

Final report due on non-proliferation and disarmament

The 3rd Non-Proliferation and Disarmament Conference meets in New York

Participants in the third meeting of the Tokyo Forum for Nuclear Non-Proliferation and Disarmament pledged anew their commitment to drawing up a final report that would appeal not only to governments and international organizations, but also to non-governmental organizations and the world's citizens. The meeting, which was held on April 9 and 10, 1999, at the Pocantico Conference Center of the Rockefeller Brothers Fund, in Tarrytown, New York, was attended by 21 representatives from 17 countries. They plan to adopt the Final Report at the end of the fourth and final meeting, due to be held in Tokyo from July 23 to 25, 1999.

Participants pointed out that the international situation regarding nuclear proliferation had improved little since 1996—when the Canberra Commission on the Elimination of Nuclear Weapons drew up its report—citing the nuclear tests conducted by India and Pakistan in May 1998. It was also pointed out that communists and nationalists in Ukraine and Belarus, which had abandoned nuclear weapons, were insisting on the redeployment of nuclear weapons. The forum said that such sentiments, which had arisen as a result of the start of NATO's air strikes against Yugoslavia, ran counter to the current non-proliferation regime.

They agreed that, under such circumstances, the Final Report should be forward-looking and focused, rather than comprehensive and broad. It should appeal not only to governments and multilateral institutions such as the United Nations, but also to individual citizens and NGOs. They also agreed to state the opinions of the majority and minority in cases where opinion was divided.

It was also stressed that nuclear non-proliferation in South Asia should be linked with global non-proliferation. Other proposals included a call for China to become involved in a three-way effort to eliminate the threat posed by ongoing tensions between India and Pakistan.

Regarding nuclear disarmament, the committee members discussed missile defenses, and the need for transparency in China's nuclear doctrine and to strengthen the role of the United Nations, as well as the importance of nuclear disarmament, leading to the ultimate goal of the abolition of nuclear weapons. However, many members said that abolishing nuclear weapons within a given time frame would be difficult given the current international situation. They urged that an environment conducive to nuclear disarmament and non-proliferation be established through the early conclusion of

START negotiations between Russia and the United States, which together possess most of the world's nuclear weapons, and other measures.

At a press conference held in New York after the meeting, Ambassador Nobuo Matsunaga, vice chairman of the Japan Institute of International Affairs and co-chairman of the forum, said: "The international situation has developed against a backdrop of nuclear disarmament since this forum was established in August 1998. Positive action is needed to promote further nuclear non-proliferation."

"For the report to be accepted by every government in the world, we would like to draw up one that is a step ahead of existing proposals."

At the end of the meeting, a committee to draft the Final Report was established, comprising seven members of the forum. At a meeting at the office of Japanese Delegation to the U.N. Conference on Disarmament in Geneva on May 27 and 28, the committee agreed to complete the draft by early July.

By Kazumi Mizumoto, associate professor at HPI

The drafting committee

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Feasibility, political appeal keys to Tokyo Forum report's success

Must address link between regional, global non-proliferation and disarmament

By Kazumi Mizumoto

Several reports on nuclear disarmament and the elimination of nuclear weapons have been published since the early 1990s when, with the end of the Cold War, it was expected that the United States and the Soviet Union—which in 1990 possessed 98 percent of the world's nuclear warheads—would make substantial progress toward disarmament. However, such optimism rapidly faded with the nuclear tests conducted May 1998 by India and Pakistan, and attempts by Iraq and other countries to clandestinely acquire nuclear weapons.

Under these circumstances, the Final Report, to be adopted at the fourth and final meeting in July 1999 of the Tokyo Forum for Nuclear Non-Proliferation and Disarmament, should echo the sentiments of those earlier reports. The Tokyo Forum was proposed by the Japanese government following the nuclear tests in South Asia.

Prior to the final meeting, I would like to clarify several unresolved issues relating to nuclear disarmament by comparing three existing reports.

An Evolving US Nuclear Posture, published in December 1995 by the Henry L. Stimson Center, proposed the reduction and elimination of nuclear weapons in four phases. The report stated that the only military role of nuclear weapons was as a deterrent against the threatened use of nuclear weapons by another state. The report also called for a post-Cold War reappraisal of the role of nuclear weapons.

It proposed that the United States and Soviet Union reduce their nuclear arsenals to 2,000 warheads each during Phase I; for all declared nuclear powers to reduce their warheads to several hundred each in Phase II; for declared and undeclared nuclear powers to reduce their warheads to less than 100 each in Phase III, and for all countries to eliminate all nuclear weapons in Phase IV. However, the report noted that outright elimination might never be achieved, and would take decades even if it were to happen.

The Report of the Canberra Commission on the Elimination of Nuclear Weapons, published in August 1996, also called for the elimination of all nuclear weapons through phased, verified reduction. The report said the only military utility that remained for nuclear weapons was in deterring their use by others.

The report proposed that nuclear warheads be reduced to 2,000 each by the United States and Russia, and then to about 100 warheads each by all nuclear weapon states. At the same time, it recommended such steps as taking nuclear forces off alert, removing warheads from delivery vehicles, and ending the deployment of non-strategic nuclear weapons. It also called for measures to prevent further horizontal proliferation, the development of verification arrangements, and the cessation of the production of fissile material for nuclear explosives.

In addition, it referred to the use of further U.S.-Russian bilateral agreements, the Comprehensive Test Ban Treaty (CTBT) and a cut-off convention, as well as any no-first-use treaty as possible legal arrangements for the total elimination of nuclear weapons following a phased reduction. The report, however, did not set out a time frame for elimination, but said it should be achieved "at the earliest possible opportunity."

The Future of U.S. Nuclear Weapons Policy, published in 1997 by the National Academy of Sciences, also recognized the role of nuclear weapons as a deterrent against nuclear attacks, and pointed out that their very existence exerted an "existential deterrence," that is, a deterrent effect "against unrestricted conventional wars among the major powers."

As a first step, the report called for the United States and Russia to reduce the number of deployed strategic warheads to 2,000 each through a START agreement. It then recommended that the two countries reduce their respective arsenals to about 1,000 each, and then to a few hundred each. The three remaining declared nuclear powers should aim for even lower levels, or no nuclear weapons at all, the report said. The ultimate goal, the report stressed, is the "prohibition," rather than "elimination" or "abolition" of nuclear weapons.

However, the report also pointed out that, in addition to the benefits, the prohibition on nuclear weapons might encourage cheating or the overt withdrawal of nations from the disarmament regime, as well as the initiation or intensification of conflicts, since the threat of nuclear war would have been eliminated. The report stated that it is not yet known

when the preconditions for the prohibition of nuclear weapons will be met, and suggested an expansion in the number and geographical scope of nuclear weapon-free zones as a possible step toward the ultimate goal of prohibition.

The above-mentioned reports challenge the notion that nuclear weapons act as a deterrent against the use of biological, chemical and conventional weapons, and against campaigns by terrorist groups. However, they do recognize that nuclear weapons can deter nuclear threats to the population and territory of a NWS or its allies. The Canberra Commission said that extended deterrence assurances to allies would not apply in a nuclear weapon-free world, although they would remain, in the form of collective defense arrangements, until the elimination of nuclear weapons was achieved.

All of the reports propose the phased reduction in the number of nuclear warheads—to 2,000 or less each by the United States and Russia in the first phase, to 1,000 or less each by the two countries, with the involvement of the other three nuclear states in the second phase, and to hundreds or less by all countries prior to the elimination or prohibition of nuclear weapons.

None of them sets out a precise time frame for the elimination of nuclear weapons, although one can surmise that, at their most optimistic, they are thinking in terms of decades. Nor do they state whether that ultimate goal is achievable. In other words, they simply set goals, and include suggestions as to how they might be achieved.

The proposals on nuclear disarmament and elimination can be divided into two types—those that appeal politically to international public sentiment, which wishes to see them accomplished, and those that contain concrete, feasible measures toward achieving the same goal. The above-mentioned reports, as well as similar proposals, contain elements of both.

All three reports attach great importance to nuclear weapon-free zones in such regions as South America, Africa and the South Pacific, and regard the expansion of NWFZs as a critical step toward the elimination of nuclear weapons. On the other hand, because they were published before the nuclear tests by India and Pakistan, the reports contain few references or recommendations concerning nuclear proliferation in South Asia. In addition, they do not fully address tensions in regions such as the Middle East and Northeast Asia. To their credit, though, they do contain detailed discussion of the need to strengthen verification systems, to create a stronger international organization, and to control and dispose of fissile material.

With these issues in mind, I would like to outline five conditions I believe need to be put in place:

First, we need to more effectively promote non-proliferation and nuclear disarmament. The detente that set in after the end of the Cold War has been challenged by new causes of international instability, such as intensified regional disputes, nuclear proliferation in South Asia, the emergence of threshold countries and NATO's air strikes against Yugoslavia.

Second, we need to find solutions to regional problems, such as the tension that exists between India and Pakistan, that take into account the severity of such problems and appreciate the value of their resolution.

Third, a proposal is necessary that demonstrates the link between global and regional nuclear non-proliferation and disarmament.

Fourth, it is important to discuss specific issues with the five declared nuclear weapon states on an individual basis, as well as to demand that they fulfill their collective commitment to adhere to the elimination of nuclear weapons as stated in Article VI of the Nuclear Non-Proliferation Treaty.

Finally, any proposal should be forward-looking and reassuring. In that sense, the Final Report of the Tokyo Forum should contain a strong political appeal, establishing the relationship between nuclear disarmament and non-proliferation, and the changing international political situation. And, needless to say, the report should be unambiguous and feasible.

Mizumoto is associate professor at HPI.

The European Union—Building shared values from diversity

By Ove Juul Joergensen

Ambassador Ove Juul Joergensen, Head of the Delegation of the European Commission in Japan, stressed the importance of closer cooperation between Europe and Japan in the 21st century during a lecture at Hiroshima City University on May 26. In his lecture, titled "The EU Today and Tomorrow," which was sponsored by the Hiroshima Peace Institute, Juul Joergensen emphasized the merits of sovereign nations working toward a common goal, while respecting one another's cultural values. Following is the summary of his lecture:

The European Union is one of the most fascinating political undertakings in modern times, and it is based on an idea. The big idea behind Europe is a vision. And that vision is peace; peace as the prerequisite for the creation of a Europe in which we can put into practice our common values of freedom, solidarity, democracy and enterprise. Having witnessed Europe become the origin of two world wars in the space of 30 years, founding European statesmen Robert Schuman and Jean Monnet saw a way to avoid conflict in pooling the key industries of coal and steel, which had once sustained the war effort. The institutions of the EU are the tools that allow its citizens to put into practice this common vision, these common values.

The EU is a union of sovereign nations that have chosen, in defined areas, to pool their sovereignty in order to tackle together those problems where a common policy brings far greater gains than nation states acting on their own. It is not, and may never be, a country called the United States of Europe. The EU is also not a means for creating a single culture. Working together while maintaining this diversity, in other words seeking the common ground while not ignoring our different cultural backgrounds, is one of the quiet triumphs of the EU.

All countries in Europe subscribing to the basic values of democracy and the rule of law are eligible to join the EU. This process of enlargement of the EU to include new members is proceeding. By enlargement, we will have brought the priceless advantage of political stability, as well as the expansion of a market, to the continent. The current crisis in Kosovo is a reminder of the importance of this stabilizing and democratizing function. The EU is taking concrete steps to stabilize the situation in the Balkans.

The two biggest recent events of the integration process at work are the launch of the euro on Jan. 1 this year and the entry into force of the Amsterdam Treaty on May 1. The euro has eliminated costs and risks, removing the obstacles to trade and investment within the EU. It also urges companies to strengthen their competitiveness, and requires governments to implement economic and structural reforms. These changes will eventually become the basis for a vibrant and dynamic EU economy.

The Amsterdam Treaty defines the political role of the EU in the world, and intends to strengthen it through formulating clearer common strategies on external matters.

The EU-Japan relationship is becoming more mature. Until recently, EU-Japan relations focused mainly on trade, and a lot of time was spent in settling commercial disputes. But they are now fewer and less confrontational. Instead, we have embarked on constructive consultation and cooperation in many fields. Science and technology, social policies, humanitarian aid, multilateral trade, and stabilization of the Korean Peninsula through the Korean Energy Development Organization (KEDO) are but a few examples.

We welcome the efforts made by the Japanese government to internationalize the yen and to position it alongside the dollar and the euro as a key international currency. The EU has a clear interest in seeing the recovery of the Japanese economy.

Japan and the EU share the same belief in democratic values, in the multilateral system and in closer international cooperation. The watchwords of our relationship in the future should be cooperation in advancing shared interests based on common values and mutual benefit. The EU and Japan mirror each other in their parallel post-war search for peace, prosperity and security. Our efforts to rebuild, to create the societies we desire, mean we have much in common. There is much potential for an enhanced EU-Japan relationship in the 21st century.

Compiled by Nobumasa Akiyama, research associate at HPI

Hiroshima's peace role reaffirmed as new century approaches

By Yasuo Hamamoto

An international peace conference was held in The Hague, the Netherlands, from May 12 to 15, 1999. It was attended by about 8,000 people representing more than 600 civic groups and non-governmental organizations from more than 100 countries. Held under the slogan, "The Hague Appeal for Peace 1999," the meeting marked the centennial anniversary of the first Hague International Peace Conference in May 1899. As director of the International Peace Promotion Office of Hiroshima City, I attended the conference with Hiroshima Mayor Tadatoshi Akiba, who is also president of the World Coalition of Mayors for Peace Through Inter-City Solidarity, which met during the conference.

In a speech made during a core session on "Disarmament and Human Security" and at other meetings, Akiba paid tribute to the way hibakusha (survivors of the atomic bombings) had overcome their trauma and lived their lives with dignity and courage. He said their experiences served as a powerful argument against the use of nuclear weapons. He also spoke of the devotion hibakusha had showed to the cause of world peace and the abolition of nuclear weapons, rather than apportioning blame or exacting revenge on those responsible for their trauma. It is important, he said, to take concrete steps toward the elimination of nuclear weapons, since they represent nothing more than "absolute evil."

At a meeting co-sponsored by the mayoral coalition and the International Association of Peace Messenger Cities, both metropolitan organizations committed to world peace, participants discussed the role of local governments in the promotion of human rights and peace, and resolved to build closer ties with representatives of civil society and NGOs from around the world.

Having witnessed many NGO activists play a major part in the

conference, I was left with the realization that the 21st century should become the era of the NGOs. I was also impressed by the powerful objections voiced by many people to the attempts by various governments to justify the exercising of power politics through military force regarding the crisis in Kosovo.

It was agreed that the use of A-bombs in Hiroshima and Nagasaki 54 years ago was the single most important event of the 20th century. However, I was uncertain as to whether the conference truly appreciated the meaning of Hiroshima, since not one hibakusha was offered a platform at the opening and closing ceremonies. On the other hand, I became aware of the deep-seated sense of humanity in European countries, borne of the tragedy of the Holocaust. Still, several European countries supported NATO's air strikes against Yugoslavia, which they said were the only way to end the policy of ethnic cleansing against ethnic Albanians in Kosovo. A few government officials from European countries were even rumored to have said that the use of nuclear weapons should not be ruled out as a last resort in Yugoslavia. Hiroshima's duty is to find a way to persuade such people to abandon that kind of thinking.

For the message of the hibakusha—that nuclear weapons are an absolute evil—to take root throughout the world, we need to take concrete and persuasive steps. Hiroshima's urgent task must be to learn from its efforts over the past 54 years and find more effective and efficient ways to promote peace.

Hamamoto is director of the International Peace Promotion Office of the Citizens' Affairs Bureau at Hiroshima City Hall.

Introduction

The nuclear tests conducted by India and Pakistan in May 1998, and the resulting race between the two states to develop nuclear missiles, have given rise to concern in the international community over further nuclear proliferation and stagnation in the disarmament process. Meanwhile, the five declared nuclear-weapon states (NWS) have failed to fulfill their obligation to implement arms reduction.

However, the five Central Asian states of Kazakhstan, Kyrgyzstan, Tadjikistan, Turkmenistan and Uzbekistan have been making efforts to establish a nuclear-weapon-free zone (NWFZ) in the region in a move that augers well for nuclear non-proliferation.

To date, about 85 percent of a draft treaty to be signed by the nations was agreed by a United Nations Group of Experts at a meeting held at the end of April. They pledged to make their efforts to conclude a draft treaty among the five states at the Sapporo Meeting scheduled to be held in October.

Once those procedures are completed, the treaty may then be submitted to the Nuclear Non-Proliferation Treaty (NPT) Review Conference in 2000.

Definition of a NWFZ

A NWFZ is to make a given zone free of nuclear weapons by states consisting of that zone that undertake, at their own free will, to prohibit:

- (a) The production, acquisition, possession or control of nuclear weapons.
- (b) Any assistance for the actions mentioned in (a).
- (c) Support for other countries with regard to the actions mentioned in (a).

In signing a Protocol attached to NWFZ treaty, the NWS of China, France, Russia, the United Kingdom and United States undertake not to use or threaten to use nuclear weapons against NWFZ, as well as the state parties to that treaty.

Background

With the dramatic end of the Cold War following the collapse of the former Soviet Union in 1991, the five Central Asian states, all of which belonged to the Soviet Union, gained independence. Although the five Central Asian states welcomed their newfound liberty, they also found themselves in a volatile and politically unstable region that encompasses India, Pakistan, Afghanistan and Iran. The countries also found that they share borders with Russia and China.

Under such new political circumstances, the five Central Asian states had to ensure their individual security, while at the same time endeavoring to build themselves as independent states and ensure that they remained free of Russian influence and control. The attempt to establish a Central Asian NWFZ is an important part of those efforts.

Background to the Central Asian NWFZ

- (a) At a summit meeting held in Almaty, Kazakhstan, in February 1997, the presidents of the five Central Asian states adopted the Almaty Declaration. Part of the declaration resolves: "To call on all States concerned, on the eve of the fiftieth anniversary of the Semipalatinsk test site, to support the idea of proclaiming Central Asia a nuclear-free zone open to accession by other States of the region." Since NWFZ became an agenda at the meeting, the five Central Asian states here initiated their focused efforts to materialize their initiative.
- (b) In September 1997, Uzbekistan President Islam Karimov invited more than 100 people from five Central Asian states, five NWS, neighboring countries, states belong to established NWFZs, and research institutes around the world to attend a meeting in Tashkent. At the meeting, the Foreign Ministers of the five Central Asian states issued a statement, in which they called upon () other countries to support the establishment of a NWFZ treaty in the region and () the United Nations to set up a group of experts to help them to draft the treaty.
- (c) At the 52nd U.N. General Assembly in 1997, the resolution, titled "Establishment of a nuclear-weapon-free zone in Central Asia," proposed by the five states, was adopted for the first time without a vote.

Toward a Central Asian NWFZ

Parties to iron out differences ahead of meeting

- (d) At the beginning of 1998, the U.N. Secretary General, whom the resolution requested to support the drafting of a treaty, tried to respond to the request by appointing the Director of the U.N. Regional Centre for Peace and Disarmament in Asia and the Pacific.

U.N. Group of Experts

The United Nations decided to form a Group of Experts to assist the five Central Asian states, which lack human and financial resources, to develop the NWFZ idea. The Group met for the first time in April 1998, then again in October the same year and in April 1999. Meetings of the Group also took place in Bishkek in July 1998, organized by Kyrgyzstan, and in Tashkent in February 1999, organized by Uzbekistan. By the end of the April 1999 meeting, approximately 85 percent of the draft treaty had been agreed.

Position of the NWS

Following is an outline of the of the five NWS' position, expressed at the Bishkek and Tashkent meetings:

- (a) The idea of a Central Asian NWFZ could be supported provided the five NWS are consulted regularly.
- (b) The treaty should apply only to the territories of the five Central Asian states, and an expansion of the zone covered by the treaty in the future is not acceptable. The Caspian Sea should be excluded from the treaty.
- (c) Although concerns among the five Central Asian states for environmental protection is understandable, an appropriate balance between environmental protection and the original purpose of the NWFZ should be maintained. (The five Central Asian states had expressed concern about the rehabilitation of soil contaminated by past nuclear activities in Semipalatinsk, and urged related international assistance.)
- (d) Visits by foreign ships and aircraft to ports and airfields, as well as the use of airspace by foreign aircraft in the NWFZ, should be allowed.
- (e) With regard to "negative security assurance," which prohibits the use or threatened use of nuclear weapons within a NWFZ and as well the state parties to the treaty, parties to the protocol on "negative security" should be limited to the five NWS. India and Pakistan should not be given any status as NWS.

Outline of draft treaty

The draft treaty comprises 19 articles and one protocol regarding "negative security assurance": Article 1 (Definition and usage of terms); Article 2 (Application of the Treaty); Article 3 (Basic obligations); Article 4 (Foreign ships and aircraft); Article 5 (Prohibition of testing of nuclear weapons and other nuclear explosive devices); Article 6 (Environmental security); Article 7 (Use of nuclear energy for peaceful purposes); Article 8 (IAEA safeguards); Article 9 (Physical protection of nuclear material and nuclear equipment); Article 10 (Consultative committee); Article 11 (Exchanges of information); Article 12 (Interpretation of Treaty and settlement of dispute); Article 13 (Other agreements); Article 14 (Reservations); Article 15 (Signature and ratification); Article 16 (Entry into force and duration); Article 17 (Withdrawal from this treaty); Article 18 (Amendments); Article 19 (Depositary) and the Protocol.

Problems

Several issues have recently been resolved, although several problems remain:

- (a) First, there is little doubt that NWFZs are effective, since they reduce the geographical zone in which nuclear weapons can be used or threaten to be used. They literally expand the size of nuclear-free areas. NWFZs are established on the assumption that they will

nuclear-weapon-free zone

ad of Sapporo Meeting in October

By Tsutomu Ishiguri

promote nuclear non-proliferation and nuclear disarmament. On the other hand, if you look at NWFZ from another aspects, they presuppose the continued existence of nuclear weapons, as NWS assure the state parties to NWFZ treaty not to use or threat to use nuclear weapons. This could be viewed as a contradiction of the original purpose of nuclear non-proliferation and nuclear disarmament. For that reason, the Expert Group inserted a clause calling on the NWS to promote nuclear disarmament in preamble paragraph. Article 6 (Obligations toward nuclear disarmament) and Article 7 (Nuclear-weapon-free zones) of the NPT were also mentioned.

- (b) With respect to the application of the treaty, we should note that littoral states of the Caspian Sea are currently in dispute over maritime borders and the rights to underground resources. Kazakhstan and Turkmenistan, littoral states, had not shown much enthusiasm for the treaty, which, they feared, might infringe on their respective territorial claims. As a result, discussions on the definition of territory have been discontinued. However, at the third U.N. Expert Group meeting in April, the two states agreed that the treaty should stipulate, with the exception of Article 1—which geographically defines the NWFZ as the five Central Asian states—that the zone apply to the land territory, on waters (ports, harbors, lakes, rivers and streams), and an air space above them in a newly created Article 2. A concrete definition of the territory was avoided. Article 2 also stipulates that nothing in this Treaty shall prejudice or in any way affect rights of the Central Asian states in any disputes concerning the ownership or sovereignty over lands or waters that may or may not be included within this zone. Kazakhstan and Turkmenistan agreed to these articles, which they felt that these articles would not affect their interests concerning the Caspian Sea, thereby removing one of the biggest hindrances to the treaty's formulation.
- (c) With regard to visits by foreign ships and aircraft to ports and airfields, Article 4 says such visits may not be allowed "if they are related to the transportation of nuclear weapons or other nuclear explosive devices, installation of materials." However, NWS, such as the United States, maintain the policy that in general, they do not divulge whether or not their aircraft and vessels are carrying nuclear weapons. If Article 4 is to work in practice, the five Central Asian states would have to insist that NWS declare the possession of nuclear weapons aboard aircraft and vessels, and then verify any declaration. Under present circumstances, however, that would be impossible. It was pointed out that the condition was meaningless, and in some cases, might actually infringe on the sovereign right of a nation to decide which vessels to allow into its ports. The delegate from Kyrgyzstan was the only one to withhold support for Article 4, as he had not received guidance from his government. The delegate from Turkmenistan, a neutral state, said that state would not oppose the article if it were agreed upon by the four other states, even though, he added, it opposes Article 4 as a whole. In one way or another, overall agreement on the article appears likely in the near future.
- (d) Article 8, which addresses the role of IAEA safeguards, stipulates that parties would undertake not to provide source or fissionable materials to any non-nuclear-weapons state-unless that state has concluded with IAEA a comprehensive safeguards agreement-and to any NWS, except in conformity with applicable safeguards agreements with IAEA. Kazakhstan was worried that this article would prohibit the sale of uranium ore and yellow cake. In response, the IAEA explained that the sale of such materials could continue, provided the routes of material transportation conformed with the IAEA safeguards. IAEA added that it might be possible to include a condition that uranium ore sold by Kazakhstan not be used

in the production of nuclear weapons. The problem looked as though it would be resolved after the IAEA decided to write a letter of reassurance on the matter to the Kazakhstan government.

- (e) Kyrgyzstan has yet to agree to the preamble and Article 9, because it is not a signatory to the Convention on the Physical Protection of Nuclear Materials. If you look at this article carefully, Article 9 states that the signing and ratification of the convention are not preconditions for ratifying the treaty. This cleared up a misunderstanding on the part of Kyrgyzstan that, by signing the treaty, it would automatically become a member of the IAEA, which requires a regular and obligatory financial contribution, as well as voluntary contributions. Kyrgyzstan is expected to declare its support for the article shortly.
- (f) There is strong opposition from the NWS to Article 15, which deals with the enlargement of the number of state parties to the treaty, including neighboring states contiguous to the Central Asian NWFZ. I proposed that they need not adhere to Article 15, since Article 18 stipulates that any amendment of the treaty requires the consent of all five signatories. Uzbekistan, referring to its friendly relations with the Caucasus states, emphasized the importance of Article 15, while the remaining four states were more agreeable to my proposal.
- (g) Turkmenistan and several other states expressed concern about Article 13, saying it should not affect their rights and obligations as laid out in bilateral or multilateral treaties and agreements to which they are already signatories. They argued that the article ran counter to the principles of international law, which holds that established treaties are valid as long as they are not in contravention of subsequent treaties, and as such is unnecessary. On the other hand, Kyrgyzstan, which has a collective defense agreement with Russia, and relies on Russian troops for the defense of its border, insisted on the inclusion of this article in the final treaty. The parties agreed to discuss a compromised formulation, which might include the words, "to the extent compatible with the provisions of this Treaty."

The Sapporo meeting

Upon the kind invitation of the Sapporo municipal government and the Hokkaido prefectural government, the next meeting of the U.N. Experts Group will be held in Sapporo in early October. Experts from the five Central Asian states have resolved to reach agreement on the draft treaty among themselves. As I pointed out above, although only a few problems remain, they are proving difficult to resolve. We are not sure whether the parties will reach agreement over articles 15 and 13, which refer to "the enlargement of zone of application" and "other agreements," respectively. However, responsibility for formulating the treaty rests with the five Central Asian states alone, and I am optimistic that they will come to an agreement. Of course, parts that have already been agreed may be reviewed at upcoming meetings. It is also possible that longstanding rivalries among the five Central Asian states will result in certain states objecting to proposals made by others. Through the past 18 months of negotiations, however, the experts and myself have established a relationship of mutual trust. I intend to assist their work in a fair and constructive manner.

At the Sapporo meeting, the five Central Asian states will exert their effort to reach an agreement on the draft treaty, and then to consider how they contact and obtain support from the five NWS. It will be impossible to formulate a treaty that satisfies all of the NWS; if they try to do that, they will never be able to establish a NWFZ. Nevertheless, if the five Central Asian states accept small amendments presented by the NWS, and signed the amended treaty, it will still represent an important contribution to regional security. At the same time, the five Central Asian states will be able to make their own contribution to nuclear non-proliferation and disarmament, thus give the hope for the NPT Review Conference in 2000, which, at present, is not expected to hear much in the way of concrete results. The five Central Asian states, which are in the process of building states, will be able to take pride in the fact that they have contributed to the NPT, which will strengthen ties among themselves.

Ishiguri is director of the U.N. Regional Centre for Peace and Disarmament in Asia and the Pacific.

Civil society in conflict conciliation and risk reduction in South Asian context

By Ravinder Pal Singh

. Background

□ The role and capacities of the non-government sector, including civil society and the legislative branches, in conflict prevention and avoidance remain under-explored in South Asia. This state of affairs has resulted from a number of reasons which include the following: uncertainties as to the outcome of such initiatives; threats perceived by the ruling elite as a result of the dilution of executive privilege; the nation-building concerns of the security bureaucracies, which regard alternative opinion-making on security policy making as allowing precedents that could lead to difficulties; and lack of initiatives in parliamentary fora to engage the executive branches in a professional debate on security issues.

□ Conflicts in South Asia are primarily characterized by domestic insurgencies, mostly driven either by tensions in general between the centre and the periphery or by major armed conflicts, such as that between the Sri Lankan government and the Tamils and that between India and Pakistan over Kashmir. The limitations of the state security processes in the Indian sub-continent are indicated by the lack of progress in resolving the on-going conflicts over the last fifty years, such as that in Kashmir. The difficulties in resolving the tensions between India and Pakistan are also indicative of the resistance to new initiatives on Kashmir and lack of space in domestic politics to develop alternative thinking.

Dispute resolution in international relations is inevitably shaped by the manner in which disputes are resolved within countries and by the norms of domestic political behaviour within state systems. Domestic politics in South Asia are characterized by a permanent atmosphere of a campaign for political power and control. This norm regrettably flows over into the conduct of relations between India and Pakistan. The dispute over Kashmir touches the organizing principles of the states.

□ Any mechanism for conflict prevention and resolution requires structures for mediation, conciliation and arbitration. Leverage through international support is usually an important element in effecting conciliation, but in the South Asian countries this quickly arouses sensitivities, particularly in India, so that the third-party mediation approach is difficult to get off the ground. India has been rejecting Pakistani suggestions for third-party mediation in order to prevent any interference in their bilateral dialogue. Pakistan, on the other hand, assumes that bilateral dialogue with India is futile, despite such requirements enshrined in the Simla Agreement. In such circumstances, the possibilities of moving to new methods of conflict conciliation and risk reduction merit urgent attention.

The modification of existing structures, such as the South Asian Association for Regional Co-operation (SAARC), to include bilateral security questions might be one possible means of developing new regional initiatives for designing conflict prevention and conflict avoidance mechanisms. However, this is considered to be an impediment in the SAARC process. India's concerns with such mechanisms within the SAARC framework are driven by the fact that it is the only country which has common borders (and therefore potentiality of disputes) with all other SAARC member countries except Sri Lanka, and by the likelihood of all the SAARC countries making India a target of common criticism. Other than low-key cooperation on security-related issues such as communications, meteorology, environmental protection, and the fight against drugs and terrorism, SAARC has not been able to shape any meaningful cooperation in the political and security spheres. This is primarily due to the heightened sense of confrontation between India and Pakistan.

Given the limited space for negotiations which the executive branches of the governments in these two countries have, until and unless parliamentary initiatives get under way and become sensitive to the difficulties in the negotiation process, a political solution will be difficult to achieve without broader public consensus. Such an initiative would also provide political space and alternatives for negotiations by the executive branches of the two governments.

□ In view of the above, the participation of the civil societies in the two countries in their respective security opinion-making processes should be examined and the role of the legislative branch in this regard should be broadened. The role and potential contribution of NGOs comprising members of the two parliaments, religious leaders, eminent persons and experts in academia and the media needs to be examined. The aim should be to identify approaches to conciliation on the principles of social justice by using endogenous expertise and knowledge while guarding against the intrusion of Partisan interests in the process.

□ .Approaches to conflict avoidance

A comprehensive approach to conflict prevention and avoidance would need to be built with the following objectives:

- () building a broader coalition of the interested publics in order to reduce the risks of war;
- () strengthening the implementation of and commitment to non-violent conflict avoidance processes; and
- () identifying means and methods to overcome the resistance to peace-building that is rooted in bureaucratic inertia, ignorance and vested interests.

□ The criteria required for a successful conciliation process would include the following essential elements:

- impartiality regarding the issues in the dispute;
- independence from all parties to the conflict;
- the respect and acceptability to all protagonists; and
- the knowledge and skill to deal with the issues.

□ .A conciliation commission

As previous efforts in negotiating a lasting solution to the conflict between India and Pakistan have not borne fruit because of the wide gap in the expectations of the two protagonists, it may be worthwhile for the civil society in India and Pakistan to become actively involved in three important areas of national security, namely: () conciliation building; () risk avoidance; and () conflict prevention.

It would be useful to think in terms of setting up a conciliation commission comprising Indian and Pakistani members of their respective parliamentary defense committees, jurists, economists, independent security experts and eminent persons as representatives of civil society. Such a commission should exclude government officials and political leaders in office. It should function according to a well-defined code of conduct that is based on the principles of impartiality, accountability, neutrality and independence. The findings of the commission should provide guidelines to give effect to a reconciliation process. These guidelines should be placed before the two parliaments to recommend specific measures to their respective governments as well as implement initiatives for conciliation and risk reduction.

Since the recommendations of the conciliation commission would not be binding on the two governments, the argument of executive privilege—that the executive has the exclusive right to deal with national disputes—does not hold. Since the findings of the conciliation commission would be advisory to the parliaments, there are better possibilities of identifying creative alternatives for effecting reconciliation. The media and the NGOs can then build up broader public opinion to examine public responses to such recommendations.

The conciliation commission could also identify confidence-building initiatives that can be taken by civil society. It must set up centres for the prevention of incitement, risk reduction, early warning and conflict avoidance to alert and advise the respective societies and the parliaments of indicators of emerging tension between the two countries which could adversely effect the maintenance of peace. These centres should activate a well-defined risk reduction and conflict prevention process which should be operationalised between the governments and in the parliaments.

A parliamentary conciliation commission and a risk reduction centre could risk either being seen by the executive branches and bureaucracies in the two countries as an alternative centre of power and opinion-making or creating checks which might further reduce the diplomatic space for negotiations. These disadvantages should be addressed if the scope and functions of such conciliation and risk reduction process are to be defined clearly and operate transparently.

□ .Conclusion

□ This approach aims to broaden the participation of civil society in security opinion making in a formal way and heighten its stake in maintaining peace. The need is to identify alternative approaches to promoting conflict resolution and to work towards transparent conciliatory objectives rather than the two societies remaining hostage to tardy political and bureaucratic negotiations that have not borne results in the last five decades.

□ *Singh is a senior researcher at the Stockholm International Peace Research Institute.*

NATO air strikes and the spirit of The Hague —a reappraisal of international law

By Masamichi Kamiya

The North Atlantic Treaty Organization's air strikes against the Federal Republic of Yugoslavia, which lasted 79 days from March 24 through June 10, 1999, are still fresh in our memory. NATO justified the attacks by saying they were necessary to prevent Yugoslav President Slobodan Milosevic from continuing his policy of ethnic cleansing against ethnic Albanians in Kosovo.

In mid-May this year, an international peace conference titled "The Hague Appeal for Peace 1999" was held in The Hague, the Netherlands. It was organized by members of civil society and non-governmental organizations, not governments. The conference was held to commemorate the 100th anniversary of the first Hague Peace Conference in 1899, which had attempted, at the governmental level, to promote general disarmament and codify a mechanism for the peaceful settlement of international disputes. This year's conference was attended by more than 8,000 representatives of civil society and NGOs.

Humanity was witnessing both the significance of peace and the horror of war as the centenary conference began. The international community is at a crossroads, where it has to ponder its future course.

Some scholars of international law point out that little has been accomplished since the Hague Conferences 100 years ago. However, in his book, "Swords into Plowshares," published by Random House, Inis L. Claude, Jr. argued, "...[T]he Hague System of international relations...was significant enough to figure as one of the major contributions of the nineteenth century to present-day world organization."

At the Hague conferences (the second Hague Conference took place in 1907), several treaties and conventions for the peaceful settlement of international disputes, as well as those governing the conduct of wars, were formulated. One such treaty was the Convention for the Pacific Settlement of International Disputes of 1907.

The League of Nations, founded in 1920, succeeded the above-mentioned framework. Article 12 (1) of the League's Covenant states: "The members of the League...agree in no case to resort to war." At the same time, however, the League left in place the possibility that a nation could resort to war after a three-month cooling-off period pending arbitration, judicial decision or a report by the League's Council.

To close up this loophole, the General Treaty for the Renunciation of War, known as the Kellogg-Briand Pact, was codified in 1928. This treaty was an unequivocal manifestation of the international community's desire at that time to make war an illegal act. Article I of the treaty requires parties to the convention to renounce war as an instrument of national policy for the resolution of international disputes.

The anti-war spirit of the convention was inherited and strengthened by the United Nations upon its foundation in 1945. Article 2 (4) of the U.N. Charter states: "All Members shall refrain in their international relations from the threat or use of force..." For the first time in history, the international community unequivocally declared its determination that disputes ought to be settled by peaceful means. The fact that the United Nations comprised 185 states as of June 1999 makes the declaration all the more significant.

Unfortunately, however, the peaceful settlement of disputes is a vulnerable ideal because the political will of a state, determined by notions of national interest, often outweighs its legal obligation to the international community. Proof of this can be found in NATO's decision to carry out air strikes against Yugoslavia.

It is true that legitimization for military actions under U.N. auspices can be found in Chapter VII (U.N. Enforcement Actions) of the U.N. Charter. Since the Gulf War in 1991, it has become more acceptable for the United Nations or another third party to intervene militarily in a particular country for humanitarian reasons.

Nevertheless, a nation's sovereignty must be respected, in keeping with the traditional interpretation of international law as stipulated in Article 2 (7) of the U.N. Charter, which talks of non-interference in domestic affairs. Disputes ought to be settled peacefully, and any action to enforce a peace, including military action, must be authorized by the United Nations in the form of a Security Council resolution.

Put another way, enforcement actions taken by the United Nations should be a last resort after all other avenues of negotiation have been

exhausted. In international relations, once the United Nations identifies a threat to peace, a breach of peace or an act of aggression, the Security Council can authorize military actions, regardless of the fact that it encroaches on the principle of non-interference in domestic affairs. What matters most is the legitimacy conferred on such operations by the United Nations.

NATO embarked on its air strikes in the absence of a specific U.N. resolution, which would have justified its actions. But as was mentioned earlier, NATO justified its actions by pointing to the humanitarian disaster unfolding in Kosovo. It could be argued, due to the tragedy of World War I, a rationale exists in Europe that military intervention is just provided it is intended to counter inhumane acts.

Given the complexities of the situation, it is difficult to judge the validity, or invalidity, of NATO's actions. The key lies in making a distinction between the legal legitimacy and moral justification for NATO's actions so that they may be examined in the context of international law.

NATO's military action in Yugoslavia taught the international community several important lessons.

First, they showed that the rule of international law is sometimes vulnerable to power politics. Second, that members of the international community do not necessarily agree on the conditions under which military intervention on humanitarian grounds is permitted. And third, they proved that the international community is divided on how it interprets the limitations of national sovereignty and non-interference in domestic affairs.

As a result, we must put all our effort into nourishing an international environment in which each nation respects and abides by the codified rule of the peaceful settlement of international disputes, the so-called spirit of The Hague. To that end, one suggestion would be to call an international conference to re-examine the legitimacy of NATO's actions against Yugoslavia, and to re-evaluate international law in the context of the peaceful settlement of disputes.

In addition, the international community must move forward setting in motion a renaissance of the United Nations. In other words we must work to rebuild a U.N.-centered international system as we seek to establish a new post-Cold War international order. Needless to say, the United Nations, which is by no means a perfect organization, should be reformed as the world evolves. Top of the agenda for reform must be the democratization of the Security Council, particularly the issues of increasing the number of permanent members of the Security Council, and the application of the power of veto.

The above proposals sound mediocre. However, bearing in mind the plight of the people of Kosovo, and our resolve that the tragedy there never be repeated, the international community has a duty to take innovative steps toward constructing a safer world, while learning from the lessons of NATO's air war. For that to happen, both governments and civil society at large will need to demonstrate wisdom and a willingness to act. Only that will offer hope to the people of Yugoslavia. This kind of multidimensional, global approach could act as a driving force in making the 21st century the century of peace.

Kamiya is visiting research fellow at HPI. The views expressed in this article are those of the writer and do not necessarily reflect the stance of HPI.

Readers are encouraged to submit comments or articles for inclusion in Hiroshima Research News.

Articles should contain a maximum of 1,200 words, and may be edited for length and clarity. Submissions can be sent by fax, mail or, preferably, by e-mail. They should be accompanied by the writer's name, address, telephone number and profession.

Unfortunately, submissions cannot be returned.

TOPICS

UNIDIR launches on-line database on research institutes

The U.N. Institute for Disarmament Research (UNIDIR), with support from the Stockholm International Peace Research Institute (SIPRI), has opened its Internet database to the public.

The database, known as DATARIs, which offers information about research institutes working in the areas of disarmament and international security, can be accessed through the institute's Web site at <http://www.unog.ch/unidir>.

The database featured about 350 institutes from more than 70 countries as of the end of May 1999. The institutes themselves are able, through use of a password, to add and update information at any time, providing users with up-to-date information.

UNIDIR has been developing a local database since 1989, and has published a directory of research institutes. However, the time lag between data collection and publication had been too long, meaning that data was often outdated at the time of publication, UNIDIR said. The institute will finish inputting data related to all 1,200 institutes it knows of by the end of the year.

The database provides general information, such as the name, location and e-mail address of institutes, as well as information on research projects, publications and the institutes' own databases. DATARIs also features an on-line search engine that will turn up information based on search keywords, such as the titles of publications, the country in which an institute is located, and the address of its Web site. It also adds and updates information for institutes that are unable to do so themselves.

The database has been accessed about 21,000 times since January. "The database represents a unique source of information on research in the field of international relations and security, which research centers are conducting it and other information that is otherwise hard to find," Anita Bletry, DATARIs secretary at UNIDIR, said. "It is the 'Yellow Pages' of IR research," she added.

HPI offers course in international relations, peace studies

About 180 students have registered for a course in international relations and peace studies, established by Hiroshima Peace Institute in April 1999, at the main campus of Hiroshima City University in Asaminami Ward, Hiroshima. The number of students is about three times larger than expected when the course was first publicized.

Two HPI researchers, Kazumi Mizumoto, associate professor, and Ikuko Togo, assistant professor, will be responsible for a series of lectures to be given in the fourth period every Wednesday on Contemporary International Relations and Peace Studies.

Topics discussed in the lectures will include "The Process Leading to the Dropping of Atomic Bombs in Hiroshima and Nagasaki," "War and Peace—Preventive Measures and Solutions to War, Civil War and Conflict" and "The Status Quo on the Korean Peninsula, and its Future." The lectures will feature comprehensive discussion of international security, human rights violations and related issues.

HPI invited renowned scholars in the field of international politics, including Tokyo University professors Kiichi Fujiwara and Akihiko Tanaka, to conduct lectures in June. Fujiwara delivered a lecture on collective security and peace-keeping on June 2, and Tanaka gave a lecture titled "East Asian Security in the 1990s" on June 30.

"We would like to deal not only with the historical aspect of international relations, but also with the contemporary situation, which seems to be changing daily," Togo said.

Eighty of the 177 students who have registered for the course, which was originally intended for second-year students, are third- and fourth-year students, according to the university's academic affairs department.

DIARY

March 1-June 30, 1999

March 2-6

Masamichi Kamiya visits New York to prepare for the 3rd meeting of the Tokyo Forum for Nuclear Non-Proliferation and Disarmament.

March 13

Kazumi Mizumoto attends the 2nd meeting of the Hiroshima-Nagasaki Citizens Meeting to Demand the Abolition of Nuclear Weapons, held in Nagasaki.

March 18-20

Kamiya participates in the 11th meeting of the U.N. Disarmament Conference in the Asia-Pacific Region in Katmandu.

March 18-24

Nobumasa Akiyama visits New York and Washington, D.C. to conduct research on the security environment in Northeast Asia.

March 22-23

Ikuko Togo participates in a workshop, "The Role of the U.N. in the 21st Century," sponsored by the Japan Association for United Nations Studies, in Hakone, Shizuoka Prefecture.

March 25

Mizumoto delivers a lecture titled "The Political and Administrative System in Japan" to foreign trainees at the Japan International Cooperation Agency (JICA) at Hiroshima International Center in Higashihiroshima.

April 2

Mizumoto and Kamiya visit the Japan Forum on International Relations in Tokyo to discuss the establishment of the Center for the Promotion of Preventive Diplomacy.

April 9-10

The 3rd meeting of the Tokyo Forum is held at Pocantico Conference Center, which belongs to the Rockefeller Brothers Fund, in New York.

April 12-14

Mizumoto and Akiyama visit several research institutes in New York and Washington, D.C. including the U.N. Center for Disarmament in Asia and the Pacific, the Henry L. Stimson Center, the Monterey Institute of International Studies, the National Security Council and the Armitage Associates.

May 4-9

Akiyama visits New York and Washington, D.C. to meet participants in a workshop on North Korea, to be held in Tokyo in July.

May 10

Mizumoto participates in a workshop titled "The Role of the United Nations in the 21st Century," sponsored by the Japan Association for U.N. Studies, at the United Nations University in Tokyo.

May 22

Kamiya participates in the Yomiuri International Forum, "Dealing with the North Korean Crisis—What Japan, the United States and North Korea Should Do," in Tokyo.

May 27-28

Mizumoto participates in a meeting of the drafting committee for the final report of the Tokyo Forum in Geneva.

June 1-5

Kamiya participates in the 5th U.N. Symposium on Northeast Asia, "Northeast Asia Dialogue and Cooperation Beyond 2000," hosted by the U.N. Association of Japan, in Kanazawa.

June 18-24

Akiyama attends an international conference, "Future of the Nation State," held in Strasbourg, France.

Visitors to HPI

March 2

Lawrence Scheinman, professor of international policy and director of the Washington office of the Monterey Institute of International Studies, visits the Tokyo office of HPI.

May 11

Mr. Tleukhan Kabdrakhmanov, Ambassador of Kazakhstan to Japan, and his wife, Nagima, visit HPI.

May 26

Ambassador Ove Juul Joergensen, head of the Delegation of the European Commission in Japan, visits HPI.

The No. 1 and No. 2 issues of Vol. 1 of Hiroshima Research News mistakenly carried an incorrect address for the Hiroshima Peace Institute Web site. The correct address is <<http://serv.peace.hiroshima-cu.ac.jp/>>. We apologize for the error.

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