* under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Reaffirms* that Iran shall without further delay take the steps required by the IAEA Board of Governors in its resolution GOV/2006/14, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions, and, in this context, *affirms* its decision that Iran shall without further delay take the steps required in paragraph 2 of resolution 1737 (2006);

2. *Calls upon* all States also to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Committee established pursuant to paragraph 18 of resolution 1737 (2006) (herein "the Committee") of the entry into or transit through their territories of the persons designated in the Annex to resolution 1737 (2006) or Annex I to this resolution, as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such travel is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of that resolution;

3. *Underlines* that nothing in the above paragraph requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of the above paragraph, take into account humanitarian considerations, including religious obligations, as well as the necessity to meet the objectives of this resolution and resolution 1737 (2006), including where Article XV of the IAEA Statute is engaged;

4. *Decides* that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall apply also to the persons and entities listed in Annex I to this resolution;

5. *Decides* that Iran shall not supply, sell or transfer directly or indirectly from its

territory or by its nationals or using its flag vessels or aircraft any arms or related materiel, and that all States shall prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran;

6. *Calls upon* all States to exercise vigilance and restraint in the supply, sale or transfer directly or indirectly from their territories or by their nationals or using their flag vessels or aircraft of any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register on Conventional Arms to Iran, and in the provision to Iran of any technical assistance or training, financial assistance, investment, brokering or other services, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of such items in order to prevent a destabilizing accumulation of arms;

7. *Calls upon* all States and international financial institutions not to enter into new commitments for grants, financial assistance, and concessional loans, to the Government of the Islamic Republic of Iran, except for humanitarian and developmental purposes;

8. *Calls upon* all States to report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 2, 4, 5, 6 and 7 above;

9. *Expresses* the conviction that the suspension set out in paragraph 2 of resolution 1737 (2006) as well as full, verified Iranian compliance with the requirements set out by the IAEA Board of Governors would contribute to a diplomatic, negotiated solution that guarantees Iran's nuclear programme is for exclusively peaceful purposes, *underlines* the willingness of the international community to work positively for such a solution, *encourages* Iran, in conforming to the above provisions, to re-engage with the international community and with the IAEA, and *stresses* that such engagement will be beneficial to Iran;

10. *Welcomes* the continuous affirmation of the commitment of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the support of the European Union's High Representative, to a negotiated solution to this issue and encourages Iran to engage with their June 2006 proposals (S/2006/521), attached in Annex II to this resolution, which were endorsed by the Security Council in resolution 1696 (2006), and *acknowledges* with appreciation that this offer to Iran remains on the table, for a long-term comprehensive agreement which would allow for the development of relations and cooperation with Iran based on mutual respect

and the establishment of international confidence in the exclusively peaceful nature of Iran's nuclear programme;

11. *Reiterates* its determination to reinforce the authority of the IAEA, strongly supports the role of the IAEA Board of Governors, *commends and encourages* the Director General of the IAEA and its secretariat for their ongoing professional and impartial efforts to resolve all outstanding issues in Iran within the framework of the IAEA, *underlines* the necessity of the IAEA, which is internationally recognized as having authority for verifying compliance with safeguards agreements, including the non-diversion of nuclear material for non-peaceful purposes, in accordance with its Statute, to continue its work to clarify all outstanding issues relating to Iran's nuclear programme;

12. *Requests* within 60 days a further report from the Director General of the IAEA on whether Iran has established full and sustained suspension of all activities mentioned in resolution 1737 (2006), as well as on the process of Iranian compliance with all the steps required by the IAEA Board and with the other provisions of resolution 1737 (2006) and of this resolution, to the IAEA Board of Governors and in parallel to the Security Council for its consideration;

13. *Affirms* that it shall review Iran's actions in light of the report referred to in paragraph 12 above, to be submitted within 60 days, and:

(a) that it shall suspend the implementation of measures if and for so long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome;

(b) that it shall terminate the measures specified in paragraphs 3, 4, 5, 6, 7 and 12 of resolution 1737 (2006) as well as in paragraphs 2, 4, 5, 6 and 7 above as soon as it determines, following receipt of the report referred to in paragraph 12 above, that Iran has fully complied with its obligations under the relevant resolutions of the Security Council and met the requirements of the IAEA Board of Governors, as confirmed by the IAEA Board;

(c) that it shall, in the event that the report in paragraph 12 above shows that Iran has not complied with resolution 1737 (2006) and this resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with these resolutions and the requirements of the IAEA, and *underlines* that further decisions will be required should such additional measures be necessary;

14. *Decides* to remain seized of the matter.

## Annex I

### Entities involved in nuclear or ballistic missile activities

1. Ammunition and Metallurgy Industries Group (AMIG) (aka Ammunition Industries Group) (AMIG controls 7th of Tir, which is designated under resolution 1737 (2006) for its role in Iran's centrifuge programme. AMIG is in turn owned and controlled by the Defence Industries Organisation (DIO), which is designated under resolution 1737 (2006))
2. Esfahan Nuclear Fuel Research and Production Centre (NFRPC) and Esfahan Nuclear Technology Centre (ENTC) (Parts of the Atomic Energy Organisation of Iran's (AEOI) Nuclear Fuel Production and Procurement Company, which is involved in enrichment-related activities. AEOI is designated under resolution 1737 (2006))
3. Kavoshyar Company (Subsidiary company of AEOI, which has sought glass fibres, vacuum chamber furnaces and laboratory equipment for Iran's nuclear programme)
4. Parchin Chemical Industries (Branch of DIO, which produces ammunition, explosives, as well as solid propellants for rockets and missiles)
5. Karaj Nuclear Research Centre (Part of AEOI's research division)
6. Novin Energy Company (aka Pars Novin) (Operates within AEOI and has transferred funds on behalf of AEOI to entities associated with Iran's nuclear programme)
7. Cruise Missile Industry Group (aka Naval Defence Missile Industry Group) (Production and development of cruise missiles. Responsible for naval missiles including cruise missiles)
8. Bank Sepah and Bank Sepah International (Bank Sepah provides support for the Aerospace Industries Organisation (AIO) and subordinates, including Shahid Hemmat Industrial Group (SHIG) and Shahid Bagheri Industrial Group (SBIG), both of which were designated under resolution 1737 (2006))
9. Sanam Industrial Group (subordinate to AIO, which has purchased equipment on AIO's behalf for the missile programme)
10. Ya Mahdi Industries Group (subordinate to AIO, which is involved in international purchases of missile equipment)

### **Iranian Revolutionary Guard Corps entities**

1. Qods Aeronautics Industries (Produces unmanned aerial vehicles (UAVs), parachutes, para-gliders, para-motors, etc. Iranian Revolutionary Guard Corps (IRGC) has boasted of using these products as part of its asymmetric warfare doctrine)
2. Pars Aviation Services Company (Maintains various aircraft including MI-171, used by IRGC Air Force)
3. Sho'a' Aviation (Produces micro-lights which IRGC has claimed it is using as part of its asymmetric warfare doctrine)

### **Persons involved in nuclear or ballistic missile activities**

1. Fereidoun Abbasi-Davani (Senior Ministry of Defence and Armed Forces Logistics (MODAFL) scientist with links to the Institute of Applied Physics, working closely with Mohsen Fakhrizadeh-Mahabadi, designated below)
2. Mohsen Fakhrizadeh-Mahabadi (Senior MODAFL scientist and former head of the Physics Research Centre (PHRC). The IAEA have asked to interview him about the activities of the PHRC over the period he was head but Iran has refused)
3. Seyed Jaber Safdari (Manager of the Natanz Enrichment Facilities)
4. Amir Rahimi (Head of Esfahan Nuclear Fuel Research and Production Center, which is part of the AEOI's Nuclear Fuel Production and Procurement Company, which is involved in enrichment-related activities)
5. Mohsen Hojati (Head of Fajr Industrial Group, which is designated under resolution 1737 (2006) for its role in the ballistic missile programme)
6. Mehrdada Akhlaghi Ketabachi (Head of SBIG, which is designated under resolution 1737 (2006) for its role in the ballistic missile programme)
7. Naser Maleki (Head of SHIG, which is designated under resolution 1737 (2006) for its role in Iran's ballistic missile programme. Naser Maleki is also a MODAFL official overseeing work on the Shahab-3 ballistic missile programme. The Shahab-3 is Iran's long range ballistic missile currently in service)
8. Ahmad Derakhshandeh (Chairman and Managing Director of Bank Sepah, which provides support for the AIO and subordinates, including SHIG and SBIG, both of which were designated under resolution 1737 (2006))



**Iranian Revolutionary Guard Corps key persons**

1. Brigadier General Morteza Rezaie (Deputy Commander of IRGC)
2. Vice Admiral Ali Akbar Ahmadian (Chief of IRGC Joint Staff)
3. Brigadier General Mohammad Reza Zahedi (Commander of IRGC Ground Forces)
4. Rear Admiral Morteza Safari (Commander of IRGC Navy)
5. Brigadier General Mohammad Hejazi (Commander of Bassij resistance force)
6. Brigadier General Qasem Soleimani (Commander of Qods force)
7. General Zolqadr (IRGC officer, Deputy Interior Minister for Security Affairs)

## Annex II

### Elements of a long-term agreement

Our goal is to develop relations and cooperation with Iran, based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of the nuclear programme of the Islamic Republic of Iran. We propose a fresh start in the negotiation of a comprehensive agreement with Iran. Such an agreement would be deposited with the International Atomic Energy Agency (IAEA) and endorsed in a Security Council resolution.

To create the right conditions for negotiations,

We will:

- Reaffirm Iran's right to develop nuclear energy for peaceful purposes in conformity with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter, NPT), and in this context reaffirm our support for the development by Iran of a civil nuclear energy programme.
- Commit to support actively the building of new light water reactors in Iran through international joint projects, in accordance with the IAEA statute and NPT.
- Agree to suspend discussion of Iran's nuclear programme in the Security Council upon the resumption of negotiations.

Iran will:

- Commit to addressing all of the outstanding concerns of IAEA through full cooperation with IAEA.
- Suspend all enrichment-related and reprocessing activities to be verified by IAEA, as requested by the IAEA Board of Governors and the Security Council, and commit to continue this during these negotiations.
- Resume the implementation of the Additional Protocol.

### Areas of future cooperation to be covered in negotiations on a long-term agreement

#### 1. Nuclear

We will take the following steps:

**Iran's rights to nuclear energy**

- Reaffirm Iran's inalienable right to nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of NPT, and cooperate with Iran in the development by Iran of a civil nuclear power programme.
- Negotiate and implement a Euratom/Iran nuclear cooperation agreement.

**Light water reactors**

- Actively support the building of new light water power reactors in Iran through international joint projects, in accordance with the IAEA statute and NPT, using state-of-the-art technology, including by authorizing the transfer of necessary goods and the provision of advanced technology to make its power reactors safe against earthquakes.
- Provide cooperation with the management of spent nuclear fuel and radioactive waste through appropriate arrangements.

**Research and development in nuclear energy**

- Provide a substantive package of research and development cooperation, including possible provision of light water research reactors, notably in the fields of radioisotope production, basic research and nuclear applications in medicine and agriculture.

**Fuel guarantees**

- Give legally binding, multilayered fuel assurances to Iran, based on:
  - Participation as a partner in an international facility in Russia to provide enrichment services for a reliable supply of fuel to Iran's nuclear reactors. Subject to negotiations, such a facility could enrich all uranium hexafluoride (UF<sub>6</sub>) produced in Iran.
  - Establishment on commercial terms of a buffer stock to hold a reserve of up to five years' supply of nuclear fuel dedicated to Iran, with the participation and under supervision of IAEA.
  - Development with IAEA of a standing multilateral mechanism for reliable access to nuclear fuel, based on ideas to be considered at the next meeting of the Board of Governors.

**Review of moratorium**

The long-term agreement would, with regard to common efforts to build inter-

national confidence, contain a clause for review of the agreement in all its aspects, to follow:

- Confirmation by IAEA that all outstanding issues and concerns reported by it, including those activities which could have a military nuclear dimension, have been resolved;
- Confirmation that there are no undeclared nuclear activities or materials in Iran and that international confidence in the exclusively peaceful nature of Iran's civil nuclear programme has been restored.

## **2. Political and economic**

### **Regional security cooperation**

Support for a new conference to promote dialogue and cooperation on regional security issues.

### **International trade and investment**

Improving Iran's access to the international economy, markets and capital, through practical support for full integration into international structures, including the World Trade Organization and to create the framework for increased direct investment in Iran and trade with Iran (including a trade and economic cooperation agreement with the European Union). Steps would be taken to improve access to key goods and technology.

### **Civil aviation**

Civil aviation cooperation, including the possible removal of restrictions on United States and European manufacturers in regard to the export of civil aircraft to Iran, thereby widening the prospect of Iran renewing its fleet of civil airliners.

### **Energy partnership**

Establishment of a long-term energy partnership between Iran and the European Union and other willing partners, with concrete and practical applications.

### **Telecommunications infrastructure**

Support for the modernization of Iran's telecommunication infrastructure and advanced Internet provision, including by possible removal of relevant United States

and other export restrictions.

**High technology cooperation**

Cooperation in fields of high technology and other areas to be agreed upon.

**Agriculture**

Support for agricultural development in Iran, including possible access to United States and European agricultural products, technology and farm equipment.

## **Resolution 1803 (2008)**

**Adopted by the Security Council at its 5848th meeting,  
on 3 March 2008**

*The Security Council,*

*Recalling* the Statement of its President, S/PRST/2006/15, of 29 March 2006, and its resolution 1696 (2006) of 31 July 2006, its resolution 1737 (2006) of 23 December 2006 and its resolution 1747 (2007) of 24 March 2007, and reaffirming their provisions,

*Reaffirming* its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons, the need for all States Party to that Treaty to comply fully with all their obligations, and recalling the right of States Party, in conformity with Articles I and II of that Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

*Recalling* the resolution of the IAEA Board of Governors (GOV/2006/14), which states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery,

*Noting* with serious concern that, as confirmed by the reports of 23 May 2007 (GOV/2007/22), 30 August 2007 (GOV/2007/48), 15 November 2007 (GOV/2007/58) and 22 February 2008 (GOV/2008/4) of the Director General of the International Atomic Energy Agency (IAEA), Iran has not established full and sustained suspension of all enrichment related and reprocessing activities and heavy water-related projects as set out in resolution 1696 (2006), 1737 (2006), and 1747 (2007), nor resumed its cooperation with the IAEA under the Additional Protocol, nor taken the other steps required by the IAEA Board of Governors, nor complied with the provisions of Security Council resolution 1696 (2006), 1737 (2006) and 1747 (2007) and which are essential to build confidence, and *deploring* Iran's refusal to take these steps,

*Noting* with concern that Iran has taken issue with the IAEA's right to verify design information which had been provided by Iran pursuant to the modified Code 3.1, *emphasizing* that in accordance with Article 39 of Iran's Safeguards Agreement Code 3.1 cannot be modified nor suspended unilaterally and that the Agency's right to verify design information provided to it is a continuing right, which is not dependent on the stage of construction of, or the presence of nuclear material at, a facility,

*Reiterating* its determination to reinforce the authority of the IAEA, strongly supporting the role of the IAEA Board of Governors, commending the IAEA for its efforts to resolve outstanding issues relating to Iran's nuclear programme in the work plan between the Secretariat of the IAEA and Iran (GOV/2007/48, Attachment), welcoming the progress in implementation of this work plan as reflected in the IAEA Director General's reports of 15 November 2007 (GOV/2007/58) and 22 February 2008 (GOV/2008/4), underlining the importance of Iran producing tangible results rapidly and effectively by completing implementation of this work plan including by providing answers to all the questions the IAEA asks so that the Agency, through the implementation of the required transparency measures, can assess the completeness and correctness of Iran's declaration,

*Expressing* the conviction that the suspension set out in paragraph 2 of resolution 1737 (2006) as well as full, verified Iranian compliance with the requirements set out by the IAEA Board of Governors would contribute to a diplomatic, negotiated solution, that guarantees Iran's nuclear programme is for exclusively peaceful purposes,

*Stressing* that China, France, Germany, the Russian Federation, the United Kingdom and the United States are willing to take further concrete measures on exploring an overall strategy of resolving the Iranian nuclear issue through negotiation on the basis of their June 2006 proposals (S/2006/521), and *noting* the confirmation by these countries that once the confidence of the international community in the exclusively peaceful nature of Iran's nuclear programme is restored, it will be treated in the same manner as that of any Non-Nuclear Weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Having* regard to States' rights and obligations relating to international trade,

*Welcoming* the guidance issued by the Financial Actions Task Force (FATF) to assist States in implementing their financial obligations under resolution 1737 (2006),

*Determined* to give effect to its decisions by adopting appropriate measures to persuade Iran to comply with resolution 1696 (2006), resolution 1737 (2006), resolution 1747 (2007) and with the requirements of the IAEA, and also to constrain Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Security Council determines that the objectives of these resolutions have been met,

*Concerned* by the proliferation risks presented by the Iranian nuclear programme and, in this context, by Iran's continuing failure to meet the requirements of the IAEA Board of Governors and to comply with the provisions of Security Council resolutions 1696 (2006), 1737 (2006) and 1747 (2007), *mindful* of its primary responsibil-



ity under the Charter of the United Nations for the maintenance of international peace and security,

*Acting* under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Reaffirms* that Iran shall without further delay take the steps required by the IAEA Board of Governors in its resolution GOV/2006/14, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions, and, in this context, *affirms* its decision that Iran shall without delay take the steps required in paragraph 2 of resolution 1737 (2006), and *underlines* that the IAEA has sought confirmation that Iran will apply Code 3.1 modified;

2. *Welcomes* the agreement between Iran and the IAEA to resolve all outstanding issues concerning Iran's nuclear programme and progress made in this regard as set out in the Director General's report of 22 February 2008 (GOV/2008/4), encourages the IAEA to continue its work to clarify all outstanding issues, stresses that this would help to re-establish international confidence in the exclusively peaceful nature of Iran's nuclear programme, and supports the IAEA in strengthening its safeguards on Iran's nuclear activities in accordance with the Safeguards Agreement between Iran and the IAEA;

3. *Calls upon* all States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Committee established pursuant to paragraph 18 of resolution 1737 (2006) (herein "the Committee") of the entry into or transit through their territories of the persons designated in the Annex to resolution 1737 (2006), Annex I to resolution 1747 (2007) or Annex I to this resolution, as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006);

4. *Underlines* that nothing in paragraph 3 above requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of the above paragraph, take into account humanitarian considerations, including religious

obligations, as well as the necessity to meet the objectives of this resolution, resolution 1737 (2006) and resolution 1747 (2007), including where Article XV of the IAEA Statute is engaged;

5. *Decides* that all States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated in Annex II to this resolution as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006) and provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

6. *Decides* that the measures imposed by paragraph 5 above shall not apply where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution;

7. *Decides* that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall apply also to the persons and entities listed in Annexes I and III to this resolution, and any persons or entities acting on their behalf or at their direction, and to entities owned or controlled by them and to persons and entities determined by the Council or the Committee to have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, this resolution, resolution 1737 (2006) or resolution 1747 (2007);

8. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories or by their nationals or using their flag vessels or aircraft to, or for use in or benefit of, Iran, and whether or not originating in their territories, of:

(a) all items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.7/Part 2 of document S/2006/814, except the supply, sale or transfer, in accordance with the requirements of paragraph 5 of resolution 1737 (2006), of items, materials, equipment, goods and technology set out in sections 1 and 2 of the Annex to that document, and sections 3 to 6 as notified in advance to the Committee, only when for exclusive use in light water reactors, and where such supply, sale or transfer

is necessary for technical cooperation provided to Iran by the IAEA or under its auspices as provided for in paragraph 16 of resolution 1737 (2006);

(b) all items, materials, equipment, goods and technology set out in 19.A.3 of Category II of document S/2006/815;

9. *Calls upon* all States to exercise vigilance in entering into new commitments for public provided financial support for trade with Iran, including the granting of export credits, guarantees or insurance, to their nationals or entities involved in such trade, in order to avoid such financial support contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);

10. *Calls upon* all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, in order to avoid such activities contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);

11. *Calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, to inspect the cargoes to and from Iran, of aircraft and vessels, at their airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line, provided there are reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under this resolution or resolution 1737 (2006) or resolution 1747 (2007);

12. *Requires* all States, in cases when inspection mentioned in the paragraph above is undertaken, to submit to the Security Council within five working days a written report on the inspection containing, in particular, explanation of the grounds for the inspection, as well as information on its time, place, circumstances, results and other relevant details;

13. *Calls upon* all States to report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 5, 7, 8, 9, 10 and 11 above;

14. *Decides* that the mandate of the Committee as set out in paragraph 18 of resolution 1737 (2006) shall also apply to the measures imposed in resolution 1747 (2007) and this resolution;

15. *Stresses* the willingness of China, France, Germany, the Russian Federation, the United Kingdom and the United States to further enhance diplomatic efforts to

promote resumption of dialogue, and consultations on the basis of their offer to Iran, with a view to seeking a comprehensive, long-term and proper solution of this issue which would allow for the development of all-round relations and wider cooperation with Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran's nuclear programme, and inter alia, starting direct talks and negotiation with Iran as long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA;

16. *Encourages* the European Union High Representative for the Common Foreign and Security Policy to continue communication with Iran in support of political and diplomatic efforts to find a negotiated solution including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States with a view to create necessary conditions for resuming talks;

17. *Emphasizes* the importance of all States, including Iran, taking the necessary measures to ensure that no claim shall lie at the instance of the Government of Iran, or of any person or entity in Iran, or of persons or entities designated pursuant to resolution 1737 (2006) and related resolutions, or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by the present resolution, resolution 1737 (2006) or resolution 1747 (2007);

18. *Requests* within 90 days a further report from the Director General of the IAEA on whether Iran has established full and sustained suspension of all activities mentioned in resolution 1737 (2006), as well as on the process of Iranian compliance with all the steps required by the IAEA Board and with the other provisions of resolution 1737 (2006), resolution 1747 (2007) and of this resolution, to the IAEA Board of Governors and in parallel to the Security Council for its consideration;

19. *Reaffirms* that it shall review Iran's actions in light of the report referred to in the paragraph above, and:

(a) that it shall suspend the implementation of measures if and for so long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome;

(b) that it shall terminate the measures specified in paragraphs 3, 4, 5, 6, 7

and 12 of resolution 1737 (2006), as well as in paragraphs 2, 4, 5, 6 and 7 of resolution 1747 (2007), and in paragraphs 3, 5, 7, 8, 9, 10 and 11 above, as soon as it determines, following receipt of the report referred to in the paragraph above,

that Iran has fully complied with its obligations under the relevant resolutions of the Security Council and met the requirements of the IAEA Board of Governors, as confirmed by the IAEA Board;

(c) that it shall, in the event that the report shows that Iran has not complied with resolution 1696 (2006), resolution 1737 (2006), resolution 1747 (2007) and this resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with these resolutions and the requirements of the IAEA, and underlines that further decisions will be required should such additional measures be necessary;

20. *Decides* to remain seized of the matter.

## Annex I

1. Amir Moayyed Alai (involved in managing the assembly and engineering of centrifuges)
2. Mohammad Fedai Ashiani (involved in the production of ammonium uranyl carbonate and management of the Natanz enrichment complex)
3. Abbas Rezaee Ashtiani (a senior official at the AEOI Office of Exploration and Mining Affairs)
4. Haleh Bakhtiar (involved in the production of magnesium at a concentration of 99.9%)
5. Morteza Behzad (involved in making centrifuge components)
6. Dr. Mohammad Eslami (Head of Defence Industries Training and Research Institute)
7. Seyyed Hussein Hosseini (AEOI official involved in the heavy water research reactor project at Arak)
8. M. Javad Karimi Sabet (Head of Novin Energy Company, which is designated under resolution 1747 (2007))
9. Hamid-Reza Mohajerani (involved in production management at the Uranium Conversion Facility (UCF) at Esfahan)
10. Brigadier-General Mohammad Reza Naqdi (former Deputy Chief of Armed Forces General Staff for Logistics and Industrial Research/Head of State Anti-Smuggling Headquarters, engaged in efforts to get round the sanctions imposed by resolutions 1737 (2006) and 1747 (2007))
11. Houshang Nobari (involved in the management of the Natanz enrichment complex)
12. Abbas Rashidi (involved in enrichment work at Natanz)
13. Ghasem Soleymani (Director of Uranium Mining Operations at the Saghand Uranium Mine)

## **Annex II**

### **A. Individuals listed in resolution 1737 (2006)**

1. Mohammad Qannadi, AEOI Vice President for Research & Development
2. Dawood Agha-Jani, Head of the PFEP (Natanz)
3. Behman Asgarpour, Operational Manager (Arak)

### **B. Individuals listed in resolution 1747 (2007)**

1. Seyed Jaber Safdari (Manager of the Natanz Enrichment Facilities)
2. Amir Rahimi (Head of Esfahan Nuclear Fuel Research and Production Center, which is part of the AEOI's Nuclear Fuel Production and Procurement Company, which is involved in enrichment-related activities)



## Annex III

1. Abzar Boresh Kaveh Co. (BK Co.) (involved in the production of centrifuge components)
2. Barzagani Tejarat Tavanmad Saccal companies (subsidiary of Saccal System companies) (this company tried to purchase sensitive goods for an entity listed in resolution 1737 (2006))
3. Electro Sanam Company (E. S. Co./E. X. Co.) (AIO front-company, involved in the ballistic missile programme)
4. Ettehad Technical Group (AIO front-company, involved in the ballistic missile programme)
5. Industrial Factories of Precision (IFP) Machinery (aka Instrumentation Factories Plant) (used by AIO for some acquisition attempts)
6. Jabber Ibn Hayan (AEOI laboratory involved in fuel-cycle activities)
7. Joza Industrial Co. (AIO front-company, involved in the ballistic missile programme)
8. Khorasan Metallurgy Industries (subsidiary of the Ammunition Industries Group (AMIG) which depends on DIO. Involved in the production of centrifuges components)
9. Niru Battery Manufacturing Company (subsidiary of the DIO. Its role is to manufacture power units for the Iranian military including missile systems)
10. Pishgam (Pioneer) Energy Industries (has participated in construction of the Uranium Conversion Facility at Esfahan)
11. Safety Equipment Procurement (SEP) (AIO front-company, involved in the ballistic missile programme)
12. TAMAS Company (involved in enrichment-related activities. TAMAS is the overarching body, under which four subsidiaries have been established, including one for uranium extraction to concentration and another in charge of uranium processing, enrichment and waste)

## **Resolution 1874 (2009)**

**Adopted by the Security Council at its 6141st meeting, on  
12 June 2009**

*The Security Council,*

*Recalling* its previous relevant resolutions, including resolution 825 (1993), resolution 1540 (2004), resolution 1695 (2006), and, in particular, resolution 1718 (2006), as well as the statements of its President of 6 October 2006 (S/PRST/2006/41) and 13 April 2009 (S/PRST/2009/7),

*Reaffirming* that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security, *Expressing* the gravest concern at the nuclear test conducted by the Democratic People's Republic of Korea ("the DPRK") on 25 May 2009 (local time) in violation of resolution 1718 (2006), and at the challenge such a test constitutes to the Treaty on Non-Proliferation of Nuclear Weapons ("the NPT") and to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons towards the 2010 NPT Review Conference, and the danger it poses to peace and stability in the region and beyond,

*Stressing* its collective support for the NPT and commitment to strengthen the Treaty in all its aspects, and global efforts towards nuclear non-proliferation and nuclear disarmament, and *recalling* that the DPRK cannot have the status of a nuclear-weapon state in accordance with the NPT in any case,

*Deploring* the DPRK's announcement of withdrawal from the NPT and its pursuit of nuclear weapons, *Underlining* once again the importance that the DPRK respond to other security and humanitarian concerns of the international community,

*Underlining* also that measures imposed by this resolution are not intended to have adverse humanitarian consequences for the civilian population of the DPRK,

*Expressing* its gravest concern that the nuclear test and missile activities carried out by the DPRK have further generated increased tension in the region and beyond, and determining that there continues to exist a clear threat to international peace and security,

*Reaffirming* the importance that all Member States uphold the purposes and principles of the Charter of the United Nations,

*Acting* under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Condemns* in the strongest terms the nuclear test conducted by the DPRK on 25 May 2009 (local time) in violation and flagrant disregard of its relevant resolutions, in particular resolutions 1695 (2006) and 1718 (2006), and the statement of its President of 13 April 2009 (S/PRST/2009/7);

2. *Demands* that the DPRK not conduct any further nuclear test or any launch using ballistic missile technology;

3. *Decides* that the DPRK shall suspend all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launches;

4. *Demands* that the DPRK immediately comply fully with its obligations under relevant Security Council resolutions, in particular resolution 1718 (2006);

5. *Demands* that the DPRK immediately retract its announcement of withdrawal from the NPT;

6. *Demands* further that the DPRK return at an early date to the NPT and International Atomic Energy Agency (IAEA) safeguards, bearing in mind the rights and obligations of States Parties to the NPT, and underlines the need for all States Parties to the NPT to continue to comply with their Treaty obligations;

7. *Calls upon* all Member States to implement their obligations pursuant to resolution 1718 (2006), including with respect to designations made by the Committee established pursuant to resolution 1718 (2006) (“the Committee”) pursuant to the statement of its President of 13 April 2009 (S/PRST/2009/7);

8. *Decides* that the DPRK shall abandon all nuclear weapons and existing nuclear programs in a complete, verifiable and irreversible manner and immediately cease all related activities, shall act strictly in accordance with the obligations applicable to parties under the NPT and the terms and conditions of the IAEA Safeguards Agreement (IAEA INFCIRC/403) and shall provide the IAEA transparency measures extending beyond these requirements, including such access to individuals, documentation, equipment and facilities as may be required and deemed necessary by the IAEA;

9. *Decides* that the measures in paragraph 8 (b) of resolution 1718 (2006) shall also apply to all arms and related materiel, as well as to financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of such arms or materiel;

10. *Decides* that the measures in paragraph 8 (a) of resolution 1718 (2006) shall also apply to all arms and related materiel, as well as to financial transactions, technical training, advice, services or assistance related to the provision, manufacture,

maintenance or use of such arms, except for small arms and light weapons and their related materiel, and *calls upon* States to exercise vigilance over the direct or indirect supply, sale or transfer to the DPRK of small arms or light weapons, and further *decides* that States shall notify the Committee at least five days prior to selling, supplying or transferring small arms or light weapons to the DPRK;

11. *Calls upon* all States to inspect, in accordance with their national authorities and legislation, and consistent with international law, all cargo to and from the DPRK, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 or by paragraph 9 or 10 of this resolution, for the purpose of ensuring strict implementation of those provisions;

12. *Calls upon* all Member States to inspect vessels, with the consent of the flag State, on the high seas, if they have information that provides reasonable grounds to believe that the cargo of such vessels contains items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 (2006) or by paragraph 9 or 10 of this resolution, for the purpose of ensuring strict implementation of those provisions;

13. *Calls upon* all States to cooperate with inspections pursuant to paragraphs 11 and 12, and, if the flag State does not consent to inspection on the high seas, decides that the flag State shall direct the vessel to proceed to an appropriate and convenient port for the required inspection by the local authorities pursuant to paragraph 11;

14. *Decides* to authorize all Member States to, and that all Member States shall, seize and dispose of items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 or by paragraph 9 or 10 of this resolution that are identified in inspections pursuant to paragraph 11, 12, or 13 in a manner that is not inconsistent with their obligations under applicable Security Council resolutions, including resolution 1540 (2004), as well as any obligations of parties to the NPT, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 29 April 1997, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 10 April 1972, and decides further that all States shall cooperate in such efforts;

15. *Requires* any Member State, when it undertakes an inspection pursuant to paragraph 11, 12, or 13, or seizes and disposes of cargo pursuant to paragraph 14, to submit promptly reports containing relevant details to the Committee on the inspection,

seizure and disposal;

16. *Requires* any Member State, when it does not receive the cooperation of a flag State pursuant to paragraph 12 or 13 to submit promptly to the Committee a report containing relevant details;

17. *Decides* that Member States shall prohibit the provision by their nationals or from their territory of bunkering services, such as provision of fuel or supplies, or other servicing of vessels, to DPRK vessels if they have information that provides reasonable grounds to believe they are carrying items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 (2006) or by paragraph 9 or 10 of this resolution, unless provision of such services is necessary for humanitarian purposes or until such time as the cargo has been inspected, and seized and disposed of if necessary, and *underlines* that this paragraph is not intended to affect legal economic activities;

18. *Calls upon* Member States, in addition to implementing their obligations pursuant to paragraphs 8 (d) and (e) of resolution 1718 (2006), to prevent the provision of financial services or the transfer to, through, or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources that could contribute to the DPRK's nuclear-related, ballistic missile-related, or other weapons of mass destruction-related programs or activities, including by freezing any financial or other assets or resources on their territories or that hereafter come within their territories, or that are subject to their jurisdiction or that hereafter become subject to their jurisdiction, that are associated with such programs or activities and applying enhanced monitoring to prevent all such transactions in accordance with their national authorities and legislation;

19. *Calls upon* all Member States and international financial and credit institutions not to enter into new commitments for grants, financial assistance, or concessional loans to the DPRK, except for humanitarian and developmental purposes directly addressing the needs of the civilian population, or the promotion of denuclearization, and also calls upon States to exercise enhanced vigilance with a view to reducing current commitments;

20. *Calls upon* all Member States not to provide public financial support for trade with the DPRK (including the granting of export credits, guarantees or insurance to their nationals or entities involved in such trade) where such financial support could contribute to the DPRK's nuclear-related or ballistic missile-related or other WMD-related programs or activities;

21. *Emphasizes* that all Member States should comply with the provisions of paragraphs 8 (a) (iii) and 8 (d) of resolution 1718 (2006) without prejudice to the activities of the diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic Relations;

22. *Calls upon* all Member States to report to the Security Council within forty-five days of the adoption of this resolution and thereafter upon request by the Committee on concrete measures they have taken in order to implement effectively the provisions of paragraph 8 of resolution 1718 (2006) as well as paragraphs 9 and 10 of this resolution, as well as financial measures set out in paragraphs 18, 19 and 20 of this resolution;

23. *Decides* that the measures set out at paragraphs 8 (a), 8 (b) and 8 (c) of resolution 1718 (2006) shall also apply to the items listed in INFCIRC/254/Rev.9/Part 1a and INFCIRC/254/Rev.7/Part 2a;

24. *Decides* to adjust the measures imposed by paragraph 8 of resolution 1718 (2006) and this resolution, including through the designation of entities, goods, and individuals, and directs the Committee to undertake its tasks to this effect and to report to the Security Council within thirty days of adoption of this resolution, and further decides that, if the Committee has not acted, then the Security Council will complete action to adjust the measures within seven days of receiving that report;

25. *Decides* that the Committee shall intensify its efforts to promote the full implementation of resolution 1718 (2006), the statement of its President of 13 April 2009 (S/PRST/2009/7) and this resolution, through a work programme covering compliance, investigations, outreach, dialogue, assistance and cooperation, to be submitted to the Council by 15 July 2009, and that it shall also receive and consider reports from Member States pursuant to paragraphs 10, 15, 16 and 22 of this resolution;

26. *Requests* the Secretary-General to create for an initial period of one year, in consultation with the Committee, a group of up to seven experts (“Panel of Experts”), acting under the direction of the Committee to carry out the following tasks: (a) assist the Committee in carrying out its mandate as specified in resolution 1718 (2006) and the functions specified in paragraph 25 of this resolution; (b) gather, examine and analyze information from States, relevant United Nations bodies and other interested parties regarding the implementation of the measures imposed in resolution 1718 (2006) and in this resolution, in particular incidents of non-compliance; (c) make recommendations on actions the Council, or the Committee or Member States, may consider to improve implementation of the measures imposed in resolution 1718 (2006) and in this resolution; and (d) provide an interim report on its work to the Council no

later than 90 days after adoption of this resolution, and a final report to the Council no later than 30 days prior to termination of its mandate with its findings and recommendations;

27. *Urges* all States, relevant United Nations bodies and other interested parties, to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolution 1718 (2006) and this resolution;

28. *Calls upon* all Member States to exercise vigilance and prevent specialized teaching or training of DPRK nationals within their territories or by their nationals, of disciplines which could contribute to the DPRK's proliferation sensitive nuclear activities and the development of nuclear weapon delivery systems;

29. *Calls upon* the DPRK to join the Comprehensive Nuclear-Test-Ban Treaty at the earliest date;

30. *Supports* peaceful dialogue, calls upon the DPRK to return immediately to the Six Party Talks without precondition, and urges all the participants to intensify their efforts on the full and expeditious implementation of the Joint Statement issued on 19 September 2005 and the joint documents of 13 February 2007 and 3 October 2007, by China, the DPRK, Japan, the Republic of Korea, the Russian Federation and the United States, with a view to achieving the verifiable denuclearization of the Korean Peninsula and to maintain peace and stability on the Korean Peninsula and in north-east Asia;

31. *Expresses* its commitment to a peaceful, diplomatic and political solution to the situation and welcomes efforts by Council members as well as other Member States to facilitate a peaceful and comprehensive solution through dialogue and to refrain from any actions that might aggravate tensions;

32. *Affirms* that it shall keep the DPRK's actions under continuous review and that it shall be prepared to review the appropriateness of the measures contained in paragraph 8 of resolution 1718 (2006) and relevant paragraphs of this resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at that time in light of the DPRK's compliance with relevant provisions of resolution 1718 (2006) and this resolution;

33. *Underlines* that further decisions will be required, should additional measures be necessary;

34. *Decides* to remain actively seized of the matter.



## **Resolution 1929 (2010) \***

**Adopted by the Security Council at its 6335th meeting, on  
9 June 2010**

*The Security Council,*

*Recalling* the Statement of its President, S/PRST/2006/15, and its resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008), and 1887 (2009) and *reaffirming* their provisions,

*Reaffirming* its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons, the need for all States Party to that Treaty to comply fully with all their obligations, and recalling the right of States Party, in conformity with Articles I and II of that Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

*Recalling* the resolution of the IAEA Board of Governors (GOV/2006/14), which states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery,

*Noting* with serious concern that, as confirmed by the reports of 27 February 2006 (GOV/2006/15), 8 June 2006 (GOV/2006/38), 31 August 2006 (GOV/2006/53), 14 November 2006 (GOV/2006/64), 22 February 2007 (GOV/2007/8), 23 May 2007 (GOV/2007/22), 30 August 2007 (GOV/2007/48), 15 November 2007 (GOV/2007/58), 22 February 2008 (GOV/2008/4), 26 May 2008 (GOV/2008/15), 15 September 2008 (GOV/2008/38), 19 November 2008 (GOV/2008/59), 19 February 2009 (GOV/2009/8), 5 June 2009 (GOV/2009/35), 28 August 2009 (GOV/2009/55), 16 November 2009 (GOV/2009/74), 18 February 2010 (GOV/2010/10) and 31 May 2010 (GOV/2010/28) of the Director General of the International Atomic Energy Agency (IAEA), Iran has not established full and sustained suspension of all enrichment-related and reprocessing activities and heavy water-related projects as set out in resolutions 1696 (2006), 1737 (2006), 1747 (2007) and 1803 (2008) nor resumed its cooperation with the IAEA under the Additional Protocol, nor cooperated with the IAEA in connection with the remaining issues of concern, which need to be clarified to exclude the possibility of military dimensions of Iran's nuclear programme, nor taken the other steps required by the IAEA Board of Governors, nor complied with the provisions of Security Council resolutions 1696 (2006), 1737 (2006), 1747

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\* Reissued for technical reasons.

(2007) and 1803 (2008) and which are essential to build confidence, and deploring Iran's refusal to take these steps,

*Reaffirming* that outstanding issues can be best resolved and confidence built in the exclusively peaceful nature of Iran's nuclear programme by Iran responding positively to all the calls which the Council and the IAEA Board of Governors have made on Iran,

*Noting* with serious concern the role of elements of the Islamic Revolutionary Guard Corps (IRGC, also known as "Army of the Guardians of the Islamic Revolution"), including those specified in Annex D and E of resolution 1737 (2006), Annex I of resolution 1747 (2007) and Annex II of this resolution, in Iran's proliferation sensitive nuclear activities and the development of nuclear weapon delivery systems,

*Noting* with serious concern that Iran has constructed an enrichment facility at Qom in breach of its obligations to suspend all enrichment-related activities, and that Iran failed to notify it to the IAEA until September 2009, which is inconsistent with its obligations under the Subsidiary Arrangements to its Safeguards Agreement,

*Also noting* the resolution of the IAEA Board of Governors (GOV/2009/82), which urges Iran to suspend immediately construction at Qom, and to clarify the facility's purpose, chronology of design and construction, and calls upon Iran to confirm, as requested by the IAEA, that it has not taken a decision to construct, or authorize construction of, any other nuclear facility which has as yet not been declared to the IAEA,

*Noting* with serious concern that Iran has enriched uranium to 20 per cent, and did so without notifying the IAEA with sufficient time for it to adjust the existing safeguards procedures,

*Noting* with concern that Iran has taken issue with the IAEA's right to verify design information which had been provided by Iran pursuant to the modified Code 3.1, and emphasizing that in accordance with Article 39 of Iran's Safeguards Agreement Code 3.1 cannot be modified nor suspended unilaterally and that the IAEA's right to verify design information provided to it is a continuing right, which is not dependent on the stage of construction of, or the presence of nuclear material at, a facility,

*Reiterating* its determination to reinforce the authority of the IAEA, strongly supporting the role of the IAEA Board of Governors, and *commending* the IAEA for its efforts to resolve outstanding issues relating to Iran's nuclear programme,

*Expressing* the conviction that the suspension set out in paragraph 2 of resolution 1737 (2006) as well as full, verified Iranian compliance with the requirements set out by the IAEA Board of Governors would contribute to a diplomatic, negotiated solu-

tion that guarantees Iran's nuclear programme is for exclusively peaceful purposes,

*Emphasizing* the importance of political and diplomatic efforts to find a negotiated solution guaranteeing that Iran's nuclear programme is exclusively for peaceful purposes and *noting* in this regard the efforts of Turkey and Brazil towards an agreement with Iran on the Tehran Research Reactor that could serve as a confidence-building measure,

*Emphasizing also*, however, in the context of these efforts, the importance of Iran addressing the core issues related to its nuclear programme,

*Stressing* that China, France, Germany, the Russian Federation, the United Kingdom and the United States are willing to take further concrete measures on exploring an overall strategy of resolving the Iranian nuclear issue through negotiation on the basis of their June 2006 proposals (S/2006/521) and their June 2008 proposals (INFCIRC/730), and *noting* the confirmation by these countries that once the confidence of the international community in the exclusively peaceful nature of Iran's nuclear programme is restored it will be treated in the same manner as that of any Non-Nuclear Weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Welcoming* the guidance issued by the Financial Action Task Force (FATF) to assist States in implementing their financial obligations under resolutions 1737 (2006) and 1803 (2008), and *recalling* in particular the need to exercise vigilance over transactions involving Iranian banks, including the Central Bank of Iran, so as to prevent such transactions contributing to proliferation-sensitive nuclear activities, or to the development of nuclear weapon delivery systems,

*Recognizing* that access to diverse, reliable energy is critical for sustainable growth and development, while noting the potential connection between Iran's revenues derived from its energy sector and the funding of Iran's proliferationsensitive nuclear activities, and *further* noting that chemical process equipment and materials required for the petrochemical industry have much in common with those required for certain sensitive nuclear fuel cycle activities,

*Having regard* to States' rights and obligations relating to international trade,

*Recalling* that the law of the sea, as reflected in the United Nations Convention on the Law of the Sea (1982), sets out the legal framework applicable to ocean activities,

*Calling* for the ratification of the Comprehensive Nuclear-Test-Ban Treaty by Iran at an early date,

*Determined* to give effect to its decisions by adopting appropriate measures to persuade Iran to comply with resolutions 1696 (2006), 1737 (2006), 1747 (2007) and

1803 (2008) and with the requirements of the IAEA, and also to constrain Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Security Council determines that the objectives of these resolutions have been met,

*Concerned* by the proliferation risks presented by the Iranian nuclear programme and mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

*Stressing* that nothing in this resolution compels States to take measures or actions exceeding the scope of this resolution, including the use of force or the threat of force,

*Acting* under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Affirms* that Iran has so far failed to meet the requirements of the IAEA Board of Governors and to comply with resolutions 1696 (2006), 1737 (2006), 1747 (2007) and 1803 (2008);

2. *Affirms* that Iran shall without further delay take the steps required by the IAEA Board of Governors in its resolutions GOV/2006/14 and GOV/2009/82, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme, to resolve outstanding questions and to address the serious concerns raised by the construction of an enrichment facility at Qom in breach of its obligations to suspend all enrichment-related activities, and, in this context, *further affirms* its decision that Iran shall without delay take the steps required in paragraph 2 of resolution 1737 (2006);

3. *Reaffirms* that Iran shall cooperate fully with the IAEA on all outstanding issues, particularly those which give rise to concerns about the possible military dimensions of the Iranian nuclear programme, including by providing access without delay to all sites, equipment, persons and documents requested by the IAEA, and stresses the importance of ensuring that the IAEA have all necessary resources and authority for the fulfilment of its work in Iran;

4. *Requests* the Director General of the IAEA to communicate to the Security Council all his reports on the application of safeguards in Iran;

5. *Decides* that Iran shall without delay comply fully and without qualification with its IAEA Safeguards Agreement, including through the application of modified Code 3.1 of the Subsidiary Arrangement to its Safeguards Agreement, *calls upon* Iran to act strictly in accordance with the provisions of the Additional Protocol to its IAEA Safeguards Agreement that it signed on 18 December 2003, calls upon Iran to ratify promptly the Additional Protocol, and *reaffirms* that, in accordance with Articles 24

and 39 of Iran's Safeguards Agreement, Iran's Safeguards Agreement and its Subsidiary Arrangement, including modified Code 3.1, cannot be amended or changed unilaterally by Iran, and *notes* that there is no mechanism in the Agreement for the suspension of any of the provisions in the Subsidiary Arrangement;

6. *Reaffirms* that, in accordance with Iran's obligations under previous resolutions to suspend all reprocessing, heavy water-related and enrichment-related activities, Iran shall not begin construction on any new uranium-enrichment, reprocessing, or heavy water-related facility and shall discontinue any ongoing construction of any uranium-enrichment, reprocessing, or heavy water-related facility;

7. *Decides* that Iran shall not acquire an interest in any commercial activity in another State involving uranium mining, production or use of nuclear materials and technology as listed in INFCIRC/254/Rev.9/Part 1, in particular uranium enrichment and reprocessing activities, all heavy-water activities or technology related to ballistic missiles capable of delivering nuclear weapons, and *further decides* that all States shall prohibit such investment in territories under their jurisdiction by Iran, its nationals, and entities incorporated in Iran or subject to its jurisdiction, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them;

8. *Decides* that all States shall prevent the direct or indirect supply, sale or transfer to Iran, from or through their territories or by their nationals or individuals subject to their jurisdiction, or using their flag vessels or aircraft, and whether or not originating in their territories, of any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms, or related materiel, including spare parts, or items as determined by the Security Council or the Committee established pursuant to resolution 1737 (2006) ("the Committee"), *decides* further that all States shall prevent the provision to Iran by their nationals or from or through their territories of technical training, financial resources or services, advice, other services or assistance related to the supply, sale, transfer, provision, manufacture, maintenance or use of such arms and related materiel, and, in this context, *calls upon* all States to exercise vigilance and restraint over the supply, sale, transfer, provision, manufacture and use of all other arms and related materiel;

9. *Decides* that Iran shall not undertake any activity related to ballistic missiles capable of delivering nuclear weapons, including launches using ballistic missile technology, and that States shall take all necessary measures to prevent the transfer of technology or technical assistance to Iran related to such activities;

10. *Decides* that all States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated in Annex C, D and E of resolution 1737 (2006), Annex I of resolution 1747 (2007), Annex I of resolution 1803 (2008) and Annexes I and II of this resolution, or by the Security Council or the Committee pursuant to paragraph 10 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the provision to Iran of items in subparagraphs 3(b)(i) and (ii) of resolution 1737 (2006) in accordance with paragraph 3 of resolution 1737 (2006), *underlines* that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory, and *decides* that the measures imposed in this paragraph shall not apply when the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of this resolution, including where Article XV of the IAEA Statute is engaged;

11. *Decides* that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall apply also to the individuals and entities listed in Annex I of this resolution and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and to any individuals and entities determined by the Council or the Committee to have assisted designated individuals or entities in evading sanctions of, or in violating the provisions of, resolutions 1737 (2006), 1747 (2007), 1803 (2008) or this resolution;

12. *Decides* that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall apply also to the Islamic Revolutionary Guard Corps (IRGC, also known as “Army of the Guardians of the Islamic Revolution”) individuals and entities specified in Annex II, and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and *calls upon* all States to exercise vigilance over those transactions involving the IRGC that could contribute to Iran’s proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems;

13. *Decides* that for the purposes of the measures specified in paragraphs 3, 4, 5, 6 and 7 of resolution 1737 (2006), the list of items in S/2006/814 shall be superseded by the list of items in INFCIRC/254/Rev.9/Part 1 and INFCIRC/254/Rev.7/Part 2, and any further items if the State determines that they could contribute to enrichment-related, reprocessing or heavy water-related activities or to the development of nuclear weapon delivery systems, and further decides that for the purposes of the measures specified in paragraphs 3, 4, 5, 6 and 7 of resolution 1737 (2006), the list

of items contained in S/2006/815 shall be superseded by the list of items contained in S/2010/263;

14. *Calls upon* all States to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from Iran, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by paragraphs 3, 4 or 7 of resolution 1737 (2006), paragraph 5 of resolution 1747 (2007), paragraph 8 of resolution 1803 (2008) or paragraphs 8 or 9 of this resolution, for the purpose of ensuring strict implementation of those provisions;

15. *Notes* that States, consistent with international law, in particular the law of the sea, may request inspections of vessels on the high seas with the consent of the flag State, and *calls upon* all States to cooperate in such inspections if there is information that provides reasonable grounds to believe the vessel is carrying items the supply, sale, transfer, or export of which is prohibited by paragraphs 3, 4 or 7 of resolution 1737 (2006), paragraph 5 of resolution 1747 (2007), paragraph 8 of resolution 1803 (2008) or paragraphs 8 or 9 of this resolution, for the purpose of ensuring strict implementation of those provisions;

16. *Decides* to authorize all States to, and that all States shall, seize and dispose of (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items the supply, sale, transfer, or export of which is prohibited by paragraphs 3, 4 or 7 of resolution 1737 (2006), paragraph 5 of resolution 1747 (2007), paragraph 8 of resolution 1803 (2008) or paragraphs 8 or 9 of this resolution that are identified in inspections pursuant to paragraphs 14 or 15 of this resolution, in a manner that is not inconsistent with their obligations under applicable Security Council resolutions, including resolution 1540 (2004), as well as any obligations of parties to the NPT, and decides further that all States shall cooperate in such efforts;

17. *Requires* any State, when it undertakes an inspection pursuant to paragraphs 14 or 15 above to submit to the Committee within five working days an initial written report containing, in particular, explanation of the grounds for the inspections, the results of such inspections and whether or not cooperation was provided, and, if items prohibited for transfer are found, *further requires* such States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a



description of the items, their origin and intended destination, if this information is not in the initial report;

18. *Decides* that all States shall prohibit the provision by their nationals or from their territory of bunkering services, such as provision of fuel or supplies, or other servicing of vessels, to Iranian-owned or -contracted vessels, including chartered vessels, if they have information that provides reasonable grounds to believe they are carrying items the supply, sale, transfer, or export of which is prohibited by paragraphs 3, 4 or 7 of resolution 1737 (2006), paragraph 5 of resolution 1747 (2007), paragraph 8 of resolution 1803 (2008) or paragraphs 8 or 9 of this resolution, unless provision of such services is necessary for humanitarian purposes or until such time as the cargo has been inspected, and seized and disposed of if necessary, and *underlines* that this paragraph is not intended to affect legal economic activities;

19. *Decides* that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall also apply to the entities of the Islamic Republic of Iran Shipping Lines (IRISL) as specified in Annex III and to any person or entity acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, or determined by the Council or the Committee to have assisted them in evading the sanctions of, or in violating the provisions of, resolutions 1737 (2006), 1747 (2007), 1803 (2008) or this resolution;

20. *Requests* all Member States to communicate to the Committee any information available on transfers or activity by Iran Air's cargo division or vessels owned or operated by the Islamic Republic of Iran Shipping Lines (IRISL) to other companies that may have been undertaken in order to evade the sanctions of, or in violation of the provisions of, resolutions 1737 (2006), 1747 (2007), 1803 (2008) or this resolution, including renaming or re-registering of aircraft, vessels or ships, and requests the Committee to make that information widely available;

21. *Calls upon* all States, in addition to implementing their obligations pursuant to resolutions 1737 (2006), 1747 (2007), 1803 (2008) and this resolution, to prevent the provision of financial services, including insurance or re-insurance, or the transfer to, through, or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources if they have information that provides reasonable grounds to believe that such services, assets or resources could contribute to Iran's proliferation-sensitive nuclear activities, or the development of nuclear weapon delivery systems, including by freezing any financial or other assets or resources on their territories or that hereafter come within their territories, or that

are subject to their jurisdiction or that hereafter become subject to their jurisdiction, that are related to such programmes or activities and applying enhanced monitoring to prevent all such transactions in accordance with their national authorities and legislation;

22. *Decides* that all States shall require their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction to exercise vigilance when doing business with entities incorporated in Iran or subject to Iran's jurisdiction, including those of the IRGC and IRISL, and any individuals or entities acting on their behalf or at their direction, and entities owned or controlled by them, including through illicit means, if they have information that provides reasonable grounds to believe that such business could contribute to Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems or to violations of resolutions 1737 (2006), 1747 (2007), 1803 (2008) or this resolution;

23. *Calls upon* States to take appropriate measures that prohibit in their territories the opening of new branches, subsidiaries, or representative offices of Iranian banks, and also that prohibit Iranian banks from establishing new joint ventures, taking an ownership interest in or establishing or maintaining correspondent relationships with banks in their jurisdiction to prevent the provision of financial services if they have information that provides reasonable grounds to believe that these activities could contribute to Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems;

24. *Calls upon* States to take appropriate measures that prohibit financial institutions within their territories or under their jurisdiction from opening representative offices or subsidiaries or banking accounts in Iran if they have information that provides reasonable grounds to believe that such financial services could contribute to Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems;

25. *Deplores* the violations of the prohibitions of paragraph 5 of resolution 1747 (2007) that have been reported to the Committee since the adoption of resolution 1747 (2007), and commends States that have taken action to respond to these violations and report them to the Committee;

26. *Directs* the Committee to respond effectively to violations of the measures decided in resolutions 1737 (2006), 1747 (2007), 1803 (2008) and this resolution, and recalls that the Committee may designate individuals and entities who have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, these resolutions;

27. *Decides* that the Committee shall intensify its efforts to promote the full implementation of resolutions 1737 (2006), 1747 (2007), 1803 (2008) and this resolution, including through a work programme covering compliance, investigations, outreach, dialogue, assistance and cooperation, to be submitted to the Council within forty-five days of the adoption of this resolution;

28. *Decides* that the mandate of the Committee as set out in paragraph 18 of resolution 1737 (2006), as amended by paragraph 14 of resolution 1803 (2008), shall also apply to the measures decided in this resolution, including to receive reports from States submitted pursuant to paragraph 17 above;

29. *Requests* the Secretary-General to create for an initial period of one year, in consultation with the Committee, a group of up to eight experts (“Panel of Experts”), under the direction of the Committee, to carry out the following tasks: (a) assist the Committee in carrying out its mandate as specified in paragraph 18 of resolution 1737 (2006) and paragraph 28 of this resolution; (b) gather, examine and analyse information from States, relevant United Nations bodies and other interested parties regarding the implementation of the measures decided in resolutions 1737 (2006), 1747 (2007), 1803 (2008) and this resolution, in particular incidents of non-compliance; (c) make recommendations on actions the Council, or the Committee or State, may consider to improve implementation of the relevant measures; and (d) provide to the Council an interim report on its work no later than 90 days after the Panel’s appointment, and a final report to the Council no later than 30 days prior to the termination of its mandate with its findings and recommendations;

30. *Urges* all States, relevant United Nations bodies and other interested parties, to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions 1737 (2006), 1747 (2007), 1803 (2008) and this resolution, in particular incidents of non-compliance;

31. *Calls upon* all States to report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23 and 24;

32. *Stresses* the willingness of China, France, Germany, the Russian Federation, the United Kingdom and the United States to further enhance diplomatic efforts to promote dialogue and consultations, including to resume dialogue with Iran on the nuclear issue without preconditions, most recently in their meeting with Iran in Geneva on 1 October 2009, with a view to seeking a comprehensive, longterm and proper solution of this issue on the basis of the proposal made by China, France,

Germany, the Russian Federation, the United Kingdom and the United States on 14 June 2008, which would allow for the development of relations and wider cooperation with Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran's nuclear programme and, inter alia, starting formal negotiations with Iran on the basis of the June 2008 proposal, and *acknowledges with appreciation* that the June 2008 proposal, as attached in Annex IV to this resolution, remains on the table;

33. *Encourages* the High Representative of the European Union for Foreign Affairs and Security Policy to continue communication with Iran in support of political and diplomatic efforts to find a negotiated solution, including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States with a view to create necessary conditions for resuming talks, and encourages Iran to respond positively to such proposals;

34. *Commends* the Director General of the IAEA for his 21 October 2009 proposal of a draft Agreement between the IAEA and the Governments of the Republic of France, the Islamic Republic of Iran and the Russian Federation for Assistance in Securing Nuclear Fuel for a Research Reactor in Iran for the Supply of Nuclear Fuel to the Tehran Research Reactor, *regrets* that Iran has not responded constructively to the 21 October 2009 proposal, and *encourages* the IAEA to continue exploring such measures to build confidence consistent with and in furtherance of the Council's resolutions;

35. *Emphasizes* the importance of all States, including Iran, taking the necessary measures to ensure that no claim shall lie at the instance of the Government of Iran, or of any person or entity in Iran, or of persons or entities designated pursuant to resolution 1737 (2006) and related resolutions, or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by resolutions 1737 (2006), 1747 (2007), 1803 (2008) and this resolution;

36. *Requests* within 90 days a report from the Director General of the IAEA on whether Iran has established full and sustained suspension of all activities mentioned in resolution 1737 (2006), as well as on the process of Iranian compliance with all the steps required by the IAEA Board of Governors and with other provisions of resolutions 1737 (2006), 1747 (2007), 1803 (2008) and of this resolution, to the IAEA Board of Governors and in parallel to the Security Council for its consideration;

37. *Affirms* that it shall review Iran's actions in light of the report referred to in paragraph 36 above, to be submitted within 90 days, and: (a) that it shall suspend the

implementation of measures if and for so long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome; (b) that it shall terminate the measures specified in paragraphs 3, 4, 5, 6, 7 and 12 of resolution 1737 (2006), as well as in paragraphs 2, 4, 5, 6 and 7 of resolution 1747 (2007), paragraphs 3, 5, 7, 8, 9, 10 and 11 of resolution 1803 (2008), and in paragraphs 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23 and 24 above, as soon as it determines, following receipt of the report referred to in the paragraph above, that Iran has fully complied with its obligations under the relevant resolutions of the Security Council and met the requirements of the IAEA Board of Governors, as confirmed by the IAEA Board of Governors; (c) that it shall, in the event that the report shows that Iran has not complied with resolutions 1737 (2006), 1747 (2007), 1803 (2008) and this resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with these resolutions and the requirements of the IAEA, and underlines that further decisions will be required should such additional measures be necessary;

38. *Decides* to remain seized of the matter.

## Annex I

### Individuals and entities involved in nuclear or ballistic missile activities

#### Entities

1. **Amin Industrial Complex:** Amin Industrial Complex sought temperature controllers which may be used in nuclear research and operational/production facilities. Amin Industrial Complex is owned or controlled by, or acts on behalf of, the Defense Industries Organization (DIO), which was designated in resolution 1737 (2006).

Location: P.O. Box 91735-549, Mashad, Iran; Amin Industrial Estate, Khalage Rd., Seyedi District, Mashad, Iran; Kaveh Complex, Khalaj Rd., Seyedi St., Mashad, Iran

A.K.A.: Amin Industrial Compound and Amin Industrial Company

2. **Armament Industries Group:** Armament Industries Group (AIG) manufactures and services a variety of small arms and light weapons, including large- and medium-calibre guns and related technology. AIG conducts the majority of its procurement activity through Hadid Industries Complex.

Location: Sepah Islam Road, Karaj Special Road Km 10, Iran; Pasdaran Ave., P.O. Box 19585/777, Tehran, Iran

3. **Defense Technology and Science Research Center:** Defense Technology and Science Research Center (DTSRC) is owned or controlled by, or acts on behalf of, Iran's Ministry of Defense and Armed Forces Logistics (MODAFL), which oversees Iran's defence R&D, production, maintenance, exports, and procurement.

Location: Pasdaran Ave, PO Box 19585/777, Tehran, Iran

4. **Doostan International Company:** Doostan International Company (DICO) supplies elements to Iran's ballistic missile program.

5. **Farasakht Industries:** Farasakht Industries is owned or controlled by, or act on behalf of, the Iran Aircraft Manufacturing Company, which in turn is owned or controlled by MODAFL.

Location: P.O. Box 83145-311, Kilometer 28, Esfahan-Tehran Freeway, Shahin Shahr, Esfahan, Iran

6. **First East Export Bank, P.L.C.:** First East Export Bank, PLC is owned or controlled by, or acts on behalf of, Bank Mellat. Over the last seven years, Bank Mellat

has facilitated hundreds of millions of dollars in transactions for Iranian nuclear, missile, and defense entities.

Location: Unit Level 10 (B1), Main Office Tower, Financial Park Labuan, Jalan Merdeka, 87000 WP Labuan, Malaysia; Business Registration Number LL06889 (Malaysia)

7. **Kaveh Cutting Tools Company**: Kaveh Cutting Tools Company is owned or controlled by, or acts on behalf of, the DIO.

Location: 3rd Km of Khalaj Road, Seyyedi Street, Mashad 91638, Iran; Km 4 of Khalaj Road, End of Seyedi Street, Mashad, Iran; P.O. Box 91735-549, Mashad, Iran; Khalaj Rd., End of Seyyedi Alley, Mashad, Iran; Moqan St., Pasdaran St., Pasdaran Cross Rd., Tehran, Iran

8. **M. Babaie Industries**: M. Babaie Industries is subordinate to Shahid Ahmad Kazemi Industries Group (formally the Air Defense Missile Industries Group) of Iran's Aerospace Industries Organization (AIO). AIO controls the missile organizations Shahid Hemmat Industrial Group (SHIG) and the Shahid Bakeri Industrial Group (SBIG), both of which were designated in resolution 1737 (2006).

Location: P.O. Box 16535-76, Tehran, 16548, Iran

9. **Malek Ashtar University**: A subordinate of the DTRSC within MODAFL. This includes research groups previously falling under the Physics Research Center (PHRC). IAEA inspectors have not been allowed to interview staff or see documents under the control of this organization to resolve the outstanding issue of the possible military dimension to Iran's nuclear program.

Location: Corner of Imam Ali Highway and Babaei Highway, Tehran, Iran

10. **Ministry of Defense Logistics Export**: Ministry of Defense Logistics Export (MODLEX) sells Iranian-produced arms to customers around the world in contravention of resolution 1747 (2007), which prohibits Iran from selling arms or related materiel.

Location: PO Box 16315-189, Tehran, Iran; located on the west side of Dabestan Street, Abbas Abad District, Tehran, Iran

11. **Mizan Machinery Manufacturing**: Mizan Machinery Manufacturing (3M) is owned or controlled by, or acts on behalf of, SHIG.

Location: P.O. Box 16595-365, Tehran, Iran

A.K.A.: 3MG

12. **Modern Industries Technique Company**: Modern Industries Technique Company (MITEC) is responsible for design and construction of the IR-40 heavy water reactor in Arak. MITEC has spearheaded procurement for the construction of



the IR-40 heavy water reactor.

Location: Arak, Iran

A.K.A.: Rahkar Company, Rahkar Industries, Rahkar Sanaye Company, Rahkar Sanaye Novin

13. **Nuclear Research Center for Agriculture and Medicine:** The Nuclear Research Center for Agriculture and Medicine (NFRPC) is a large research component of the Atomic Energy Organization of Iran (AEOI), which was designated in resolution 1737 (2006). The NFRPC is AEOI's center for the development of nuclear fuel and is involved in enrichment-related activities.

Location: P.O. Box 31585-4395, Karaj, Iran

A.K.A.: Center for Agricultural Research and Nuclear Medicine; Karaji Agricultural and Medical Research Center

14. **Pejman Industrial Services Corporation:** Pejman Industrial Services Corporation is owned or controlled by, or acts on behalf of, SBIG.

Location: P.O. Box 16785-195, Tehran, Iran

15. **Sabalan Company:** Sabalan is a cover name for SHIG.

Location: Damavand Tehran Highway, Tehran, Iran

16. **Sahand Aluminum Parts Industrial Company (SAPICO):** SAPICO is a cover name for SHIG.

Location: Damavand Tehran Highway, Tehran, Iran

17. **Shahid Karrazi Industries:** Shahid Karrazi Industries is owned or controlled by, or act on behalf of, SBIG.

Location: Tehran, Iran

18. **Shahid Satarri Industries:** Shahid Sattari Industries is owned or controlled by, or acts on behalf of, SBIG.

Location: Southeast Tehran, Iran

A.K.A.: Shahid Sattari Group Equipment Industries

19. **Shahid Sayyade Shirazi Industries:** Shahid Sayyade Shirazi Industries (SSSI) is owned or controlled by, or acts on behalf of, the DIO.

Location: Next To Nirou Battery Mfg. Co, Shahid Babaii Expressway, Nobonyad Square, Tehran, Iran; Pasdaran St., P.O. Box 16765, Tehran 1835, Iran; Babaei Highway — Next to Niru M.F.G, Tehran, Iran

20. **Special Industries Group:** Special Industries Group (SIG) is a subordinate of DIO.

Location: Pasdaran Avenue, PO Box 19585/777, Tehran, Iran

21. **Tiz Pars:** Tiz Pars is a cover name for SHIG. Between April and July 2007, Tiz

Pars attempted to procure a five axis laser welding and cutting machine, which could make a material contribution to Iran's missile program, on behalf of SHIG.

Location: Damavand Tehran Highway, Tehran, Iran

**22. Yazd Metallurgy Industries**: Yazd Metallurgy Industries (YMI) is a subordinate of DIO.

Location: Pasdaran Avenue, Next To Telecommunication Industry, Tehran 16588, Iran; Postal Box 89195/878, Yazd, Iran; P.O. Box 89195-678, Yazd, Iran; Km 5 of Taft Road, Yazd, Iran

A.K.A.: Yazd Ammunition Manufacturing and Metallurgy Industries, Directorate of Yazd Ammunition and Metallurgy Industries

### Individuals

**Javad Rahiqi**: Head of the Atomic Energy Organization of Iran (AEOI) Esfahan Nuclear Technology Center (additional information: DOB: 24 April 1954; POB: Marshad).

## Annex II

### Entities owned, controlled, or acting on behalf of the Islamic Revolutionary Guard Corps

1. **Fater (or Faater) Institute:** Khatam al-Anbiya (KAA) subsidiary. Fater has worked with foreign suppliers, likely on behalf of other KAA companies on IRGC projects in Iran.

2. **Gharagahe Sazandegi Ghaem:** Gharagahe Sazandegi Ghaem is owned or controlled by KAA.

3. **Ghorb Karbala:** Ghorb Karbala is owned or controlled by KAA.

4. **Ghorb Nooh:** Ghorb Nooh is owned or controlled by KAA.

5. **Hara Company:** Owned or controlled by Ghorb Nooh.

6. **Imensazan Consultant Engineers Institute:** Owned or controlled by, or acts on behalf of, KAA.

7. **Khatam al-Anbiya Construction Headquarters:** Khatam al-Anbiya Construction Headquarters (KAA) is an IRGC-owned company involved in large scale civil and military construction projects and other engineering activities. It undertakes a significant amount of work on Passive Defense Organization projects. In particular, KAA subsidiaries were heavily involved in the construction of the uranium enrichment site at Qom/Fordow.

8. **Makin:** Makin is owned or controlled by or acting on behalf of KAA, and is a subsidiary of KAA.

9. **Omran Sahel:** Owned or controlled by Ghorb Nooh.

10. **Oriental Oil Kish:** Oriental Oil Kish is owned or controlled by or acting on behalf of KAA.

11. **Rah Sahel:** Rah Sahel is owned or controlled by or acting on behalf of KAA.

12. **Rahab Engineering Institute:** Rahab is owned or controlled by or acting on behalf of KAA, and is a subsidiary of KAA.

13. **Sahel Consultant Engineers:** Owned or controlled by Ghorb Nooh.

14. **Sepanir:** Sepanir is owned or controlled by or acting on behalf of KAA.

15. **Sepasad Engineering Company:** Sepasad Engineering Company is owned or controlled by or acting on behalf of KAA.

## Annex III

### **Entities owned, controlled, or acting on behalf of the Islamic Republic of Iran Shipping Lines (IRISL)**

#### **1. Irano Hind Shipping Company**

Location: 18 Mehrshad Street, Sadaghat Street, Opposite of Park Mellat, Valie-Asr Ave., Tehran, Iran; 265, Next to Mehrshad, Sedaghat St., Opposite of Mellat Park, Vali Asr Ave., Tehran 1A001, Iran

#### **2. IRISL Benelux NV**

Location: Noorderlaan 139, B-2030, Antwerp, Belgium; V.A.T. Number BE480224531 (Belgium)

#### **3. South Shipping Line Iran (SSL)**

Location: Apt. No. 7, 3rd Floor, No. 2, 4th Alley, Gandi Ave., Tehran, Iran; Qaem Magham Farahani St., Tehran, Iran

## Annex IV

### **Proposal to the Islamic Republic of Iran by China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the European Union**

*Presented to the Iranian authorities on 14 June 2008 Teheran*

#### **Possible Areas of Cooperation with Iran**

In order to seek a comprehensive, long-term and proper solution of the Iranian nuclear issue consistent with relevant UN Security Council resolutions and building further upon the proposal presented to Iran in June 2006, which remains on the table, the elements below are proposed as topics for negotiations between China, France, Germany, Iran, Russia, the United Kingdom, and the United States, joined by the High Representative of the European Union, as long as Iran verifiably suspends its enrichment-related and reprocessing activities, pursuant to OP 15 and OP 19(a) of UNSCR 1803. In the perspective of such negotiations, we also expect Iran to heed the requirements of the UNSC and the IAEA. For their part, China, France, Germany, Russia, the United Kingdom, the United States and the European Union High Representative state their readiness:

to recognize Iran's right to develop research, production and use of nuclear energy for peaceful purposes in conformity with its NPT obligations;  
to treat Iran's nuclear programme in the same manner as that of any Non-nuclear Weapon State Party to the NPT once international confidence in the exclusively peaceful nature of Iran's nuclear programme is restored.

#### **Nuclear Energy**

- Reaffirmation of Iran's right to nuclear energy for exclusively peaceful purposes in conformity with its obligations under the NPT.
- Provision of technological and financial assistance necessary for Iran's peaceful use of nuclear energy, support for the resumption of technical cooperation projects in Iran by the IAEA.
- Support for construction of LWR based on state-of-the-art technology.
- Support for R&D in nuclear energy as international confidence is gradually

restored.

- Provision of legally binding nuclear fuel supply guarantees.
- Cooperation with regard to management of spent fuel and radioactive waste.

### **Political**

- Improving the six countries' and the EU's relations with Iran and building up mutual trust.
- Encouragement of direct contact and dialogue with Iran.
- Support Iran in playing an important and constructive role in international affairs.
- Promotion of dialogue and cooperation on non-proliferation, regional security and stabilization issues.
- Work with Iran and others in the region to encourage confidence-building measures and regional security.
- Establishment of appropriate consultation and cooperation mechanisms.
- Support for a conference on regional security issues.
- Reaffirmation that a solution to the Iranian nuclear issue would contribute to non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery.
- Reaffirmation of the obligation under the UN Charter to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the Charter of the United Nations.
- Cooperation on Afghanistan, including on intensified cooperation in the fight against drug trafficking, support for programmes on the return of Afghan refugees to Afghanistan; cooperation on reconstruction of Afghanistan; cooperation on guarding the Iran-Afghan border.

### **Economic**

Steps towards the normalization of trade and economic relations, such as improving Iran's access to the international economy, markets and capital through practical support for full integration into international structures, including the World Trade Organization, and to create the framework for increased direct investment in Iran and trade with Iran.

### **Energy Partnership**

Steps towards the normalization of cooperation with Iran in the area of energy: establishment of a long-term and wide-ranging strategic energy partnership between Iran and the European Union and other willing partners, with concrete and practical applications/measures.

### **Agriculture**

- Support for agricultural development in Iran.

Facilitation of Iran's complete self-sufficiency in food through cooperation in modern technology.

### **Environment, Infrastructure**

- Civilian Projects in the field of environmental protection, infrastructure, science and technology, and high-tech:
  - Development of transport infrastructure, including international transport corridors.
  - Support for modernization of Iran's telecommunication infrastructure, including by possible removal of relevant export restrictions.

### **Civil Aviation**

- Civil aviation cooperation, including the possible removal of restrictions on manufacturers exporting aircraft to Iran:
  - Enabling Iran to renew its civil aviation fleet;
  - Assisting Iran to ensure that Iranian aircraft meet international safety standards.

### **Economic, social and human development/humanitarian issues**

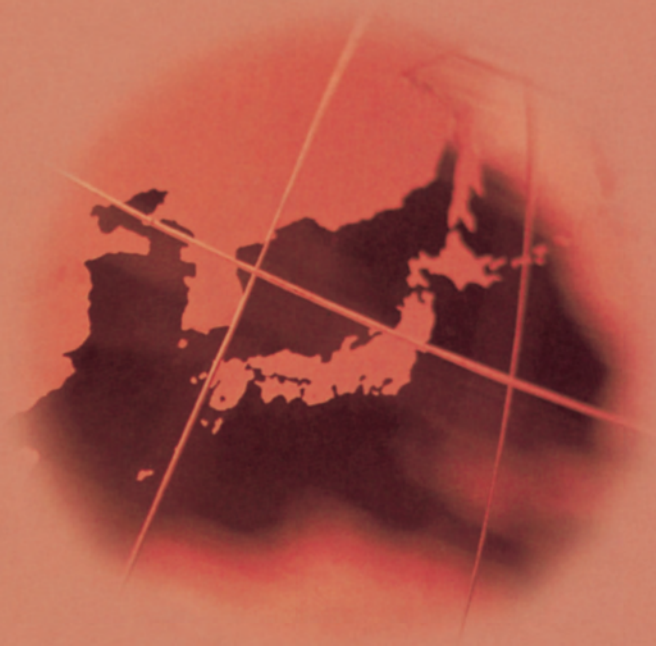
- Provide, as necessary, assistance to Iran's economic and social development and humanitarian need.
- Cooperation/technical support in education in areas of benefit to Iran:
  - Supporting Iranians to take courses, placements or degrees in areas such as civil engineering, agriculture and environmental studies;
  - Supporting partnerships between Higher Education Institutions e.g. public health, rural livelihoods, joint scientific projects, public administration, history and philosophy.
- Cooperation in the field of development of effective emergency response capabilities (e.g. seismology, earthquake research, disaster control etc.).



- Cooperation within the framework of a “dialogue among civilizations”.

**Implementation mechanism**

- Constitution of joint monitoring groups for the implementation of a future agreement.



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