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New stakeholders and new approaches as humanitarian voices grow stronger

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The rise of the humanitarian approach

Since the 2010 presidential statement of the International Committee of the Red Cross (ICRC), the humanitarian aspects of nuclear weapons have been increasingly highlighted in international debates. The International Red Cross and Red Crescent Movement adopted resolutions on "working towards the elimination of nuclear weapons" in 2011 and 2013, along with a four-year action plan. The Final Document of the 2010 Nuclear Non-Proliferation Treaty (NPT) Review Conference expressed "its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons," also noting UN Secretary-General Ban Ki-moon's proposal for "consideration of negotiations on a nuclear weapons convention." Recent studies by internationally recognized scientific experts have also investigated the human, environmental and social impacts which would occur if a nuclear weapon were to be used today. This research includes models which show the climate change which would be caused on a global scale if a regional nuclear war in, for example, South Asia were to take place, which could lead to a "nuclear famine" putting the lives of more than two billion people in jeopardy.[1]

The humanitarian dimensions of nuclear weapons are now recognized as a major issue on the international disarmament agenda.

There are two particular developments in recent years in relation to this trend. The first of these is the joint statements by governments on the inhumanity of nuclear weapons, while the second is international conferences being held on the humanitarian impact of

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1 The International Physicians for the Prevention of Nuclear War (IPPNW), *Nuclear Famine: Two Billion People at Risk?* http://www.ippnw.org/nuclear-famine.html

nuclear weapons.

The joint statements have been led since 2012 by countries such as Switzerland, South Africa and New Zealand, and the numbers of countries signing on have increased from 16 to 35, 80, and most recently, 125 states. Japan initially refused to join these statements, due to its objection to the phrase that "nuclear weapons are never used again, under any circumstances." However, following much domestic and international criticism, including from mayors and citizens of the atomic bombed cities of Hiroshima and Nagasaki, the Japanese Government for the first time supported such a statement in October 2013.

The first of the international conferences was held in March of 2013 in Oslo, Norway, with the participation of 127 states. This was followed by a second conference convened in Nayarit, Mexico in February 2014, with the participation of 146 states. These conferences thoroughly and scientifically discussed the health, environmental and social consequences which would follow any use of nuclear weapons, clearly proving the impossibility of any kind of sufficient humanitarian response to such a situation as a nuclear war. Furthermore, discussions on the use of nuclear weapons were not limited to deliberate use in the context of war, but also included considerations of risks of accidental use, accidents or cyber attacks. A Hibakusha Session of over one hour was held at the opening of the Nayarit conference, with atomic bomb survivors from Hiroshima and Nagasaki giving testimony, followed also by appeals regarding the effects of nuclear testing by the Marshall Islands and Kazakhstan. This session and the opportunity to hear these experiences directly had a significant effect on all those present.

New actors driving the humanitarian movement

The increasing debate on the humanitarian aspects of nuclear weapons is accompanied by significant changes in actors and approaches worldwide, three of which I will now outline.

The first is that new entities that had not always been active in traditional disarmament work, such as humanitarian, human rights, environmental and development

organizations, now play much greater roles. The fact that the politically neutral Red Cross is taking on a central role in the debate on nuclear weapons also enables a shift in the debate, from discussion of arms control based on military balance between states to a broader debate with participation of civil society.

The second point is that victims of nuclear weapons, including Hiroshima and Nagasaki survivors and victims of nuclear testing and other stages of the nuclear weapons cycle around the world, are putting forward both moral and scientific cases regarding the unacceptable harm caused by nuclear weapons. They are also joined by medical experts and scientists. The debate on the impact of nuclear weapons is broad, from scenarios of deliberate use to potential accidents. The nuclear tragedy which has been repeated throughout history, whether rooted in the military use of nuclear weapons or the civilian use of nuclear power, is being dealt with as an important experience from which to learn.

The case of the Fukushima nuclear disaster taught Japan that it had until then been caught up in a "nuclear power safety myth." The existence of the "nuclear village," the closed, corrupt interests who systematically created this myth, has also become clear since the disaster. This can also be said for the theory of deterrence, in which the potential use of nuclear weapons is held up as the way to stop them from actually being used, If we wait until this myth of nuclear weapons has been broken, then it will be already too late.

And third is that the role of non-traditional media, including social media, is becoming increasingly crucial as a tool to raise public awareness and mobilize political voices across generations and national borders. The International Campaign to Abolish Nuclear Weapons (ICAN) has experienced the successful role of utilizing short videos shared on social media such as Facebook and Twitter, rather than the traditional complicated expert theses or long literature and films, to convey the real and current threat posed by nuclear weapons. Social media has also been able to realize exchange on the grassroots level even in regions with tensions such as the Middle East, home to Israel and Iran, as steps towards breaking through the nuclear arms race and the cycle of violence.

Following on from the Oslo and Nayarit conferences, the third conference on the humanitarian aspects on nuclear weapons will be held in Vienna, Austria by the end of 2014. The two previous conferences already thoroughly discussed the inhumane nature of nuclear weapons. The call is now for the Vienna conference to make the next step, shifting the focus of debate to actions which can be taken to prevent such humanitarian consequences. It is hoped that the upcoming Vienna conference will make concrete progress towards a global treaty to ban nuclear weapons. ICAN, a network made up of more than 300 organizations in nearly 90 countries around the world, is strongly supporting this process from the position of civil society.

Is the humanitarian approach naïve?

Some remain cynical towards these new actors because of a perceived lack of any official decision-making powers. However, this trend is in fact putting a much larger responsibility on policy-makers and military strategists, by making them accountable to global and humanitarian concerns. Nuclear-armed states, including the United States, are being increasingly obliged to publicize how "defensive" and "limited" their nuclear postures are, and to be clearly in line with international laws relating to war and other international instruments such as the 1996 Advisory Opinion of the International Court of Justice (ICJ).[2] Both nuclear-armed states and their allies are being asked to explain how they are working towards reducing the role of nuclear weapons in their security policies.

In Japan, Foreign Minister Fumio Kishida gave a policy speech in Nagasaki in January 2014, stating that the use of nuclear weapons should be "limited to extreme circumstances defined by the right to individual and collective self-defense." This brought about strong criticism from Hibakusha, perceiving this as an acceptance of the use of nuclear weapons.[3] However, the Japanese Government has for many decades until now supported policy including the first use of nuclear weapons. Considering this,

2 The US Nuclear Employment Strategy released in June 2013 sates that its nuclear weapons plans are "consistent with the fundamental principles of the Law of Armed Conflict" and will not "intentionally target civilian populations or civilian objects."

3 Kyosuke Yamamoto, "Foreign minister under fire in Nagasaki for comment on nuclear weapons," Asahi Shimbun, January 22, 2014 http://ajw.asahi.com/article/behind_news/AJ201401220044 Full text of Foreign Minister Kishida's remarks is available at:http://www.mofa.go.jp/mofaj/files/000028597.pdf

the fact that such public statements regarding the reduction of the role of nuclear weapons were made at this stage can be seen as an effect of the increasing debate on the humanitarian aspects of nuclear weapons. That being said, the contradiction of Japan's appealing about the inhumanity of nuclear weapons while at the same time having a policy which could actually seek the use of such inhumane weapons, indicates a deep divergence between public opinion and the Government's security policy. It is important to maintain ongoing dialogue within Japan on this issue. The Ministerial Meeting of the Non-Proliferation and Disarmament Initiative (NPDI) to be held in Hiroshima on April 11-12, 2014, will be one such opportunity.

Below I will pick up some other major criticisms against the humanitarian approach, and attempt to respond to them.

The humanitarian approach is an idealism about "why" nuclear weapons should be abolished, but lacks realism of "how" to achieve this goal?

This is not correct. The humanitarian approach deals with the questions not only of "why," but also of "how." For example, recent studies on the global climate change which would be brought about by a "limited" nuclear war show that any nuclear-weapons catastrophe would be on a global scale. Global response and preparedness are necessary. Traditional arms control and disarmament have taken nation-based approaches, pursuing "national security." However, the destructive and contaminative power of nuclear weapons would be much more far-reaching than a scope that any state can control by themselves in realistic terms. The humanitarian approach instead advocates for global regulation of such uncontrollable weapons, in a realistic and responsible manner and as a matter of urgency.

A nuclear ban treaty without engaging nuclear-armed states would be meaningless?

Nuclear-armed states' participation in negotiations for a global treaty to ban nuclear weapons, or a nuclear ban treaty, is encouraged, but is not a necessary condition. A basic treaty to ban nuclear weapons can be initiated and even concluded by nuclear-free states only. It would establish a strong international legal norm against any use and development of, or new attempts to acquire, nuclear weapons. It is feasible for nuclear-armed states to not join such a treaty in its early stage, as it would still have a de facto

power of restricting the behavior of nuclear-armed states. This is shown in how the 1996 Comprehensive Nuclear-Test Ban Treaty (CTBT) has significantly helped to establish a de facto global moratorium of nuclear testing, despite the continued reluctance of some nuclear powers to ratify it. Existing examples of the treaties on landmines and cluster munitions have also demonstrated that such humanitarian disarmament treaties have a practical impact of restricting the governments and the military of those armed-states, as well as the industries, even without direct participation of those states in the treaties.

Anti-proliferation effects of a global nuclear ban treaty should also be noted. The NPT is simply a scheme in which a handful of "haves" impose upon others not to have. As the 2006 Weapons of Mass Destruction Commission Report rightly pointed out, "so long as any state has such weapons – especially nuclear arms – others will want them." The lack of progress on the side of nuclear-weapon states with regard to their disarmament obligations under Article VI of the NPT has triggered counter actions by non-nuclear-weapon states. In 2003, North Korea declared its withdrawal from the NPT, accusing the US of hostile policy and the International Atomic Energy Agency of "unfairness" in being soft on the nuclear-states and severe on the non-nuclear states. The potential nuclear race in the Middle East is ongoing, as opposed to the continued international inaction on Israeli nuclear weapons. Moves to acquire new nuclear weapons can come up in the logic of resistance against existing nuclear powers. Establishing a global treaty to ban nuclear weapons, in whosoever hands they might be, would prevent such logic of self-justification of proliferation from prevailing.

Nuclear-armed states' participation in the scheme of a global nuclear ban would be necessary when it comes to the stage of providing concrete dismantling processes and ways to maintain a nuclear-weapon-free world through verification and enforcement. The model Nuclear Weapons Convention (MNWC) drafted in 1996 and updated in 2007 provides a good basis to start that part of the discussion. However, given the increasing international momentum of the humanitarian approach, it would be more realistically beneficial to advance the trend by going for a basic ban treaty first, avoiding getting stalled in detailed technical discussions of dismantlement and verification, which may be used by nuclear-armed states to spoil the process.

Completing all the technical and legal provisions on those aspects would be far-reaching and take time, based on the experiences of the Chemical Weapons Convention (CWC). In view of those discussions coming at later stage, starting a process to a basic ban treaty right now even without nuclear-armed states would not only be timely, but also help solve present risks of horizontal and vertical proliferation.

Conclusion

In conclusion, the humanitarian voices calling for a ban on nuclear weapons are indeed succeeding in having a concrete impact on the process towards achieving such a global treaty, by devaluing the weapons themselves. Civil society has played and will continue to play a major role in the process.