



## Eliminating nuclear threats

### An ICAN response to the first report of the International Commission on Nuclear Non-proliferation and Disarmament (ICNND)

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Prime Minister Kevin Rudd joined his Japanese counterpart Yukio Hatoyama in Tokyo today to receive and launch the report of the International Commission on Nuclear Non-proliferation and Disarmament (ICNND). Sponsored by both governments, the report "*Eliminating Nuclear Threats*" was presented by Commission Co-chairs Gareth Evans and Yoriko Kawaguchi, former Australian and Japanese Foreign Ministers.

The report details a "comprehensive action agenda" with three phases: short-term to 2012, a medium "minimisation" phase to 2025, and a longer elimination phase beyond 2025, of undefined duration.

While ICAN Australia welcomes the Commission's report, ICAN is disappointed that the potential of the Commission has not been fulfilled. Amongst our key concerns are:

- While recognising the importance, feasibility and urgency of nuclear disarmament, the Commission has failed to come up with a clear and achievable plan to get to zero nuclear weapons. While the Commission recognises the need for a Nuclear Weapons Convention (NWC), it puts off negotiating such a global abolition treaty till around 2025 – way too long.
- The report is clear about the importance of nuclear-armed states committing not to be the first to use nuclear weapons. Such steps are needed now and for the success of next year's crucial nuclear Non-Proliferation Treaty Review Conference. Again the Commission draws the timeframe for no first use commitments out to 2025 - too long.
- The Commission leans heavily in favour of the nuclear power industry, which seriously compounds the difficulty of achieving and sustaining a world free of nuclear weapons and does not provide a safe or sustainable solution to the world's climate and energy crisis. While the Commission acknowledges the need to manage the nuclear industry differently, particularly in relation to uranium enrichment and spent fuel reprocessing, it does not clearly articulate how this is to be achieved.

In this comprehensive statement, NGO adviser to the Co-Chairs of the ICNND and ICAN Chair Associate Professor Tilman Ruff outlines both the elements of the report that are welcome and elaborates on the above concerns.

For further comment, please contact ICAN's Communications Coordinator Teri Calder on +61 (0)3 9347 4795, or +61 (0)425 230 679 or via email at [teri@icanw.org](mailto:teri@icanw.org). See [www.icanw.org](http://www.icanw.org) for more background to ICAN.

## **What ICAN welcomes in the Commission's Report**

There is a good deal we commend in the report:

- The Commission's goal, like ICAN's, is a world free of nuclear weapons. The report argues convincingly that all security needs can be met more effectively and much more safely without nuclear weapons.
- ICAN welcomes recognition that nuclear weapons can be abolished, and the urgency of real action on disarmament.
- The Commission advocates that a comprehensive Nuclear Weapons Convention will be needed to underpin the ultimate transition to a nuclear weapon free world.
- The report argues for a phased approach, and the need for effective partnerships, including policymakers, international organisations, technical agencies, industry, academic and research institutions, and global civil society.
- It argues for establishing now the basis for steps which must come in the future.
- The Commission recognises the importance of a US commitment in the next months in their Nuclear Posture Review to limit the role of nuclear weapons, by at least declaring that the sole purpose of US nuclear weapons is to deter the use of such weapons against the US and its allies.
- The Commission articulates the need for all nuclear-armed states, inside and outside the NPT, to commit not to increase their nuclear weapons, in preparation for all these states joining Russia and the US in negotiating the winding back their arsenals.
- The Commission recommends "A new international consensus on action for nuclear disarmament" be adopted at the 2010 NPT Review Conference. This updates, reaffirms and in a few ways extends the previous "Thirteen Practical Steps" on nuclear disarmament adopted as part of the final document of the 2000 NPT Review Conference. The Commission is well aware of the need for disarmament and non-proliferation to go hand in glove.
- It argues for all nuclear weapons – strategic, sub-strategic, tactical etc - to be counted in the same way.
- The Commission advocates a rules-based international nuclear order based on consistent standards for all. It is, for example, critical of the inconsistency of the US-India nuclear deal undermining the NPT.
- The Commission recognises that an important foundation for a world free of nuclear weapons will be multilateral verification and control of all sensitive fuel chain activities (particularly uranium enrichment and reprocessing of spent reactor fuel to extract plutonium).
- The Commission is appraised of the ongoing proliferation risk associated with spent nuclear fuel, both from power and research reactors.
- The report calls for renewed emphasis on nuclear disarmament education in schools and universities.
- It advocates a regular "report card" to monitor progress on the recommendations.

## **Where the Commission should go further**

### ***Moving faster to bring down the danger of nuclear weapons use***

Until they are abolished, reducing the danger of nuclear weapons being used must go further than just reducing their number and geographic dispersal. All weapons should be kept under

the strictest possible security at all times, and should be taken off high alert status. It also requires reducing the circumstances in which nuclear weapons might be used. The US Nuclear Posture Review (NPR) currently underway, which sets US nuclear weapons policy, is a critical litmus test of US government commitment to act on President Barack Obama's important 5 April 2009 promise in Prague: "To put an end to Cold War thinking we will reduce the role of nuclear weapons in our national security strategy and urge others to do the same." He could largely do this by Executive Order, almost immediately. He could state that the sole purpose of US nuclear weapons is to deter their use by others.

More than anything else, the NPR and whether President Obama is able to deliver on this promise will show whether the US is now serious about a world free of nuclear weapons and set the tone of the 2010 NPT Review Conference. The 2005 Review Conference failed to agree anything. With nuclear disarmament having been not just stalled but going backwards, and proliferation slipping further from control, there is justified concern that if the 2010 conference does not make serious progress on multiple fronts, a major tipping point will have been reached and a cascade of nuclear proliferation can be expected to follow.

The Commission therefore should be unequivocal about the need for such declarations by nuclear-armed states in the next few months. While it is true that it may take some time to reconfigure nuclear weapon deployments to make transparent that they are not intended for first use, the Commission stretching its recommendation for no first use commitments by the nuclear-armed states to be in place out as far as 2025 is too long.

***Allies like Australia and Japan unequivocally supporting nuclear disarmament and taking nuclear weapons out of their own security policies***

ICAN believes that reducing the role of nuclear weapons in security policies - preparing and working for a world without nuclear weapons - is the responsibility of all countries, not only the nuclear-armed states. Allies of nuclear armed states bear particular responsibilities. Although the Commission is intended to be independent, a well-connected enterprise sponsored by the Australian and Japanese governments, both US allies, should really be more explicit on their role.

In recent months it has been confirmed that the foreign affairs establishment in Japan for decades had a secret agreement to turn a blind eye to US nuclear weapons entering Japan, contrary to Japan's stated policy. More recently Japanese officials have been actively opposing President Obama's nuclear disarmament agenda. It has become public that the Commission has also struggled with similarly recalcitrant Japanese influences opposing the US moving to a policy of nuclear no first use. This is deeply regrettable and troubling from the country which has suffered nuclear attacks on two of its cities.

In Australia this year's Defence White Paper runs completely counter to our government's stated commitment to nuclear disarmament by affirming Australia's reliance on US nuclear deterrence out to 2030 and beyond. And Australia's exports of uranium continue to nuclear-armed states, with inadequate safeguards on its enrichment and no restrictions on reprocessing of spent reactor fuel derived from it.

Extended deterrence does not need to be nuclear. A new Japanese government, with foreign minister Okada supporting nuclear no first use, and Prime Minister Hatoyama speaking in support the goal of a world free of nuclear weapons, provides an excellent opportunity for a joint Australian-Japanese initiative actively supporting President Obama's disarmament agenda and a US no first use commitment. Both countries should walk the talk by making it clear that they want to transform their alliance relationship with the US to one that excludes use of nuclear weapons. This would be the most powerful action our two governments could take towards supporting President Obama and a world free of nuclear weapons. It would be influential globally, including for NATO.

***Dealing more honestly and effectively with the need to drastically reconfigure the nuclear power industry in order to achieve and sustain a world free of nuclear weapons***

The report incorrectly asserts that light water reactors, the most common type used worldwide for power generation, have good proliferation resistance. Reactor grade plutonium is usable for weapons - in fact was used in one of the British nuclear bombs exploded in Australia.

It is also less than honest in couching the proliferation challenge posed by nuclear technology as reducing the proliferation risks associated with an inevitable expansion of nuclear power generation. Major proliferation problems are already evident and the international non-proliferation regime has already failed repeatedly.

The Commission's brazen promotion of nuclear power (eg characterising it highly contestably as "the only low-carbon electricity generation technology with proven capability for large-scale supply", p 124) sits uneasily with its recognition of the need for very different ways from the current open slather to deal with the inherently dual-use processes of uranium enrichment and reprocessing of spent nuclear fuel to extract plutonium.

It also sits uneasily with the lack of a clear or rapid path identified by the Commission towards the consistent global standard of control of enrichment and reprocessing necessary to achieve and sustain a world free of nuclear weapons. The Commission discusses the many proposals which have been made for multilateral control of the nuclear fuel chain and supports this goal, but in the end recommends only voluntary and incremental piecemeal implementation of such arrangements.

Phasing out reprocessing plants, the greatest proliferation danger in a nuclear-weapon-free world, recommended by the International Panel on Fissile Materials (IPFM), is desirable; as is placing all enrichment plants, present and future, under strict international control. The reality acknowledged by the IPFM in its recent Global Fissile Material Report 2009 is that "phase-out of civilian nuclear energy would provide the most effective and enduring constraint on proliferation risks in a nuclear-weapon-free world."

The Commission makes no mention of the now unequivocal evidence of a substantial increase in the incidence of leukemia among children living near nuclear power plants, nor of the potential for nuclear reactors and spent fuel storage facilities as targets of conventional or nuclear attack, with radioactive contamination potentially even larger and longer lived than following a nuclear explosion.

The Commission should more carefully avoid any basis for a perception that it is promoting commercial nuclear interests, especially Australia and Japan's, which risk damaging its credibility.

Paradoxically, continuation or expansion of nuclear power generation, the latter advocated by the Commission, will make significantly slower and more difficult the Commission's goal of achieving and sustaining a world free of nuclear weapons.

***A clear roadmap to eliminating and outlawing nuclear weapons is needed***

It is vital that no interim goal detract from the urgency and necessity of getting to zero nuclear weapons, and that is where a roadmap to zero weapons should visibly lead.

Phased nuclear weapon reductions are clearly necessary, but there is some risk that the Commission's "minimisation point" targeted for 2025, with no more than 2000 nuclear weapons and commitments to no first use - could be seen to legitimise a still enormous destructive capacity, and detract from the goal of abolition, particularly as the elimination phase beyond is not fleshed out.

Although more than 90% reduction from current arsenals sounds substantial, such is their destructive capacity that 2000 nuclear warheads is still 5 times the number of weapons that US Defence Secretary McNamara in 1963 advised President Johnson would be sufficient for massive “assured destruction” of 150 cities. It is 20 times the number now known to be capable of causing unprecedented global cooling likely to persist for a decade and cause upwards of a billion people to starve.

The Commissioners have a sophisticated understanding that nuclear weapons exist in a political context, and flag the importance of progress in other areas to progress in nuclear disarmament, such as controlling biological weapons, reducing conventional arms imbalances and resolving regional tensions. However nuclear weapons also powerfully create tensions and complicate other issues. Further, they are so uniquely and catastrophically destructive that the urgent imperative to get them out of the picture, enabling us to deal with a whole range of other challenges without the daily threat of nuclear annihilation, must never be made conditional on progress in other areas.

Like the parliamentary Joint Standing Committee on Treaties and UN Secretary-General Ban Ki-moon, the Commission recognises that the ultimate transition to a world free of nuclear weapons will need to be underpinned by a comprehensive Nuclear Weapons Convention (NWC). International NGOs such as ICAN have been advocating an NWC for over a decade, and drafted the model NWC the Commission describes as “professionally crafted and thoughtful”. Support for an NWC by both governments and civil society has been growing.

The Commission does recommend that “it is not too early to start now on further refining and developing the concepts in the model NWC”, and “that interested governments support with appropriate resources the further development of the NWC” (p 225), “with the object of having a fully-worked through draft available to inform and guide the multilateral disarmament negotiations we see as gaining real momentum during our medium term timeframe, from 2012 to 2025” (p 225). Their report also recommends that the approach of a framework Convention, where benchmarks and details are progressively negotiated and added, be carefully considered.

However the Commission’s timeframe of development and building of support for a comprehensive NWC out to 2025 puts detailed work on this off to a rather distant future time and diminishes its priority and urgency. This is compounded by the “Longer Term Action Agenda Beyond 2025: Getting to Zero” part of the Commission’s Comprehensive Action Agenda not including any specific reference to an NWC.

We see no conflict, and indeed strong synergy, between the immediate steps and phased approach advocated by the Commission, and a comprehensive long-term framework which puts all the essential elements into an irreversible and verifiable abolition treaty. Given the complexity and difficulty of the task, the sooner detailed discussions and negotiations can begin the better. Without a comprehensive approach and legally-binding commitment to zero as the explicit goal, there is a greater danger of continuation of bad faith, competing priorities, inconsistencies and obstruction that have characterised the disarmament stalemate of the last decade and a half. Just this year, for example, Pakistan blocked progress at the Conference on Disarmament, which after more than a decade of deadlock finally agreed on a program of work including a treaty to end production of fissile materials.

In the end it is governments which must act on nuclear disarmament, and the real test of the Commission will be how effective it can be to engender action by governments. We hope that the Commissioners are now able to focus fully on the vital task of advocacy for a world free of nuclear weapons. We urge the government, parliamentarians, media and civil society to consider and respond to the Commission’s timely report and engage with the issues it addresses, which are vital to all of us.

While most attention is on the 2010 NPT Review Conference in less than 5 months time, the Commission has the opportunity, at this historic time, to promote a vision and push boundaries, a couple of steps ahead of governments. Our greatest hope for the Commission is that it might

still pave the way for negotiations on a Nuclear Weapons Convention to begin by the 2015 NPT Conference and be concluded by the 2020 Conference.

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## **Background to the ICNND**

The International Commission on Nuclear Non-proliferation and Disarmament (ICNND) is an initiative announced by Prime Minister Kevin Rudd at Kyoto University on 9 June 2008, the day after he made the first visit by an Australian Prime Minister to Hiroshima. It fulfils a pre-election commitment Mr Rudd made to re-establish the Canberra Commission on the Elimination of Nuclear Weapons, an initiative of the Keating government which brought together a distinguished international group but was essentially buried by the incoming Howard government in 1996. The Commission is co-chaired by former foreign ministers of Australia and Japan, Gareth Evans and Yoriko Kawaguchi.

The Commission consists of 15 Commissioners from diverse regions, assisted by 27 Advisory Board members, 9 associated research centres from different countries, and supported by secretariats in the Dept of Foreign Affairs and Trade in Canberra and the Ministry of Foreign Affairs in Tokyo.

The aim of the Commission is to reinvigorate global debate on nuclear non-proliferation and disarmament in the context of the May 2010 nuclear Non-Proliferation Treaty (NPT) Review Conference and beyond. The Commission aims to be practical, pragmatic and action-oriented, not only formulating recommendations, but advocating them to decision-makers. Its life is intended to continue till at least mid 2010, when it plans to take stock of the global situation following the May 2010 NPT Review Conference.

Akira Kawasaki of Peace Boat (Japan) and Tilman Ruff of the International Campaign to Abolish Nuclear Weapons (Australia) were invited to serve as NGO advisors to the Co-Chairs of the Commission.

## **About ICAN**

ICAN was initiated from Australia by the Medical Association for Prevention of War (MAPW) following the failure of the nuclear Non-Proliferation Treaty Review Conference and World Summit in 2005 to achieve anything on nuclear disarmament. ICAN was launched internationally in 2007 after International Physicians for the Prevention of Nuclear War (IPPNW, Nobel Peace Prize 1985) adopted ICAN as a core campaign.

Since its foundation in 1981, MAPW has been a consistent voice for prevention of violent conflict, care for its victims, the elimination of weapons of mass destruction, and promoting the use of resources for human and environmental health and sustainability rather than harmful and destructive ends.

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