

To: Mr. Fumio Kishida,
Minister for Foreign Affairs, Japan

Re: Appeal and Questions regarding the Japan-India Civil Nuclear Cooperation Agreement

From: Friends of the Earth Japan
Citizens' Nuclear Information Center
Japan Congress against A- and H-Bombs
Green Action
No Nukes World Social Forum 2016, Japan Preparation Committee
ZENKO
Osaka Citizens against the Mihama, Oi and Takahama Nuclear Power Plants
No Nukes Asia Forum Japan
Peace Boat
Peace Depot
Civic Action against ODA and Export of Nuclear Technologies/COA-NET
"No to War Support" Kansai Network
Stop the Monju
No Nukes Plaza tanpoposya
Stop Nuclear Power Plants, Kansai Network
Wakasa Solidarity Action Network

It has been reported that the Japan-India Nuclear Cooperation Agreement will be signed during Prime Minister Shinzo Abe's planned visit to India in December this year. However, we are very concerned that Japan, which has repeatedly called for nuclear abolition and has suffered severe radiation damage (*hibaku*), signing a nuclear agreement with India and exporting nuclear technology, will have a lethal influence on Japanese and global efforts towards nuclear abolition.

Furthermore, the horrific accidents at Three Mile Island in 1979, at Chernobyl in 1986 and then repeated at Fukushima Daiichi in 2011, show beyond a doubt the danger that nuclear power plants can cause catastrophic damage to human beings and the environment. Despite this, we are extremely concerned that the Government of Japan is pushing for the export of nuclear power plants and technology to various countries. If there is an accident, Japan will be held responsible.

Demand: Do not sign the Japan-India Nuclear Cooperation Agreement

From this position, we would like to ask the following questions:

- 1) Your assessment of the limits imposed on nuclear cooperation with India:

a) In 1974, India conducted nuclear explosions and as a response to this, the Nuclear Supplier's Group was established, cutting off nuclear cooperation to India from other countries. This meant that India could no longer import nuclear-related equipment and technology and depended solely on its indigenous efforts. Because of these sanctions, India's nuclear program was delayed, as we can see, for example, in a report India submitted to the IAEA in 1984.

India's nuclear related technology was also delayed. For example, most of India's nuclear reactors are pressurized heavy water (PHW) types with capacity of around 200,000kW, but in Canada, PHW reactors with capacity of 600,000kW were in use in the 1970s.

It would seem that the sanctions imposed on India at this time were effective to some degree. How does the Government of Japan assess these sanctions?

b) In 1998 both India and Pakistan conducted nuclear tests. The UN Security Council unanimously adopted a resolution (no. 1172, jointly submitted by Japan, Sweden, Costa Rica and the Republic of Slovenia) condemning both countries for conducting the tests. Paragraph 8 of this resolution states:

(The Security Council) Encourages all States to prevent the export of equipment, materials or technology that could in any way assist programmes in India or Pakistan for nuclear weapons or for ballistic missiles capable of delivering such weapons, and welcomes national policies adopted and declared in this respect.

Japan also imposed economic sanctions on both countries, stopping all new grant aid and yen loans. These sanctions were lifted after the 9.11 terrorist attacks in 2001. Even though India has been maintaining a self-imposed moratorium on nuclear tests, it is a country that possesses nuclear weapons and has still not joined the NPT or CTBT. Moreover, it is modernizing its weapons and continues to develop ballistic missiles capable of delivering nuclear weapons.

How does the Government of Japan assess the imposing and the lifting of the economic sanctions?

2. Your assessment of the IAEA Safeguards Agreement:

a) The Additional Protocol on Safeguards signed in 2014 between India and IAEA (INFCIRC/754/Add.6) is of the INFCIRC/66 type and is additional protocol for INFCIRC/754). Complementary access is not allowed. Moreover, there are many reactors which do not come under the IAEA safeguards and production of fission products in reactors designated for military use continues to remain possible and is actually being produced.

What is the Government of Japan's assessment of this protocol?

b) Multiple nuclear facilities do not come under IAEA safeguards. As well, the status of some facilities may change temporarily from being not subject to inspections to being subject to them. It would seem that the line between military and civilian nuclear facilities in India is extremely hazy. **If the Agreement is signed, how does the Japanese Government propose to prevent Japanese nuclear equipment and materials from being used for military purposes?**

3. On your assessment of investigating nuclear cooperation with India

a) Assessing the Agreement negotiations with India from the point of hibaku Japan.

2015 marks the 70th year since the nuclear bombing of Hiroshima and Nagasaki. During these 70 years, massive numbers of people have called for a world free of nuclear weapons. However, nuclear weapons states have increased from 3 (US, UK, Canada) in 1945, to 9 (US, UK, France, Russia, China, Israel, India, Pakistan, North Korea) at present. India, Pakistan, North Korea and Israel have not joined the NPT, which is the basis of non-proliferation.

Japan is now negotiating a Nuclear Cooperation Agreement with India, a nuclear weapons state but India has stated unequivocally that it will not join the NPT or the CTBT. Even negotiating a nuclear cooperation agreement with a country which has this stance means that *hibaku* Japan could be said to be strengthening India's position as a nuclear weapon's state.

What is the Japanese Government's understanding of this point?

b) Assessing the ripple effect of a nuclear cooperation agreement with India

If an exception is made for India and the agreement is signed, then other countries which have nuclear weapons and are not NPT members such as Pakistan, Israel and North Korea may also demand the same treatment.

How does the Government of Japan propose to stop this ripple effect?

c) Assessing the agreement negotiations with India in light of the failure of the NPT Review Conference to reach consensus on a final declaration

It is very unfortunate that the NPT Review Conference was unable to reach consensus regarding the final declaration. As the Ministry of Foreign Affairs has stated: 'It cannot be denied that the international nuclear disarmament and non-proliferation system, embodied by the NPT, has been dealt a serious blow.'

The Japanese Government also annually submits the following to the UN General Assembly, First Committee regarding 'United action towards the total elimination of nuclear weapons':

(The UN General Assembly) reaffirms the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons 1 as the cornerstone of the international nuclear nonproliferation regime

and an essential foundation for the pursuit of the three pillars of the Treaty, namely, nuclear disarmament, nuclear non-proliferation and the peaceful uses of nuclear energy.

As the NPT system is being weakened, and as Japan proposes that the crucial importance of the NPT must be reaffirmed, how does the Japanese Government reconcile negotiating a nuclear cooperation agreement with India, a nuclear weapons state which is not a member of the NPT?

d) How should India be convinced to join the NPT/CTBT?

We reiterate that India has not signed the NPT nor the CTBT which are the cornerstone of international disarmament and non-proliferation. However, when Indian Prime Minister Narendra Modi visited Japan last September, Paragraph 20 of the Tokyo Declaration for Japan-India Special Strategic and Global Partnership declares:

Prime Minister Abe commended India's efforts in the field of non-proliferation including the affirmation that goods and technologies transferred from Japan would not be used for delivery systems for WMD.

At India/Japan bilateral summits up until now, common commitment for total elimination of nuclear weapons and the necessity of the early signing of the CTBT was included in statements.

Undoubtedly India is making efforts towards non-proliferation and is committed to a self-imposed moratorium on nuclear testing. However, if India does not join the NPT or the CTBT, then this is nothing more than self-action, which could be reversed at any time the international environment changes.

How does the Government of Japan propose to convince India to sign the NPT and the CTBT?

e) Assessing the increased pressure for nuclear militarization in the South Asia region if the India-Japan Nuclear Cooperation Agreement is signed

India has not stopped production of plutonium for its nuclear weapons. In the period when India was unable to receive international nuclear-related support, indigenous uranium, low in quality and quantity, had to be divided between military and civilian uses. But now that it has become possible for India to import uranium, its indigenous uranium can be used for military purposes in its entirety.

Military tension is building in South Asia, with research showing that neighboring Pakistan will possess 220-250 nuclear weapons in 2025 compared to 110-130 in 2011.

Under these circumstances, it would seem that Japan negotiating a nuclear cooperation agreement with India will only exacerbate the nuclear arms race in South Asia. **How does the Government of Japan propose to break through this situation?**