



Meeting of States Parties

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Agenda item 14

Reports of the Secretary-General under article 319 for the information of States parties on issues of a general nature, relevant to States parties, which have arisen with respect to the United Nations Convention on the Law of the Sea (A/77/331 and A/78/67)

Note verbale dated 15 June 2023 from the Permanent Mission of China to the United Nations addressed to the Secretariat

The Permanent Mission of the People's Republic of China to the United Nations presents its compliments to the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations, in its capacity as the secretariat of the Meeting of States Parties to the United Nations Convention on the Law of the Sea, and, in accordance with the rules of procedure of the Meeting, kindly requests that China's position on the disposal of nuclear contaminated water of the Fukushima Daiichi nuclear power station in Japan (see annex) be circulated to all parties to the Convention as an advance document.

The Permanent Mission of the People's Republic of China also requests that the document be registered as a document of the thirty-third Meeting.



**Annex to the note verbale dated 15 June 2023 from the
Permanent Mission of China to the United Nations addressed to
the Secretariat**

[Original: Chinese]

**Position of China on the issue of the disposal of
nuclear-contaminated water of the Fukushima Daiichi nuclear
power station in Japan**

1. On 11 March 2011, a nuclear accident of the highest level occurred at the Fukushima Daiichi nuclear power station in Japan, resulting in the meltdown of the reactor cores in units 1, 2 and 3 and the release of a large quantity of radioactive materials, including significant amounts of radioactive nuclides such as iodine-131, caesium-134 and caesium-137, into the Pacific Ocean. The seawater from the tsunami that flooded the power station, the cooling water injected into the reactor cores, and the groundwater and rainwater that flowed through the damaged reactor cores were all contaminated, producing large quantities of polluted water containing radioactive nuclides. Japan temporarily stored the nuclear-contaminated water in more than 1,000 storage tanks, accumulating a total of 1.3331 million tons by 18 May 2023.

On 13 April 2021, the Japanese Government made the decision to discharge the nuclear-contaminated water into the ocean after purifying it using the Advanced Liquid Processing System (ALPS). The process was originally planned to commence in the spring of 2023 and possibly continue for a period of 30 years. In July 2021, at the request of the Japanese Government, the International Atomic Energy Agency (IAEA) set up a Task Force to conduct a technical safety review of the Japanese Government ocean-discharge plan, including an assessment of whether that plan complied with the Agency's international safety standards. On 22 July 2022, the Japan Nuclear Regulation Authority officially approved a plan by the Tokyo Electric Power Company (TEPCO) to discharge the nuclear-contaminated water into the ocean.

2. The issue of the disposal of nuclear-contaminated water from Fukushima is a major international concern that affects the global marine environment, as well as public health. There is no precedent for the intentional discharge of nuclear-contaminated water into the ocean. The decision by Japan to do so has aroused opposition and concern among members of the international community, including China. China has the following specific concerns:

- a. *Ocean discharge is not the safest and most optimal disposal method for the nuclear-contaminated water from Fukushima.* Japan has discussed five proposals for disposal, including stratigraphic injection, ocean discharge, evaporation discharge, hydrogen gas discharge and underground burial. However, Japan did not conduct a thorough study of the feasibility and viability of the alternative disposal methods, choosing ocean disposal instead based solely on cost considerations and thereby transferring the risk of nuclear contamination to all other countries. Many experts have proposed other appropriate plans for disposal, such as the construction of new long-term storage tanks, which would avoid altogether the risk of cross-border movement of radioactive material posed by ocean discharge. Japan, however, has disregarded these alternative options and insists on proceeding with the ocean discharge of the nuclear-contaminated water.
- b. *Japan cannot guarantee the reliability of the purification equipment for treating the nuclear-contaminated water.* The effectiveness and maturity of relevant ALPS technology have not been evaluated or approved by third

parties, nor has Japan provided detailed explanations of the system's technical parameters and performance indicators. In addition to the more than 1.3 million tons of nuclear-contaminated water that are already stored and awaiting discharge, a substantial amount of nuclear-contaminated water will continue to be produced in the future. The international community has doubts about whether ALPS can effectively treat nuclear-contaminated water of such immense quantity and complex composition and about whether that system's long-term reliability can be maintained.

- c. *The nuclear-contaminated water from Fukushima is highly difficult to treat, and its safety is questionable.* That water contains more than 60 types of radioactive nuclides, for some of which no commonly recognized, effective purification technology exists. The radioactivity concentration of the radioactive nuclides in nearly 70 per cent of the treated nuclear-contaminated water exceeds discharge limits. If the "treated water" that Japan intends to discharge is truly safe, why not dispose of it in Japanese territory?
- d. *The environmental impact of discharging nuclear-contaminated water into the ocean is difficult to predict and carries significant uncertainty.* According to relevant studies, the Fukushima coast experiences the strongest ocean currents in the world. In the ten years following the discharge of nuclear-contaminated water into the ocean, the radioactive nuclides contained in that water will spread to maritime areas around the world. Some long-lived nuclides may lead to a bioaccumulation effect, further increasing the overall amount of radioactive nuclides in the environment. Millions of tons of nuclear-contaminated water will have unpredictable, irreversible and intergenerational effects on the ecological environment and on the health of people in Pacific Rim countries.
- e. *Japan has not fully consulted with stakeholders.* It has yet to provide scientific, credible explanations regarding issues such as the legitimacy of the ocean discharge plan, the reliability of data on the nuclear-contaminated water, the effectiveness of the purification system and the uncertainties surrounding the environmental impact, nor has it fully consulted with stakeholders, including neighbouring countries. The Japanese approach of notifying each party of its decision and its progress on the ocean discharge plan does not constitute good-faith consultations; it is merely the unilateral imposition of a wrong decision on others.
- f. *Japan has not shown due respect for the authority of IAEA.* The IAEA Task Force was established at the request of Japan, and its mandate was limited to assessing the ocean discharge plan, without the ability to assess other disposal methods. Before the Task Force could complete its assessment and reach a final conclusion, Japan officially approved the TEPCO ocean discharge plan on 22 July 2022. This indicates that Japan never actually used the results of the assessment by the Task Force as the basis for its decision regarding ocean discharge.
- g. *Japan has not fulfilled its international obligations.* According to general international law and provisions in the United Nations Convention on the Law of the Sea, Japan has an obligation to protect and preserve the marine environment. When disposing of the nuclear-contaminated water, Japan should take all necessary measures to ensure that activities under its jurisdiction or control do not cause pollution damage to other countries and their environments, and should also ensure that the pollution caused does not spread beyond the areas where Japan exercises sovereign rights.

Japan also has an obligation to take all possible measures to prevent environmental pollution, notify and fully consult with countries that may be affected, assess and monitor environmental impacts, ensure information transparency and engage in international cooperation. Japan cannot avoid fulfilling its international obligations under any pretext, it cannot evade full consultations with stakeholder countries under the pretext that it is undergoing IAEA technical assessment, and it certainly cannot “whitewash” its ocean discharge plan by selectively interpreting the IAEA Task Force assessment report.

In order to prevent unimaginable ecological and environmental disasters and protect the only planet on which mankind relies for survival, Japan should comprehensively address the concerns of the international community, including those of China, and fulfil its obligations under international law by disposing of the nuclear-contaminated water in a responsible manner. China will continue to closely monitor the situation as it develops, and reserves the right to make further responses.
