

October 16, 1969

**Disarmament Office, United Nations Bureau,
Japanese Foreign Ministry, 'How Our Claim was
Incorporated into the Nuclear Non-Proliferation
Treaty**

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Summary:

The Japanese Foreign Ministry outlines areas of where Japan's views and positions are evident in the final text of the NPT, including the sections on disarmament, the security of non-nuclear weapon states, the peaceful uses of nuclear energy, and procedural issues.

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 追加の部の内
 6号

わが国の主張はいかに核兵器不
 拡散条約にとり入れられたか

昭44/0/16
 国連局軍縮室

核兵器不拡散条約は、長期にわたる交渉の末
 昨年7月1日署名のために開放されたが、わが
 国はこの条約の重要性にかんがみ、わが国の見
 解が条約中に反映されるよう累次にわたり活発
 に米ソ働きかけた結果、わが国の主張は次のとおり
 概ね条約中にとり入れられた。

1. 軍縮^{手続}

まず軍縮については、わが国は、核兵器国
 が軍縮・就中核軍縮に向つて努力するとの意
 図を明確にすべきであると主張し(注1)、
 特に条約本文に、「当事国は、核兵器及びこ
 れらの運搬手段の貯蔵廃棄を含め、嚴重なか
 つ効果的な国際管理の下における全面完全軍
 縮条約に到達するため出来るだけ努力するこ
 とを約束する」旨の1条を挿入するよう米ソ
 に申入れた(注2)。その後各国からも軍縮

(Faint handwritten Japanese text, likely bleed-through from the reverse side)

2. 非核兵器国の安全保障

(1) 非核兵器国の安全保障については、わが国は、国連決議等の方式により非核兵器国の安全保障を確保する措置をとるべきである旨米ソに申し入れた(注3)。これに対し、米ソ英3国は非核兵器国の安全保障に関する宣言を行ない、3国の提案による国連安保理決議(255)が採択された。

(2) さらに1968年春の国連再開総会でわが国は、各国が国連憲章に規定される諸原則に違反するような方法により核兵器を使用することあるいは使用すると威嚇を行なうことを慎むよう主張したが、米ソは、わが国の考えを取入れたメキシコの案文を採用し、武力不行使に関する前文第1・2項を追加した。

(3) わが国は、(1)条約が、日米安保条約の機能を阻害する規定を言むものであつてはならない(注4)、(1)「日米安保条約の如き

3. 原子力平和利用

(1) 平和利用一般

わが国は、(1)この条約が原子力平和利用の分野における締約国の活動をいささかも阻害することがあつてはならず、右規定を条約主文中に設けるべきである(注7)、(2)条約の締約国は原子力を人類の福祉と繁栄のため積極的に活用するようお互いに協力すべきであり、また、この条約が原子力平和利用の分野における締約国の活動をいささかも阻害することがあつてはならないと考えるので、この趣旨の規定を主文中に設けるべきである(注8)、旨米国に申入れた。

この結果、条約の前文及び第4条でこの趣旨の規定が設けられたが、その後更に第4条第2項が設けられ、国際協力の規定が強化された。

(2) 保障措置

爆発装置には適用されない」との規定を条約主文中に設けるべきである（注ノ2）旨米国に主張したが、次いで、同核爆発の平和的応用から生ずる潜在的利益を無差別の原則にもとづいて当事国である非核兵器国に提供するための国際的手続についてできるだけ速やかに取決めを締結する必要がある（注ノ3）、旨米国に申入れた。軍縮委に当初提出された条約案の前文では「核爆発の平和的応用から生ずる潜在的利益は、非核兵器国に対し、適正な国際手続を通じ、無差別の原則に基づいて提供されるべきであり、かつ、使用される爆発装置について非核兵器国が負担すべき費用は、できる限り低額であり、また、研究及び開発の経費が除かれるべきであるとの意図を宣言」していたが、この規定はその後メキシコ等の主張により主文第5条に移された上、「……除かれるべきであるとの意図を宣言し」が

賛成を要することを規定している。

(3) 条約からの脱退

わが国は、異常な事態が締約国の至高の利益を害するに至つたときは、締約国が条約から脱退する権利を認めるべきである旨主張したが（注18）、かかる脱退の権利は条約中に規定された。

注15. (i) 1966年12月28日、武内駐米大使よりフォスター米軍縮庁長官に、(ii) 1967年1月7日、三木大臣よりジョンソン駐日米大使に、(iii) 同2月13日、武内駐米大使よりフォスター米軍縮庁長官に、(iv) 同4月10日、三木大臣よりジョンソン駐日米大使に、(v) 同4月17日、大野特使よりフォスター米軍縮庁長官に、それぞれ申入れ。

注16. (i) 1967年9月16日、青木、田中両大使より、米フィッシャー軍縮庁次長に、(ii) 同9月18日、青木、田中両大使よりソ連ロンチン代表に、それぞれ申し入れ。

注17. (i) 1967年1月7日三木大臣よりジョンソン駐日米大使に、(ii) 同2月

How Our Claim was Incorporated into the Nuclear Non-Proliferation Treaty

1969.10.16

Office of Disarmament Affairs of the United Nations Bureau□□□□□□

The Nuclear Non-Proliferation Treaty was opened for signature on July 1 last year after a long period of negotiations. In view of the importance of the treaty, Japan has actively worked on the United States and the Soviet Union to ensure that Japan's views are reflected in the treaty. As a result, Japan's arguments have mostly been incorporated into the treaty as follows:

1. Disarmament

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With regard to disarmament, Japan argued that nuclear weapons states should make clear their intentions to make efforts toward disarmament, especially the nuclear disarmament (Note 1). In particular, in the main text of the treaty, Japan requested the United States and the Soviet Union to include an article to the effect that "the parties thereto promise to make every effort to reach a treaty of general and complete disarmament, including the disposal of the storage of nuclear weapons and their delivery system under strict and effective international control." (Note 2) Subsequently, since other countries also insisted on establishing provisions on disarmament, the United States and the Soviet Union have added Article VI to the effect that the parties thereto promise to pursue negotiations in good faith relating to cessation of the nuclear arms race, nuclear disarmament, and a treaty on general and complete disarmament.

Note 1. (i) on December 28, 1966, from Ambassador to the United States Takeuchi to the Director of the Arms Control and Disarmament Agency Foster, (ii) on February 13, 1967, from Ambassador to the United States Takeuchi to the Director-General of the Arms Control and Disarmament Agency Foster, (iii) on April 10, 1967, from Minister Miki to U.S. Ambassador to Japan Johnson, (iv) on April 17, 1967, from Special Envoy Ono to the Director-General of the Arms Control and Disarmament Agency Foster, requested respectively.

Note 2. (i) on April 10, 1967, from Minister Miki to U.S. Ambassador to Japan Johnson, (ii) on September 16, 1967, from Ambassadors Aoki and Tanaka to the Deputy Director of the Arms Control and Disarmament Agency Fisher, (iii) on September 18, 1967, from Ambassadors Aoki and Tanaka to the Soviet Union Representative Roshehin, requested respectively.

2. Security of the non-nuclear weapons states

(1) With regard to the security of non-nuclear weapons states, Japan proposed to the United States and the Soviet Union that measures should be taken to ensure the security of non-nuclear weapons states in the forms such as UN resolutions (Note 3). In this regard, the United States, the Soviet Union, and the United Kingdom issued a declaration on the security of non-nuclear weapons states, and the United Nations Security Council resolution (255), proposed by the three countries, was adopted.

(2) Furthermore, at the resumed session of the United Nations General Assembly in the spring of 1968, Japan insisted states to refrain from using or threatening to use nuclear weapons in such a way that violates the principles of the U.N. Charter. The United States and the Soviet Union adopted the Mexican draft, which took our view into account, and added paragraph 12 of the preamble on non-use of force.

(3) Japan requested to the U.S. that (a) the Treaty shall not contain provisions that hinder the functioning of the Japan-U.S. security treaty (Note 4), (b) The point that “the functioning of collective security arrangements, such as the Japan-U.S. security treaty, shall not be impaired by any provision in the Treaty” be dealt with to our satisfaction (Note 5), and (c) the Treaty shall not prejudice or impair existing collective security arrangements (Note 6). Japan’s claim turned out to be accepted since the functions of the Japan-U.S. security treaty is not hampered under the Non-proliferation Treaty.

Note 3. (i) on January 7, 1967, from Minister Miki to U.S. Ambassador to Japan Johnson, (ii) on April 10, 1967, from Minister Miki to U.S. Ambassador to Japan Johnson, (iii) on April 17, 1967, from Special Envoy Ono to the Director of the Arms Control and Disarmament Agency Foster, (iv) on September 16, 1967, from Ambassadors Aoki and Tanaka to the Deputy Director of the Arms Control and Disarmament Agency Fisher, (v) on September 18, 1967, from Ambassadors Aoki and Tanaka to the Soviet Union Representative Roshehin, requested respectively.

Note 4. On December 28, 1966, Ambassador to the United States Takeuchi made a request to the Director-General of the Arms Control and Disarmament Agency Foster.

Note 5. On January 7, 1967, Minister Miki made a request to the U.S. Ambassador to Japan Johnson.

Note 6. On February 13, 1967, Ambassador to the United States Takeuchi made a request to the Director-General of the Arms Control and Disarmament Agency Foster.

3. Peaceful use of nuclear energy

(1) Peaceful use in general

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Japan suggested to the United States that (a) the Treaty must not hinder the activities of the parties in the field of peaceful use of nuclear energy, and such regulation should be included in the main text of the Treaty (Note 7); (b) since Japan think that the parties to the Treaty should cooperate with each other to actively utilize nuclear energy for the welfare and prosperity of the humankind, and the Treaty must not hinder the activities of the parties in the field of peaceful use of nuclear energy, the parties to the Treaty should provide provisions to this effect in its main text (Note 8).

As a result, provisions to this effect were established in the preamble of the Treaty and Article IV. In addition, Paragraph 2 of Article IV was established to strengthen the provisions of international cooperation.

(2) Safeguards

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Regarding safeguards for the peaceful use of nuclear energy, we proposed to the United States and the Soviet Union that (a) safeguards should also be accepted by nuclear weapons states (Note 9); (b) safeguards should be limited to raw and special fissile materials, while facilities should be excluded (Note 10); (c) safeguards should be implemented in such a way as not to impede the economic and technological development of the recipient countries (Note 11).

Although (a) was not adopted due to the Soviet Union's stubborn refusal, the United States and the United Kingdom announced, in December 1967, that they would voluntarily accept safeguards for their nuclear activities except for those related to national security. (b) and (c) was adopted.

(3) Peaceful use of nuclear explosions

With regard to the peaceful use of nuclear explosions, Japan initially argued to the United States that (a) "the prohibitions under Articles I and II shall not apply to nuclear explosive devices if nuclear explosive devices can be distinguished from nuclear weapons" (Note 12). Then, Japan also requested the United States to (b) promptly conclude international procedures for providing non-nuclear weapons states with the potential benefits arising from the peaceful application of nuclear explosions based on the principle of non-discrimination (Note 13). The preamble to the Treaty originally submitted to the Disarmament Commission stated that "the potential benefits from the peaceful application of nuclear explosions should be provided to non-nuclear weapons states, through due international process, on the principle of non-discrimination. Regarding the costs incurred by the explosive devices, share of non-nuclear weapons states should be as low as possible while the costs of research and development should be excluded." This provision was subsequently transferred to Article V of the main text at the request of Mexico and other countries, and changed from "declare the intention that ... should be excluded" to "... the parties promise to take appropriate measures to ensure that... is excluded." In addition, a statement was added at the resumed General Assembly of the United Nations to the effect that "negotiations for such arrangements must be initiated as soon as possible after the Treaty enters into force."

Although (a) was not included in the Treaty, Representative Tsuruoka made a statement to this effect as an interpretation of the treaty at the resumed UN General Assembly, and (b) was mostly adopted in the Treaty.

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Note 7. On April 10, 1969, Minister Miki made a request to the U.S. Ambassador to Japan Johnson.

Note 8. On April 17, 1967, Special Envoy Ono made a request to Director of the U.S. Arms Control and Disarmament Agency Foster.

Note 9. (i) on April 10, 1967, from Minister Miki to U.S. Ambassador to Japan Johnson, (ii) on April 17, 1967, from Special Envoy Ono to the Director of the Arms Control and Disarmament Agency Foster, (iii) on September 16, 1967, from Ambassadors Aoki and Tanaka to the Deputy Director of the Arms Control and Disarmament Agency Fisher, (iv) on September 18, 1967, from Ambassadors Aoki and Tanaka to the Soviet Union Representative Roshehin, requested respectively. (v) on May 10, 1968, Representative Tsuruoka made a similar statement at the United Nations General Assembly First Committee

Note 10. (i) On September 16, 1967, from Ambassadors Aoki and Tanaka to the Deputy Director of the Arms Control and Disarmament Agency Fisher, (ii) on September 18, 1967, from Ambassadors Aoki and Tanaka to the Soviet Union Representative Roshehin, requested respectively.

Note 11. (i) On September 16, 1967, from Ambassadors Aoki and Tanaka to the Deputy Director of the Arms Control and Disarmament Agency Fisher, and (ii) on September 18, 1967, from Ambassadors Aoki and Tanaka to the Soviet Union Representative Roshehin, requested respectively.

Note 12. On April 10, 1967, Minister Miki made a request to the U.S. Ambassador to Japan Johnson.

Note 13. On April 17, 1967, Special Envoy Ono made a request to Director-General of the U.S. Disarmament Agency Foster.

4. Procedural matters

(1) Review meeting

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With regard to the necessity of holding regular review meetings, Japan has repeatedly requested the United States since the beginning (Note 15). Following the submission of a draft treaty stipulating that review meetings should be held only five years after the entry into force of the treaty, we asked both the United States and the Soviet Union to establish a provision to the effect that "the meeting shall be held not only five years after the entry into force of the Treaty but also every five years after the entry into force of the Treaty if the majority of the parties hope to do so." (Note 16) Afterward, Sweden and others made similar claims and such provision was adopted.

(2) Amendments of the Treaty

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Japan had argued that amendments to the Treaty should be made by the consent of a certain number of parties and should not be granted privileges only to nuclear-weapons states (Note 17). As a result, the Treaty stipulates that the amendment requires approval by a majority of the member states, including nuclear weapons states and IAEA governors (including Japan).

(3) Withdrawal from the Treaty

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Japan insisted that if an extraordinary circumstance has jeopardized its supreme interests, a party should be granted the right to withdraw from the Treaty (Note 18). The right to withdraw is stipulated in the Treaty.

Note 15. (i) on December 28, 1966, from Ambassador to the United States Takeuchi, to the Director of the Arms Control and Disarmament Agency Foster, (ii) on January 7, 1967, from Minister Miki to U.S. Ambassador to Japan Johnson, (iii) on February 13, 1967, from Ambassador to the United States Takeuchi, to the Director-General of the Arms Control and Disarmament Agency Foster, (iv) on April 10, 1967, from Minister Miki to U.S. Ambassador to Japan Johnson, (v) on April 17, 1967, from Special Envoy Ono to the Director of the Arms Control and Disarmament Agency Foster, requested respectively.

Note 16. (i) on September 16, 1967, from Ambassadors Aoki and Tanaka to the Deputy Director of the Arms Control and Disarmament Agency Fisher, (ii) on September 18, 1967, from Ambassadors Aoki and Tanaka to the Soviet Union Representative Roshehin, requested respectively.

Note 17. (i) on January 7, 1967, from Minister Miki to U.S. Ambassador to Japan Johnson, (ii) on February 13, 1967, from Ambassador to the United States Takeuchi, to the Director of the Arms Control and Disarmament Agency Foster, requested respectively.

Note 18. On February 13, 1967, Ambassador Takeuchi made a request to the Director of the Arms Control and Disarmament Agency Foster.

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5. As mentioned above, all of Japan's arguments have been adopted except for the indiscriminate application of safeguards to the peaceful use of nuclear energy. In addition, even regarding the indiscriminate application of safeguards, Japan's argument made considerable success since the United States and Britain declared that they would voluntarily accept safeguards for their nuclear activities except those related to national security.