



ICCS

Institute for Conflict
Cooperation and Security

BASIC

Common but Differentiated Nuclear Responsibilities

Perspectives from Tokyo

FEBRUARY 2019

Sebastian Brixey-Williams

**The British American Security
Information Council (BASIC)**

17 Oval Way
London
SE11 5RR

Charity Registration No. 1001081

T: +44 (0) 20 3752 5662
www.basicint.org

**The Institute for Conflict, Cooperation
and Security (ICCS)**

Edgbaston
Birmingham
B15 2TT

Tel: +44 (0)121 414 8683
[https://www.birmingham.ac.uk/
schools/government-society/centres/
iccs/index.aspx](https://www.birmingham.ac.uk/schools/government-society/centres/iccs/index.aspx)

© The British American Security Information Council (BASIC) &
The Institute for Conflict, Cooperation and Security (ICCS), 2019.

All images licenced for reuse under Creative Commons 2.0,
attributable to Rog01 (p. 6) and Wikimedia Commons.

The opinions expressed in this publication are the responsibility
of the authors and do not necessarily reflect the views of BASIC
or ICCS.

All rights reserved. No part of this publication may be
reproduced or transmitted in any form or by any means,
electronic or mechanical including photocopying, recording or
any information storage or retrieval system, without the prior
written permission of the copyright holder.

Please direct all enquiries to the publishers.

The Author

Sebastian Brixey-Williams is the Programme Director at BASIC, directing the Programme on Nuclear Responsibilities, a multi-year diplomatic initiative exploring the responsibilities of states and other actors around nuclear weapons. Sebastian has expertise across a breadth of multilateral disarmament and arms control issues, particularly in relation to the United Kingdom and Europe.

He has published in *Arms Control Wonk*, *The Bulletin of the Atomic Scientists*, and the *World Economic Forum*, and his work has recently featured on *BBC News*, *BBC Radio 4*, *The Economist*, and *The Guardian*.

Sebastian is a member of the British Pugwash Executive Committee, and co-founder of the Gender, Think Tanks and International Affairs breakfast series with Chatham House and the Centre for Feminist Foreign Policy. He holds a BA from the University of York in English and Related Literature, and an MA in International Studies and Diplomacy from the School of Oriental and African Studies (SOAS), where he received the Postgraduate School's Prize.

Acknowledgements

This report was made possible with funding from the UK Counter Proliferation and Arms Control Centre (CPACC). In Japan, BASIC and ICCS are greatly indebted to the Japanese Ministry of Foreign Affairs for facilitating our visit, and the Japan Institute of International Affairs (JIIA), which kindly agreed to host the meeting. We would like to extend a special thank you to Ambassador Sumio Tarui, Yasunori Nakayama, Hirofumi Tosaki, Akemi Suto, and Yoko Koyama at the Centre for the Promotion of Disarmament and Non-Proliferation (CPDNP) for their incredibly hard work behind the scenes arranging the meeting. The author would like to thank Paul Ingram, Professor Nicholas Wheeler, and Marion Messmer for their feedback and design work. Responsibility for what is written in this report naturally lies with the author, who can be contacted at sbrixeywilliams@basicint.org.

BASIC

The British American Security Information Council (BASIC) is an independent think tank and registered charity based in Central London, promoting innovative ideas and international dialogue on nuclear disarmament, arms control, and nonproliferation. Since 1987, we've been at the forefront of global efforts to build trust and cooperation on some of the world's most progressive global peace and security initiatives, advising governments in the United States, United Kingdom, Europe, the Middle East and Russia. Through an approach based on active listening, understanding and empathy, the charity builds bridges across divides and lay new pathways to inclusive security.

BASIC has developed institutional expertise across a number of transatlantic issue areas, including the UK-US nuclear relationship, the UK's Trident programme, the politics of disarmament and arms control in the UK Parliament, NATO nuclear weapons in Europe, the Middle East, the evolving role of responsibility in nuclear governance, and expanding technological threats to SSBN platforms.

ICCS

The Institute for Conflict, Cooperation and Security (ICCS), based in the School of Government and Society at the University of Birmingham, adopts a multi-disciplinary approach to global security challenges to create innovative research, education, and training in conflict and cooperation in world politics.

Contents

Introduction	5
What are Nuclear Responsibilities?	6
Who has Nuclear Responsibilities?	8
NWS Special Responsibilities	11
NNWS Responsibilities	14
Japan's Nuclear Responsibilities as a NNWS	15
Conclusion	18
Endnotes	19

Introduction

The ideas contained within this report are developed from a one-day roundtable on 'nuclear responsibilities' held on the 22nd January 2019, hosted by the Centre for the Promotion of Disarmament and Non-Proliferation at the Japan Institute of International Affairs in Tokyo, Japan. Held under the Chatham House Rule, the discussion included Japanese representatives from the Ministry of Foreign Affairs of Japan, think tanks, academia, civil society, and the military, and was facilitated by Sebastian Brixey-Williams (Programme Director, BASIC) and Paul Ingram (Executive Director, BASIC).

The purpose was to introduce the Japanese nuclear policy community to the 'nuclear responsibilities' framing and to canvass opinions on the concrete nuclear responsibilities of the NPT Nuclear Weapon States (NWS) and Non-Nuclear Weapon States (NNWS). The roundtable was one of a series funded by the United Kingdom Foreign and Commonwealth Office, itself part of a broader programme of work by BASIC and ICCS that intends to build international understanding, dialogue, and a shared culture of responsibilities around nuclear weapons.

Japan was identified as a high-priority NNWS to host a discussion on this agenda. The state and many citizens have a dualistic take on nuclear weapons: both shunning them for their horrific humanitarian consequences and reluctantly accepting them as an inevitable tool of deterrence and thereby contributing to their national and international security. It remains the only state to have suffered nuclear attacks, and retains a strong governmental and civil society commitment to a world free of nuclear weapons, although a full understanding of the bombings of Hiroshima and Nagasaki is fading among the younger generations.

Today, Japan continues to play an important leadership role in multilateral disarmament, issuing with others an annual United Nations General Assembly resolution, 'United action with renewed determination towards the total elimination of nuclear weapons,' and most recently convening the Group of Eminent Persons for Substantive Advancement of Nuclear Disarmament to identify practical and achievable measures that can be taken towards disarmament.[1] Nevertheless, Japan also relies upon US extended nuclear deterrence, which has taken on increasing importance for the country as China's and North Korea's nuclear capabilities have grown, and it has been accused of nuclear hedging when its large plutonium stockpile is considered alongside its world-class engineering capabilities.

Key Takeaways

- States have common but differentiated responsibilities around nuclear weapons, including for nuclear risk reduction, non-proliferation, and disarmament.
- Japanese officials and experts indicated that Japan has national nuclear responsibilities arising, among other things, from its ongoing memorialisation of the bombings of Hiroshima and Nagasaki, and its present-day reliance on US extended deterrence to deter regional nuclear threats.
- Japanese participants responded positively to Japan being included in multilateral NWS-NNWS discussions on nuclear responsibilities.



What are Nuclear Responsibilities?

'Nuclear responsibilities' are *the responsibilities of states and other actors around nuclear weapons*. The definition is formulated to be deliberately broad to encompass all activities around nuclear weapons – including force structure, declaratory policy, non-proliferation, arms control, disarmament, and the nuclear industrial complex – and in order to invite pluralistic engagement from partners of all philosophical and political beliefs.

Living in any community entails responsibilities to others in that community, and this is just as true for the international community. The Programme on Nuclear Responsibilities starts from the assumption that all actors that have the power, directly or indirectly, to impact nuclear weapons policy have nuclear responsibilities. Further, those with greater power have greater responsibilities on this issue. However, as Michael Barnett and Raymond Duvall write, there are 'multiple conceptions of power' in international relations. [2] Accordingly, these responsibilities are neither likely to be equal in their qualities or magnitudes, nor at this stage are they definitively agreed.

To express this principle, it was useful during the roundtable to introduce a term new to the nuclear weapons policy discourse: 'common but differentiated responsibilities' (CBDR). Though it has a longer history, the CBDR guiding principle is borrowed most famously from The United Nations Framework Convention on Climate Change (UNFCCC, 1992), which constitutes the fundamental basis for later climate change negotiations including the Paris Accord. In Article 3.1, the UNFCCC states: 'The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities.'

CBDR neatly articulates that while states are equitable sovereigns in the eyes of international law, in reality states have very different powers or capabilities – financial, technical, political, and so on – to contribute towards the achievement of common goals. Problems of co-existence and cooperation cannot be solved through recourse to principles of either sovereign equality or material preponderance. When states share a common problem and have common responsibility to solve it (such as climate change), their responsibilities are nevertheless 'differentiated' according to their means, comparative advantages, and sometimes asymmetric legacies (such as the industrialised states' proportionately greater carbon emissions). Once a global goal has been identified by the international community and an end goal has been identified, a CBDR framework (correctly applied) can be a tool to organise and manage the burden-sharing needed to achieve it.

As for the shared global challenge of climate change, it can be proposed that actors that can influence nuclear policy have 'common but differentiated responsibilities and respective capabilities' to ensure the fulfilment of their shared goals around nuclear weapons: most crucially, to minimise the risk of use and safely achieve a nuclear weapon-free world. In the realm of non-proliferation and disarmament, the common responsibility for disarmament is mandated in the 1996 International Court of Justice Advisory Opinion, *Legality of Threat or Use of Nuclear Weapons*, in which the judges unanimously agreed: 'There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.' [3] In treaty law, it is manifest in Article 6 of the Non-Proliferation Treaty (NPT), which mandates '*Each of the Parties to the Treaty ... 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 under strict and effective international control*' (emphasis added).[4]

Yet while the NPT outlines in broad-brush terms the collective responsibility of states on the three pillars, the document offers limited guidance on the specific individual responsibilities of states as they work together. The CBDR principle presents a new conceptual framework for universal action founded on compromise and cooperation in effectively moving towards these goals.

Actively agreeing and upholding the responsibilities of states around nuclear weapons would facilitate better communication and accountability, and help ensure the healthy functioning of the global nuclear order. Indeed, it is surprising that the CBDR principle and language has not yet been transposed from the climate change regime into mainstream disarmament discourse. There has never been a comprehensive review of the responsibilities of all actors around nuclear weapons, although there are various international laws and norms that govern the possession and disarmament of nuclear weapons, many of which are under threat today.

The Programme on Nuclear Responsibilities seeks to energise this kind of dialogue in the domain of international security by creating a common language for discussing responsibilities and framing thinking on nuclear weapons policy. This will be a long-term process that needs to involve the full spectrum of NPT Nuclear Weapon States (NWS) and Non-Nuclear Weapon States (NNWS), but which will need active leadership from a cross-section of the stakeholders.

Who has Nuclear Responsibilities?

Today, nuclear responsibilities – if they have been recognised at all – are assumed by those actors with the greatest power, or assigned to those who are perceived to have the greatest ability to affect change. The NWS obviously have unique 'special responsibilities' as the direct possessors of nuclear weapons. Ultimately, they determine their force structures and are the only states which can disarm; these responsibilities cannot be outsourced. Though it is positive that the NWS generally recognise that they have special responsibilities, the details are sparse. This limits the utility of what could be a powerful means of crafting shared understandings of acceptable behaviour, and enables the NWS to define their responsibilities themselves. Understanding how Japanese participants interpreted the claim of the NWS to special responsibilities, and identifying areas where they would like to see the NWS doing more to live up to these special responsibilities, was a key aim of the Tokyo roundtable, as it will be for future roundtables.

Nuclear possessor states not recognised by the NPT (India, Pakistan, Israel and North Korea) also have responsibilities that are without a doubt greater than those of the NNWS. They alone have the power to craft their nuclear weapon policies, and are held to high account by other states within the international community. Indeed, all nuclear-capable states have described themselves as 'responsible nuclear-armed states' or similar, denoting an implicit recognition of this principle and indicating that these states see value in being seen this way. The Programme seeks to take these states at their word and bring them into the global nuclear order, by involving them in a dialogue on their nuclear responsibilities and to whom they apply.

As noted above, the NNWS have nuclear responsibilities too. However, the fact that they do not possess the world's nuclear weapons means that their differentiated responsibilities are more associated with how they affect the environments for nuclear disarmament by interacting with the international security context, and shaping the legal-normative environment in which these weapons exist. Understanding how Japan views the general responsibilities of the NNWS and specifically Japan's nuclear responsibilities was a key goal of the workshop. The remainder of this report offers reflections and proposals made in light of these two objectives.

Although they may not possess nuclear weapons, non-state actors with influence on nuclear weapons policy have nuclear responsibilities too. These include international organisations like the UN, IAEA, and NATO; think tanks and academia; civil society and in occasional cases, individual members of the public; the business community, including multinational corporations, the finance industry, and the arms trade; scientists and engineers; and the media. The meeting did not explore these dimensions so as to retain focus, but these should be noted and will be explored in future research.

Working taxonomy of states' nuclear responsibilities		
Tier	Types of Responsibilities	Definition
1	Nuclear responsibilities	The responsibilities of states and other actors around nuclear weapons. Some are common, while others are differentiated.
2	Common responsibilities	Common responsibilities are shared by all states around nuclear weapons.
	Differentiated responsibilities	Differentiated responsibilities are allocated according to states' respective capabilities or legacies.
3	NWS ('special') responsibilities	The NPT-recognised Nuclear Weapon States (NWS) have special responsibilities around nuclear weapons. These are a form of differentiated responsibility, and their existence is generally accepted. Though the specifics are not fully outlined, at a minimum the category encompasses those policies or behaviours that only the NWS can fulfil.
	NNWS responsibilities	The NPT Non-Nuclear Weapon States (NNWS) have general NNWS responsibilities (i.e. 'not special'). While they cannot directly affect NWS policies or behaviours, they can affect the security, legal, diplomatic, and political environments in which nuclear weapons sit.
4	National responsibilities	Individual NWS or NNWS might assume or be assigned specific national responsibilities as a result of history or culture. The United Kingdom and Japan are discussed in the following pages as examples.

Proposed Common Responsibilities of all states:

In each box like this one, the responsibilities listed were proposed by participants throughout the day. They are given in full and in no particular order, to promote debate and discussion, without implied support.

- Common responsibility to reduce the risks of nuclear use.
- Common responsibility to engage in disarmament efforts in good faith.
- Common responsibility to seek to build trust.
- Common responsibility to provide assurances to other states about intentions.
- Common responsibility to provide leadership in situations of insufficient leadership.
- Common responsibility to maintain civility in relations and discourse.
- Common responsibility to maintain comprehensive, detailed and accurate records of decision-making for posterity.
- Common responsibility to maintain documentation of research projects, especially among scientists and engineers, as a tool to improve policymaking and ensure accountability.
- Common responsibility to work together to set out a timeframe for nuclear elimination.
- Common responsibility to guard nuclear knowledge from proliferation risks.
- Common responsibility to promote two-way dialogue between government and the public on nuclear issues.
- Common responsibility to seek to understand opposing views with empathy.
- Common responsibility to translate norms into law and protect those that already exist.
- Common responsibility to effectively govern the application or export of dual-use technologies.

1. Common Responsibilities

There are common nuclear responsibilities that apply to all states, which represent the unwritten rules, norms, and prohibitions that apply to all states (nuclear and non nuclear-armed) around nuclear weapons. Some are so foundational and ingrained that they are often forgotten altogether until they are pointed out, in one sense representing the resilience of these norms. For instance, indiscriminately disclosing sensitive nuclear knowledge, as prohibited in Article 1 of the Non-Proliferation Treaty, is understood as breaking a core responsibility by almost everyone, even by active proliferators like A. Q. Khan. Putting focus on these core common responsibilities sets a baseline set of acceptable behaviours, upon which more detailed proposals can be built. Readers are invited to contribute their ideas to this growing list, which is being built through consultations in London, Tokyo, Kuala Lumpur and Geneva over 2018-2019.

2. Differentiated Responsibilities

Nuclear Weapon State ‘Special Responsibilities’

In *Special Responsibilities* (2012), Bukovansky, Clark, Eckersely, Price, Reus-Smit, and Wheeler define the concept of special responsibilities as ‘a differentiated set of obligations, the allocation of which is collectively agreed, and they provide a principle of social differentiation for managing collective problems in a world characterised by both formal equality and inequality of material capability.’[5] In the global nuclear order, special responsibilities are generally assigned and claimed by the five Nuclear Weapon States, with the United States and Russia typically said to have the greatest responsibilities due to the size of their stockpiles and their historic roles in driving the nuclear arms race. However, their special responsibilities are only defined in broad brush strokes today. Whether the non-NPT nuclear-armed states have ‘special responsibilities’ or something else also requires further discussion.

The most fundamental issue for the NWS and those under their nuclear protection to consider is how to manage the apparently conflicting responsibilities of nuclear deterrence and disarmament. The vexed problem is that attachment to nuclear deterrence as a means of delivering security negates, or at the very least obstructs, the eventual elimination of nuclear weapons. This is exemplified frequently in an elegant use of rhetorical paradox by NATO: ‘NATO is committed to arms control, disarmament and non-proliferation, but as long as nuclear weapons exist, it will remain a nuclear alliance.’[6] One approach is to say special responsibilities could be fulfilled sequentially, though this seems unsatisfactory without clear time limits for abolition, which are unlikely in the near-term. A more compelling approach is to suggest that although states have responsibilities to manage deterrence, this does not negate additional responsibilities to engage in disarmament, to the extent that disarmament will need to be a managed and multilateral process. In other words, states have both an overriding responsibility to disarm and numerous other responsibilities to be fulfilled in pursuit of that end, perhaps (in the minds of some) including maintaining a sufficient level of threat to incentivise negotiations (‘responsibility to disarm, responsibilities while disarming’).

Confrontational and cooperative approaches to disarmament are not necessarily mutually exclusive, since elimination will be impossible if nuclear use cannot be prevented. Indeed, deterrence and disarmament may be both in tension and mutually reinforcing, since assurance that one’s deterrent is credible could open the door to further reductions. Nevertheless, to take the final step from reductions to elimination, the salience of nuclear weapons in security doctrines will likely need to be made negligible.

Proposed Special Responsibilities of the Nuclear Weapon States

- Special responsibility to prevent the use of nuclear weapons, intended or unintended, as the most important short-term priority.
- Special responsibility, acting also as the Permanent Five members of the Security Council, to uphold global peace and security.
- Special responsibility to reflect deeply on the essential purpose of their nuclear weapons possession and doctrine for internal clarity, and to articulate this clearly in open fora.
- Special responsibility to voluntarily desist from using nuclear weapons as a tool of coercion.
- Special responsibility to issue and regularly reaffirm negative security assurances to Non-Nuclear Weapon States.
- Special responsibility to look for alternative security arrangements not based on nuclear deterrence.
- Special responsibility to eschew 'loose talk' with nuclear weapons, and hold others to account.
- Special responsibility to verify the irreversible dismantlement of the DPRK's nuclear programme.[7]
- Special responsibility to take actions that extend beyond elimination (though vaguely defined at present).
- Special responsibility to make public their scientific assessments of the environmental and climatic impacts of nuclear use.



Proposed Responsibilities of the United Kingdom

Participants offered candid feedback on the roles and responsibilities they envisaged for the United Kingdom, in the spirit of a 'critical friend' to a collaborative partner.

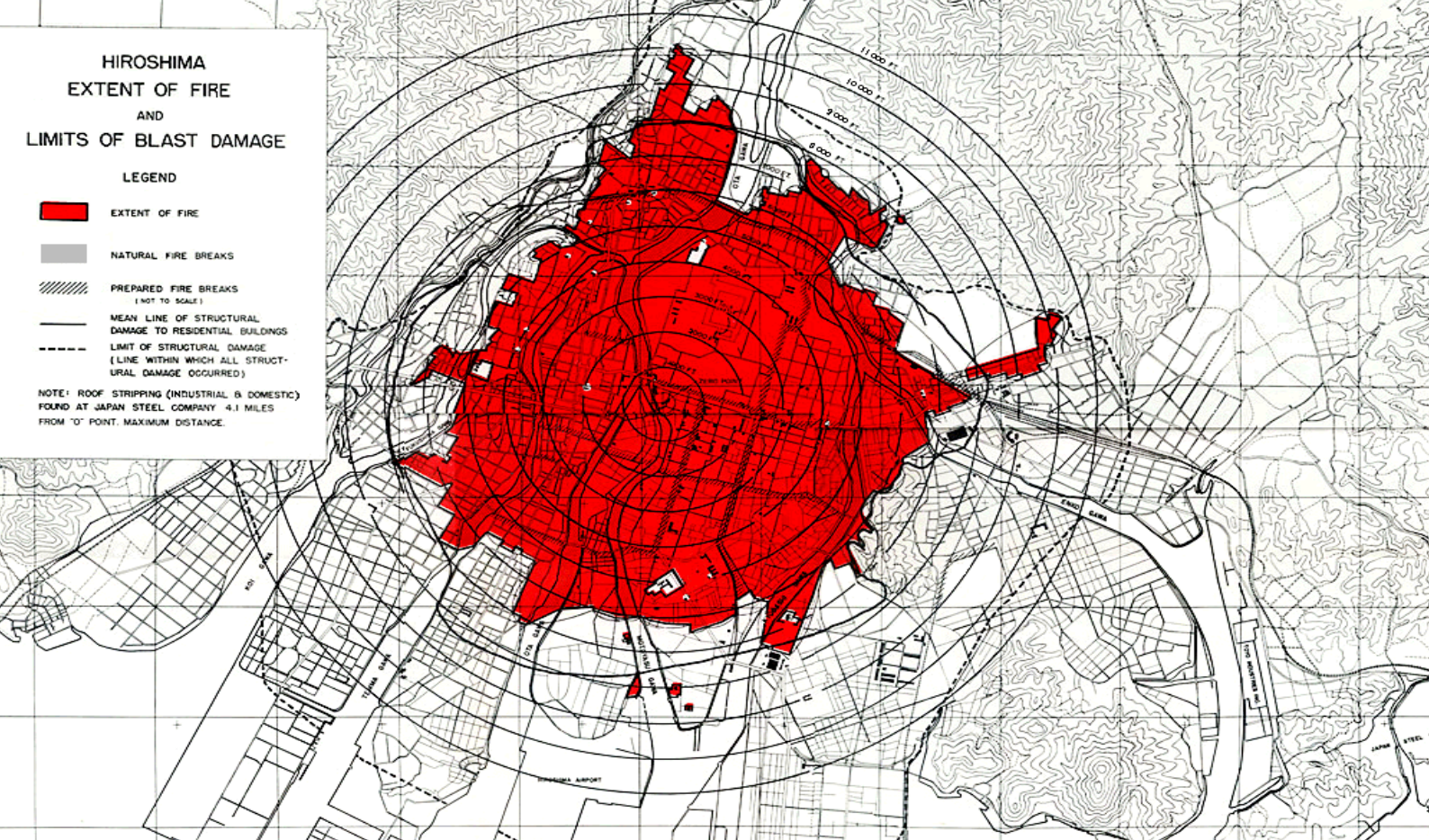
- National responsibility to demonstrate leadership within the non-proliferation regime. Particular attention was given to the concept of the United Kingdom 'leading by example,' with unprompted reference to BASIC's briefing of the same name.[8]
- National responsibility to lead discussions amongst P5, and promote better understanding of why P5 states find each other's behaviour destabilising.
- National responsibility to publicly and repeatedly express that its nuclear weapons are not sign of prestige, but rather a practical means of increasing leverage for multilateral disarmament and security transformation.
- National responsibility to make representations among the P5 on behalf of the NNWS, on why other states feel threatened by nuclear weapons possession and/or particular policies in this regard

Non-Nuclear Weapon State Responsibilities

As NWS have 'special responsibilities' in risk reduction, non-proliferation and disarmament, the NNWS also have general ('not special') responsibilities as members of the international community. This is implicitly a basic CBDR framework. Moreover, if it is accepted that the United States and Russia have the principal responsibilities among the NWS, as is often said, then (in principle) some NNWS could have greater responsibilities than others or asymmetric responsibilities by virtue of their respective capabilities and relationships. This looks to be a valuable thread to pull in future discussions.

Proposed Nuclear Responsibilities of NNWS

- NNWS responsibility to provide evidence and assurances that the state is not seeking to produce nuclear weapons, such as through the open and transparent application of safeguards and inspections, and to effectively contribute to international mechanisms such as the IAEA essential for such mutual assurance.
- NNWS responsibility to contribute towards the maintenance of regional security and to work to diminish the salience of nuclear weapons in a given region.
- NNWS responsibility to provide creative ideas for policies to shift the paradigm from confrontation to cooperation, or to provide funding to international organisations, academia, think tanks, NGOs, and civil society to do so.
- NNWS responsibility to co-create an environment for nuclear disarmament.
- NNWS responsibility to co-create security arrangements that are not based on nuclear deterrence as a step towards decreasing their salience and towards disarmament.



Japan's Nuclear Responsibilities as a NNWS

What are Japan's differentiated responsibilities around nuclear weapons, and how are they determined? What are the specific national responsibilities that Japan has, by virtue of its history and current capabilities, that are additional to its responsibilities as a NNWS? The roundtable sought to address these questions, providing a model for other states to do the same.

Five key themes emerged:

1. Japan's responsibilities for education on the risks and impacts of nuclear weapons

Japan remains the only state to have suffered nuclear weapon attacks first-hand. As such, participants felt strongly that it has a strong and perhaps unique national responsibility to educate its citizens and the international community of the long-lasting humanitarian consequences of the use of nuclear weapons against civilians, as a reminder of the serious consequences of nuclear use. This must entail this difficult history being faced and passed down, in formal education and socially through the generations; many Japanese young people, who have no direct experience of nuclear attack, have only limited knowledge of the attacks today, and indeed some believe that Japan fought alongside the United States in the Second World War. Moreover, educators must make this knowledge and experience relevant to young people's lives today, for instance by creating linkages to current affairs like the North Korean nuclear weapons programme and the stalling of the global disarmament agenda.

One roundtable participant, a *Hibakusha* (the Japanese term for survivors of Hiroshima and Nagasaki), spoke of his sense of personal responsibility as a victim and survivor to engender disarmament. Yet, Japan is presented with a problem: the *Hibakusha* are passing away. Efforts to preserve their stories need to be accelerated, and Japanese civil society will need to find ways to communicate their experiences with authority without relying upon testimony in person.

2. Japan's responsibilities as an ally of the United States

Japan relies upon US extended deterrence (the 'nuclear umbrella'), to deter nuclear threats from China and North Korea. This arrangement could give the impression of a one-way relationship, in which Japan is the passive receiver of a US security guarantee, and more than one participant implied that Japan is the 'junior partner' in the relationship. This would appear to largely absolve Japan of responsibility. Yet, being an ally is a two-way relationship that gives both sides some degree of power over the other. Just as true friends have a responsibility to look after each other's best interests (which may include restraining them, as when one friend holds another back from getting drawn into a fight), Japan's limited ability to influence the policies, behaviours and cultures of the United States brings with it some responsibilities. Though participants were divided on whether it was a good thing, this influence was demonstrated when Japan, the UK, France and others convinced the US Administration not to adopt a No First Use Policy at the end of Obama's second term.

In practice, this might be articulated as a responsibility to push a progressive disarmament and risk reduction agenda in Washington D.C. and to actively oppose developments that they consider to be detrimental to international peace and security, including bearing some costs for doing so. This is, of course, a responsibility that all allies have for each other.

3. Japan's responsibilities for East Asian regional security

As a key player in East Asia, Japan has a responsibility to contribute to sustainable regional security by stabilising and transforming relations with neighbouring states. Japan also has a clear interest in doing this, most urgently as a likely target in the event of a nuclear escalation with North Korea, China, or Russia. These responsibilities apply at multiple levels; it was noted that the DPRK's nuclear programme was partly initiated through the education of North Korean physicists at Japanese universities. Japan can affect regional security from multiple angles, including as part of the coordinated approaches to the transformation of conflict on the Korean Peninsula, engaging in military-to-military exchanges with regional neighbours, and as a hub of analysis and policy innovation.

4. Japan's responsibilities as a nuclear threshold state

Japan has been called a threshold state, having all the technical expertise and manufacturing capabilities, and a sizable stock of plutonium, to produce a nuclear arsenal within a few years, or perhaps less.[9] Moreover, delivery vehicles and other key technologies increasingly have dual-use applications, which has relevance both to safeguards and export. As Richard J. Samuels and James L Schoff write:

Japan has never wavered from its early commitment to completing the nuclear fuel cycle. This commitment entails the maintenance of vigorous enrichment and reprocessing capabilities, the stockpiling of separated plutonium, and the development of a fast breeder reactor that other nations—most prominently the United States—have long since abandoned as too costly and dangerous. In fact, Japan has the largest nuclear power program of any non-weapons state and is the only one with full spectrum fuel cycle capabilities.[10]

As for any NNWS, but perhaps particularly those with a known breakout capability (leaving intention aside), Japan has a responsibility to provide assurances and apply rigorous and transparent safeguards to its

nuclear fuel cycle to demonstrate its good faith commitment to non-proliferation. The Nuclear Material Control Centre (NMCC), which is tasked with doing so, has a budget of between ¥3-4bn (\$27-36m) per annum, a sizeable sum that the Japanese Government hopes demonstrates its commitment to safeguards. By comparison, the global IAEA safeguarding budget in 2017, which also operates inside Japan, was \$157.1m (\$26.19m contingency).[11] Further, Japan has a responsibility to promote best practices at the international level, drawing on its expertise and experience as it does so.

5. Japan's responsibilities to promote nuclear transparency

Promoting transparency among the NWS has been a priority issue for the Japanese Government for a number of years. It rightly considers that transparency is an essential pillar for confidence-building both between NWS, and between NWS and NNWS, and is the basis of any future nuclear disarmament verification.

Proposed Nuclear Responsibilities of Japan

- The following were proposed by participants throughout the day and are given here in full and in no particular order, to promote debate and discussion, without implied support.
- Responsibility to encourage and lead initiatives on the total elimination of nuclear weapons at the international level.
- National responsibility of the state to respond appropriately to practical security threats to the lives and property of its citizens.
- National responsibility to take tireless efforts to build bridges and form or find common ground across divides, both within Japan and within the international community.
- National responsibility to foster a united international framework among states to approach on nuclear weapons issues.[12]
- National responsibility of all treaty parties to address issues in the Non-Proliferation Treaty. Japan's recent focus has been on transparency as a means of building confidence and forming the basis of nuclear disarmament verification.
- National responsibility to effectively employ its leverage in Washington D.C. and among other nuclear state to promote nuclear risk reduction, non-proliferation and disarmament.
- National responsibility to promote a new global norm on the minimisation of plutonium stockpiles.
- National responsibility to use Japan's unique history with atomic weapons to educate the general public, and to create a sense of ownership over Japan's history among the next generation.

Conclusion

The world is becoming increasingly disordered. Power is increasingly dispersed through globalisation, new and unpredictable technologies are emerging faster than they can be regulated, and hard-won regimes of control are crumbling. With the imminent breakdown of the INF Treaty, and the prospects for New START extension or replacement appearing dimmer, the meta-strategy of relying on arms control to achieve strategic stability may need to be reconsidered, or at least, parallel measures will need to operate alongside. An absence of legal regimes leaves a governance void that is, as yet, unfilled by any credible, alternative measure or approach in nuclear policy. In this context, states must identify new ways to create and sustain stability. Meaningful discussions of non-legally binding 'nuclear responsibilities,' in combination with other strategies, could be a potent force to restore order and set out a new collective vision and recommitment to a world free of nuclear weapons.

Naturally, it is easier to agree nuclear responsibilities at a roundtable than have them acknowledged and adopted at the international level. But exploratory discussions are the necessary first step and help to clarify the topography of the issue. If the nuclear responsibilities framing is to have traction within the evolving global nuclear order, these discussions need to take place at different levels: at the national level, where policy experts can consider and clarify their own beliefs, and at the international level, where understandings of responsibilities can meet and be debated and, to the degree possible, harmonised. Moreover, it is essential that these discussions include and develop buy-in from members of the global deterrence and disarmament communities and are not siloed between them. The aim should be to encourage all parts of the political spectrum to contribute proposals and understandings of nuclear responsibilities and so stretch the discourse, before using a process of dialogue to identify common ground and areas of discord for further discussion.

In the first instance, it is valuable simply to remind people that common responsibilities can exist. Obligations and conventions exist because society agrees to them, and in the same way, talking about nuclear responsibilities literally makes them more real, even if they never become legally-binding. Iterated agreements about nuclear responsibilities incrementally strengthen the case that these responsibilities exist, and doing this for collections of responsibilities builds a common framework that can then influence the behaviour of states.

Leadership is needed if this agenda is to succeed. While states were divided previously along fairly strict NWS-NNWS lines, it might be said that there is a 'middle' coalescing on the spectrum of states in the global nuclear order. At one end, the United States and Russia are slipping into arms racing and the salience of nuclear weapons in their defence arrangements is growing. At the other, many states have expressed support for a more radical agenda through the Treaty on the Prohibition of Nuclear Weapons (TPNW), a bold political and diplomatic statement that has yet to prove itself. This agenda has split the NNWS between those that have taken steps towards signature and ratification and those that have chosen to abstain. Between these two ends of the spectrum is a community of states – both NWS and NNWS – that recognise the extreme dangers of the current direction of travel and who are looking for pragmatic measures within existing doctrines for progressive action to reduce the risks of nuclear use and restore faith in the non-proliferation regime. They see the 2020 NPT Review Conference as an important test for the international community. The old categories of NWS and NNWS ('them and us') may retain some uses, but effective joint-leadership could be built by coalitions across this divide.

The United Kingdom and Japan are more similar than might first be assumed. Both face strategic nuclear risks that causes them to rely for now on nuclear deterrence for their national security, but both also profess

a genuine commitment to multilateral disarmament over the long-term. Both have been called 'threshold states,' Japan for its high levels of nuclear weapons expertise, technologies and stock of fissile materials among the Non-Nuclear Weapon States, and the United Kingdom for being perceived to be the Nuclear Weapon State closest to disarmament.[13] Both have active and longstanding civil society communities that are essential for keeping disarmament on the public agenda. And both are searching for practical frameworks and actions that can be taken to demonstrate that progress can be made on the reduction of nuclear weapons worldwide. While several participants initially expressed considerable surprise that Japan might have a productive or meaningful conversation 'with a Nuclear Weapon State like the United Kingdom,' by the end of the meeting there had been, as one participant put it, 'a meeting of minds' that demonstrated a 'kind of affinity or closeness' between the two countries. The prospect of future collaboration between Japan and the United Kingdom, as well as other NWS and NNWS, was warmly received.

Endnotes

[1] 'Group of Eminent Persons for Substantive Advancement of Nuclear Disarmament,' *Ministry of Foreign Affairs of Japan*, 15 November 2018, <https://www.mofa.go.jp/dns/ac_d/page25e_000178.html>.

[2] Michael Barnett and Raymond Duvall, 'Power in International Politics,' *International Organisation* 59 (2005), p. 40.

[3] 'Legality of the Threat or Use of Nuclear Weapons,' *International Court of Justice*, 8 July 1996, p. 267, <<https://www.icj-cij.org/files/case-related/95/095-19960708-ADV-01-00-EN.pdf>>.

[4] *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT), Article VI.

[5] Mlada Bukovansky et al, *Special Responsibilities: Global Problems and American Power* (Cambridge: Cambridge University Press, 2012), p. 16.

[6] Matthew P. Anderson, 'NATO Nuclear Deterrence: The Warsaw Summit and Beyond' *Connections QJ* 15(4), 2016, p.16.

[7] It was noted that this cannot be the responsibility of the IAEA, because the North Korean programme is far more advanced than the Libyan or South African programmes, and that it is perceived by many in the Japanese Diet that there has not been sufficient public commitment from the United Kingdom or France to take part in such efforts.

[8] Maxwell Downman and Sebastian Brixey-Williams, *Leading by Example: Reforming UK Declaratory Policy* (London: BASIC, 2018).

[9] Jeffrey Lewis, 'If Japan Wanted to Build a Nuclear Bomb It'd Be Awesome at It,' *Foreign Affairs*, 26 June 2014, <<https://foreignpolicy.com/2014/06/26/if-japan-wanted-to-build-a-nuclear-bomb-itd-be-awesome-at-it/>>.

[10] Richard J. Samuels and James L Schoff, 'Japan's Nuclear Hedge: Beyond "Allergy" and Breakout,' *Political Science Quarterly* 130:3 (2015), p. 479.

[11] IAEA, Safeguards implementation in 2017, *Fact Sheet*, <<https://www.iaea.org/sites/default/files/18/04/sg-implementation-2017.pdf>>.

[12] It was noted that one way of doing this is by fostering bilateral and multilateral dialogue between NWS and NNWS, as has been done by the Group of Eminent Persons.

[13] Maria Rost Rublee, 'The Nuclear Threshold States,' *The Nonproliferation Review* 17(1), 2010, p. 59; William Walker, 'The UK, threshold status and responsible nuclear sovereignty,' *International Affairs* 86(2), 2010, p. 447.

- BASIC is an independent think tank promoting innovative ideas and international dialogue on nuclear disarmament, arms control, and nonproliferation. Since 1987, we've been at the forefront of global efforts to build trust and consensus on some of the world's most progressive global peace and security initiatives.
- The ICCS, based in the School of Government and Society at the University of Birmingham, adopts a multi-disciplinary approach to global security challenges to create innovative research, education, and training in conflict and cooperation in world politics.

**The British American Security
Information Council (BASIC)**

17 Oval Way
London
SE11 5RR

**The Institute for Conflict, Cooperation
and Security (ICCS)**

Edgbaston
Birmingham
B15 2TT
