

Evaluating Implementation of the NPT 13+2 Steps:
JAPAN'S REPORT CARD ON NUCLEAR
DISARMAMENT
2003

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Appendix:
Reasons for the Evaluation

Japan's Report Card Evaluation Committee on Nuclear Disarmament

c/o Peace Depot

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Written from Japanese citizens' perspectives, The Japan's Report Card on Nuclear Disarmament 2003 is an assessment of the Japanese government's efforts from February 17, 2002 to February 16, 2003 for the implementation of the 13+2 steps. These are the thirteen practical steps to implement Article VI, plus two steps which are deeply connected to Japan among the steps on Article VII, contained in the Final Document of the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) that was adopted by consensus in May 2000. This "Appendix: Reason for the Evaluation" was written to explain in detail the criteria for the tasks that we have set and the grounds for the evaluation. It also aims to serve as a practical briefing tool, providing an annual overview of Japanese and global efforts towards nuclear disarmament. The Report Card will be issued every year until 2005, when the next NPT Review Conference is scheduled to be held.

The evaluation was made by the Evaluation Committee, consisting of the following ten members.

(In alphabetical order)

HIRAOKA Takashi	Former Mayor of Hiroshima City
KUROSAWA Mitsuru	Osaka University
MAEDA Tetsuo	Tokyo International University
MORITAKI Haruko	Hiroshima Alliance for Nuclear Weapons Abolition (HANWA)
NIKI Michiko	YWCA of Japan
TAKEMURA Yasuko	Former Member of the House of Councilors
TANAKA Terumi	Nihon Hidankyo
TSUCHIYAMA Hideo	Former President, Nagasaki University
TSURU Yasuko	Tokyo Gakugei University
UMEBAYASHI Hiromichi	Peace Depot (Chair of the Committee)

Explanation for Grading:

- A:** Japan has tackled the principal "task" of eliminating its dependence on nuclear weapons, or has made a significant contribution to global nuclear disarmament.
- B:** Japan has enthusiastically tackled the important "tasks" (underlined in the text of this Annex).
- C:** Japan has carried out some of the "tasks."
- D:** Japan has carried out none or very few of the tasks. Fortunately, this did not constitute a direct factor setting back the global situation.
- E:** Japan has carried out none of the important tasks; or even if Japan carried out some of them, it has failed to make the most of its unique position as a country devastated by nuclear weapons.

The bold section following the short title of each of the 13+2 Steps below is the exact quote from the NPT Final Document. *The section in bold italics represents tasks, and those that we regard as particularly important (“the important tasks”) are underlined.*

(1) Early Entry-into-Force of the CTBT

1. The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry-into-force of the Comprehensive Nuclear-Test-Ban Treaty.

Task 1: The Government of Japan (GOJ) should make repeated appeals for the early entry-into-force (EIF) of the CTBT, taking such occasions as the 2002 Preparatory Committee for NPT Review Conference, the United Nations General Assembly (UNGA), etc. The GOJ is also requested to support other states' proposals with similar policy objectives.

Task 2: We are concerned that international interest in the CTBT will deteriorate because of the dim prospect of its EIF. Therefore, the GOJ should make efforts to sustain and to strengthen international interest in the CTBT.

Task 3: The GOJ should criticize the Bush Administration's policy rejecting the CTBT and explain it to the Japanese public. Backed by Japanese public opinion, the GOJ should then urge the Bush Administration to ratify the CTBT.

Task 4: The GOJ should systematically and constantly promote the ratification of the CTBT by the twelve states other than the US which have not yet ratified the Treaty, but whose ratification is required for the EIF, through means appropriate to each state.

Task 5: The GOJ is requested to strengthen its technical cooperation with the Preparatory Commission of the CTBTO and work actively for its sustained operation.

Grade: B

TASK SETTING

Task 1 (Call for an Early EIF)

The number of states that have signed the CTBT has increased from 165 to 166; and the number of states that have ratified it has increased from 89 to 97 during the evaluation period of February 17, 2002 to February 16, 2003. Since many other states have already signed the CTBT, it is understandable that an increase in the number of new signatories is marginal. It is still problematic, however, that the number of newly ratified states in a year is as small as eight. We should carefully

watch this numerical trend as an indicator of the continued strength of international interest in the Treaty.

It is especially troublesome that out of the 44 states that have nuclear technology and whose ratification is a conditional requirement for the EIF, 13 have not ratified it yet. Taking into consideration that this situation has not changed for the last two years, we must conclude that no progress towards an early EIF has been made during this evaluation period.

Out of the 13 states, the three states of India, Pakistan, and the Democratic People's

Republic of Korea (North Korea) have not even signed the Treaty yet. Algeria, China, Columbia, Democratic Republic of Congo, Egypt, Indonesia, Iran, Israel, the United States, and Vietnam have signed, but not ratified it. Among the nuclear weapon states (NWS), the United States and China have yet to ratify it.

It was disappointing to see that the GOJ prepared a draft proposal for the 2001 UNGA resolution without including the phrase "the Early Entry Into Force of the CTBT." It only introduced the phrase after realizing that the US would not agree to the proposal anyway. Though the EIF by the Year 2003 was a reasonable objective in 2001, it is no longer a practical objective under the current international circumstances. Still, the GOJ should at least keep calling for the early EIF. For example, it should make strong calls for it on occasions such as the First Preparatory Committee for 2005 NPT Review Conference (8 April 2002 to 19 April 2002) (2002 NPT PrepCom, for short), various international conferences related to the CTBT EIF conference, and the UNGA.

Task 2 (International Interest)

This evaluation period commenced five years following the conclusion of the CTBT. We were concerned that international interest in the CTBT would deteriorate because of the lack of prospect for the EIF even after the passage of five years. Therefore, the GOJ, as a pro-Early EIF country, should make efforts to maintain and strengthen international interest in the CTBT by continuously bringing the issue to the attention of the international community.

Task 3 (Criticism of the US and Accountability to Citizens)

The Senate of the US, the most powerful NWS, decided not to ratify the CTBT in October 1999 and the Bush Administration, which came to power in January 2001, disclosed its intention to let the CTBT die. The Bush Administration made the situation worse even during this Report's evaluation period. The official "Information Paper" submitted to the 2002 NPT PrepCom on 11 April says that, "The Bush Administration has no plans to pursue ratification of the Comprehensive Test Ban Treaty."

The US made a definite statement in its intention not to fulfill the first of the 13 steps that were agreed to at the 2000 NPT Review Conference.

The "Nuclear Posture Review" (issued on 31 December 2001, or on 8 January 2002 according to another source of information) has brought to light a worrisome policy transformation by the US behind these movements. We shall discuss this topic in detail in Item 2.

The US government's refusal to ratify the CTBT is a serious obstacle for its EIF. The fact that the most powerful NWS refused ratification undermines the credibility of the CTBT, especially for the three states which have not signed it yet.

The US policy also constitutes a material breach of the Japan-US bilateral defense agreement, because the "Japan-U.S. Joint Declaration on Security" of 1996 calls for the "acceleration of the CTBT negotiations." It also states that "both governments will coordinate their policies and cooperate on issues such as arms control and disarmament." Moreover, in March 2000, the two governments set up a "Japan-US Committee on Arms Control, Disarmament, Non Proliferation and Verification" with the intent to promote the early EIF of the CTBT as an issue of the highest priority. The two nations even issued a joint statement celebrating the commencement day of the Committee as a "historic occasion."

Under these circumstances, it is clear that the GOJ should vigorously protest the US's position. In order to maintain a healthy Japan-US relationship and remain accountable to its citizenry, the GOJ should also inform its citizens of its vigorous protest against the US's stance toward the CTBT.

Task 4 (Call on States Other than the US)

To change the US policy stance on the CTBT, it is imperative not only to logically criticize its nuclear policy, but also to make an effort to influence the government of the US by rallying international public opinion. One way to achieve this is to make the CTBT more universal by increasing the number of State parties. It is especially important to persuade the twelve states other than the US whose ratification are required for the CTBT to be effective.

The GOJ and Australia drew up a joint

resolution "A Path to the Total Elimination of Nuclear Weapons" ("Path Resolution" for short) and submitted it to the 2000 UNGA (November 20, 2000. 55/33R). The resolution proposes to set a time limit to the CTBT ratification process by stressing the importance of "the early signature and ratification of the Comprehensive Nuclear-Test-Ban Treaty by all States, especially by those States whose ratification is required for its entry into force, with a view to its early entry into force before 2003." Of the twelve states other than the US whose ratification is required for the CTBT, five voted for the resolution, including Algeria, Columbia, Indonesia, Iran, and Vietnam. We take this to signify that these states agreed to the objective, at least within the administrative apparatus, and may agree to negotiate the CTBT with the above time limit for its ratification.

As exemplified by the above, the GOJ should call upon each State to promote the ratification of the Treaty.

Task 5 (Cooperation with the CTBTO)

The primary mission of the Preparatory Commission of the CTBTO, which was established with funding contributions from the signatories on November 19, 1996, is to get the International Monitoring System (IMS) ready by the time of the coming into effect of the Treat. Since the GOJ has been requested to install ten monitoring stations, it is imperative that these stations receive approval by the CTBTO. However, it is also desirable for the GOJ to provide technical assistance to other countries in areas where Japan has a technological advantage. Moreover, should the US decide not to cooperate with the CTBT, its financial contribution to the CTBTO will likely dwindle. The GOJ should not limit its role not only to technical cooperation but assume a much broader responsibility in maintaining the CTBTO.

EVALUATION

During the period set for evaluation, we saw some eagerness on the part of the GOJ to achieve the objective set out in **Task 1 and 2**.

In a general speech delivered during the 2002 NPT PrepCom, Ambassador Yukiya Amano

stressed that: "Early entry into force of the CTBT should be achieved. We would like to this opportunity to urge those States which have not yet done so to sign and ratify the Treaty" (April 8, 2002). In addition, in a working paper, the GOJ expressed its concern that "the NPT regime may be negatively affected" by the lack of progress in the CTBT, and cited some concrete examples of actions taken by the GOJ to demonstrate its eagerness to promote the early EIF. We take this series of actions as a manifestation of the re-establishment of a steady early EIF policy by Japan, and take it as a positive step by the GOJ.

The GOJ has also taken a proactive attitude in its joint call for the "'Friends of the CTBT' Foreign Ministers' Meeting" which was held on September 14, 2002 together with Australia and the Netherlands. At this conference, 18 Foreign Ministers issued a "Joint Ministerial Statement on the CTBT." Though the Statement contains nothing new, its appeal for the significance of the Treaty and the importance of continuous international interest in it was made at the right time by Foreign Ministers, including those of such NWSs as France, Russia and the UK. Taking into consideration the concern over the decline of political interest in the CTBT, as it was stated in Task 2, we believe the GOJ's endeavor was a successful one.

Japan's "Path Resolution" submitted to 2002 UNGA (A/RES/57/78) was quite disappointing as a whole. Nevertheless, as far as the early EIF of the CTBT is concerned, the GOJ acted positively by incorporating a clause stressing "the importance and urgency of signature and ratifications ... to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty" into the "Path Resolution" in the same way as the previous year.

However, the GOJ has not vigorously pressured the US regarding **Task 3**. Neither the aforementioned Amano speech nor the "working paper" made any strong demands on the US to change its position vis-à-vis the CTBT. The working paper simply states that "the countries that have not yet signed or ratified the CTBT, especially those whose ratification is a requirement for its entry into force, are strongly urged to do so at the earliest possible date" and does not refer to the negative

influence precipitated by the fact that the US, the most powerful NWS, has refused not only the ratification of the CTBT but also denied the CTBT itself. Even without mentioning the name of the State, the GOJ could have made its intentions more apparent.

In a series of dialogues between Peace Depot or the Evaluation Committee and the Ministry of Foreign Affairs (MOFA), the MOFA explained that the GOJ has clearly appealed its position to the US through bilateral negotiations. It claimed, for example, that the aforementioned “US-Japan Commission on Arms Control, Disarmament, Nonproliferation and Verification” established in March 2000, is still in operation. In the fourth conference on August 26, 2002. Ambassador Amano vigorously conveyed Japan’s position attaching primary importance of the CTBT to US Under Secretary of State John Bolton. However, the GOJ should have made its protest against the US visible to the public in a way that made it more accountable to its citizens, because the public has interest in the GOJ’s policy on early EIF. The US has unilaterally abrogated a joint policy based on an agreement reached at the highest political level. The GOJ should fulfill its accountability to citizens by making a strong protest against the US. The protest against the US must be the basis for starting bilateral negotiations on the future of the CTBT.

The GOJ’s ambiguous attitude vis-à-vis the US has made it difficult for many other states as well as NGOs to understand its diplomatic effort to promote the early EIF.

With regard to **Task 4**, which urges the GOJ to work with the 12 states other than the US, the Evaluation Committee was able to get a concrete explanation from the MOFA. According to the MOFA, it has begun classifying countries into three

categories: those with comparatively minor political obstacles, such as Indonesia, Vietnam, Democratic Republic of Congo, Columbia, Algeria; those burdened with regional security problems such as India, Pakistan, Israel, Egypt, Iran, China; and one final categorization, a special country, North Korea, and is trying to formulate the best plan to cope with each situation. Although we have doubts as to the appropriateness of this categorization (China and the special country, North Korea should be classified into the same category because they face the same threat posed by the US), we believe that the MOFA is making a systematic effort to examine each respective state’s circumstances. We also heard specific explanations concerning the situation of Vietnam, Iran, and China.

As to the **Task 5**, the GOJ is enthusiastically trying to get approval for the IMS monitoring station, which it has established. Also, it has cooperated with the CTBTO by providing technical training for international experts and by granting the necessary equipment required by the monitoring regime. Columbia and Algeria have been selected as recipient countries because they are states whose ratification is required for the EIF of the CTBT.

As a whole, though the GOJ’s demands towards the US have not been vigorous, and the GOJ has not been fully accountable to citizens, we can rightly say that it willingly took up other tasks. Therefore, we give it a B grade on this item.

(2) Moratorium on Nuclear Weapon Tests

2. A moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending the entry into force of the CTBT.

Task 1: The GOJ should resist US moves to resume nuclear weapon tests by dissuading it and by rousing international public opinion against it with a sense of urgency.

Task 2: The US "Nuclear Posture Review" made it apparent that subcritical tests are being conducted in preparation for the resumption of nuclear explosion tests. The GOJ should clarify its position against subcritical tests.

Task 3: At the 2002 NPT PrepCom or the UNGA, and on other occasions, The GOJ should call for the continuation of the moratorium on nuclear weapon tests and support similar proposals made by other states.

Grade: D

TASK SETTING

Task 1 (Response to the US Move)

The evaluation period of this Report was one when the US resumption of underground nuclear testing attracted a great deal of serious concern within the international community. This critical situation is worsening as time passes.

In March 2002, US newspapers and NGOs disclosed classified sections of the Nuclear Posture Review (NPR). In particular, excerpts from the NPR appeared on the website (www.globalsecurity.org) and came to have significant impact. (Peace Depot translated the whole document and published it as a small booklet.)

The NPR describes the need to resume nuclear weapon tests from two perspectives.

First, it says that the US is finding it increasingly difficult to maintain the credibility and safety of current US nuclear arsenals without resuming underground nuclear weapon tests. For example, it states:

"The United States has not conducted nuclear tests since 1992 and supports the continued observance of the testing moratorium. While the United States is

making every effort to maintain its stockpile without additional nuclear testing, this may not be possible for the indefinite future. Some problems in the stockpile due to aging and manufacturing defects have already been identified. Increasingly, objective judgments about capability in a non-testing environment will become far more difficult."

Secondly, it claims that the current nuclear arsenal was developed during the Cold War era; this weaponry does not meet the military needs of the post Cold War era. The US needs new capabilities including new warheads, making the resumption of testing unavoidable (see "9e").

"DOD and NNSA will also jointly review potential programs to provide nuclear capabilities, and identify opportunities for further study, including assessments of whether nuclear testing would be required to field such warhead...In order to address these concerns... NNSA proposes over the next three years to enhance test readiness..."

Steps toward the resumption of nuclear test explosion went one step further with Section 3142 of the "National Defense Authorization Act for Fiscal year 2003" (November 13, 2002). The US Congress ordered the Department of Energy (DOE) to make a plan to shorten the preparatory period required for testing resumption to 6 months, 12

months, 18 months and 24 months respectively. The law provides that the DOE must submit materials for the testing plan (including the budget outline) attached to the annual budget for FY 2004. This is to ensure that the plan is prepared and submitted within a year.

Mounting pressure to resume the tests was also evident in an interview conducted by a professional journal with Dr. Siegfried Hecker, a former director of the Los Alamos National Laboratory. He told the reporter that, "The US has no choice but to restart nuclear testing to certify that its stockpile of nuclear weapons is safe and reliable, especially if new warhead designs are developed in the coming years..." (January 21, 2003. GovExec.Com). Taking into consideration that the heads of US national weapon laboratories such as Los Alamos are in a position to advise the President on whether or not the moratorium should continue to be observed, we judge the present conditions as critical.

A show of resolve by the GOJ will be of the utmost importance for the early EIF of the CTBT. It should declare itself to be against such moves to step backward from an early EIF. Therefore, it should not only oppose the US position vigorously, but must also make appeals on the problem to the Japanese and world public.

Task 2 (Opposition to Subcritical Nuclear Tests)

The NPR has also made it clear that there is a close linkage between preparations for a nuclear explosion test resumption and subcritical nuclear tests. In this regard, the NPR mentions the following three points (quotations from the NPR):

1. "Test Readiness is maintained principally by the participation of nuclear test program personnel in an active program of stockpile stewardship experiments carried out underground,"
2. "Not all of the techniques and processes required to carry out underground nuclear tests...are exercised with the subcritical experimentation work,"
3. To address these concerns... NNSA proposes over the next three years to enhance test readiness by... conducting additional field experiments including

additional subcritical experiments ..."

The link between the two is obvious now. The GOJ, which made a commitment to the promotion of the CTBT and to the continued observation of the nuclear test ban moratorium, must cease acquiescing to the subcritical nuclear tests and vigorously oppose them.

Task 3 (Call on The International Community)

With regard to the resumption of nuclear testing, the US is the most dangerous state at the present time. However, the international community should maintain pressure upon other NWSs and on other states such as India and Pakistan to continue the moratorium on nuclear weapon tests. To fulfill this task, the GOJ should repeatedly appeal for the continued observation of the moratorium in such international conferences as the 2002 NPT PrepCom and the UNGA.

EVALUATION

During negotiations between the Evaluation Committee or Peace Depot and the MOFA, MOFA officials commented that they have taken the revealed parts of the NPR into consideration in developing their policy, even in the absence of an official US admission. For instance, the GOJ conveyed its concern to John Bolton, US Under Secretary of State, at the US-Japan Commission on Arms Control, Disarmament, Nonproliferation and Verification (August 26, 2002).

However, in light of **Task 1**, we assert that the GOJ's demands toward the US have been too timid. Moreover, we do not feel a sense of urgency in the GOJ's efforts to invoke public opinion. At the Peace Memorial Ceremony in Hiroshima in 2002, The Prime Minister "stressed the importance of the early entry-into-force of the CTBT," but neither referred to the coming crisis regarding the resumption of nuclear testing, nor to dangerous movements in general occurring within US nuclear policy circles in general. Furthermore, the GOJ failed to voice its concern in the "'Friends of the CTBT" Foreign Minister's Meeting" on 14 September 2002.

Concerning the subcritical nuclear tests, as mentioned in **Task 2**, the MOFA officer-in-charge did not know that NPR contains a description regarding subcritical tests. During the evaluation period of this Report, the US undertook three subcritical tests: the 17th "Oboe 9" on June 7, 2002; the 18th "Mario" on August 29, 2002; and the 19th "Rocco" on September 26, 2002, all after the NPR had been disclosed. Nevertheless, the GOJ did not unequivocally speak against these subcritical nuclear tests.

There is an argument within MOFA circles that opposing subcritical nuclear testing will push the US to resume full nuclear testing instead. Certainly, during the Clinton Administration era, there was an argument that the SSMP (Stockpile Stewardship and Management Program), including subcritical testing, was enough to maintain the US nuclear stockpile without undertaking underground nuclear test explosions. Taking into consideration the need to persuade conservative CTBT opposition groups in Congress, the SSMP was said by some proponents of arms control to be a method of expedition for the ratification of the CTBT .

However, as can be seen from the NPR and refusal to ratify the CTBT, US policy moves according to the dynamics of its domestic politics without regard to agreements with Japan. Therefore, the GOJ should speak out based on its primary objective of the abolition of nuclear weapons, and stress the importance of the test ban from its unique historical perspective. The problem is that Japan's dependence on the US nuclear umbrella has made it impossible to take this line of action.

The US' moves to resume nuclear testing pose a problem which brings into question the core of Japan's nuclear policy. When the US says, "if we did not resume the underground nuclear testing, we would be unable to provide the nuclear umbrella required by Japan," will Japan acquiesce to the US position on nuclear testing or will it stop depending on the nuclear umbrella provided by the US? To clarify its position toward subcritical nuclear tests would be a first step in answering this question. However, during the evaluation period, the GOJ's consciousness and attitude on this issue has been ambiguous.

Concerning Task 3, requiring "a continuation of the moratorium on nuclear test explosions" in the NPT PrepCom and in the UNGA, the GOJ has followed its past policy. It has also continued its appeal for a continuation of the moratorium at the "Friends of the CTBT" Foreign Ministers' Meeting (September 14, 2002), albeit without any sense of urgency.

As a whole, we could not see any earnest response against the US moves toward a resumption of nuclear test explosions. Therefore, we give it a D grade on this item.

(3) A Program of Work at the CD to Conclude the FMCT Within Five Years

3. The necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT) in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.

Task 1: The GOJ should take a fair diplomatic position for both the FMCT and "The Prevention of Arms Race in Outer Space" (PAROS). It should also work towards understanding the importance of PAROS, and strengthen its role in bringing the CD to a conclusion on a Program of Work which is to conclude the FMCT.

Task 2: The GOJ should continue to submit UNGA resolutions with the contents of "the commencement of negotiations within a year, and their conclusion within five years."

Task 3: The GOJ should consider the idea to convene a panel of host experts' outside of the CD framework with the objective to identify technical problems which can be dealt with before the EIF of the FMCT.

Task 4: The GOJ should work towards an inventory of all nuclear fissile materials possessed by all states irrespective of their military or commercial uses.

Grade: B

TASK SETTING

Task 1 (Support for PAROS and Normalization of the CD)

The GOJ has promoted the FMCT process by attaching an importance to it that parallels that of the CTBT. The biggest obstacle to realizing the FMCT is that the CD, which was set up as a forum for negotiation, is not functioning. Therefore, the normalization of the CD constitutes the most important task for the GOJ in this environment.

The impasse in the CD can be explained by unresolved disputes over the objectives or mandates of the Ad Hoc Committees and/or

Working Groups which are supposed to be established to address the four issues of nuclear disarmament, the FMCT, PAROS, and legally binding Negative Security Assurances (NSA). During the evaluation period, the most obvious confrontation was between the US and China over PAROS. It is obvious that the US Missile Defense (MD) plan was behind this confrontation.

The US MD plan has had a destabilizing effect on international relations. This is especially true of its relationship with China, which is concerned that its nuclear retaliatory capability may be severely curtailed. Even without regard to

problems related to China, however, we cannot deny the fact that MD has shed light on the importance and urgency of PAROS. Since the Bush Administration nullified the Anti-Ballistic Missile Treaty (ABM) on June 13, 2002, there have been no legal restrictions on the deployment of weapons into outer space – except for the Space Treaty of 1967, which banned the deployment of weapons of mass destruction (WMD) in outer space. The deployment of MD in space has become a feasible plan. Moreover, when President Bush unveiled his initial 2004-2005 Missile Defense Deployment Plan on December 17, 2002, he said that "kinetic energy interceptor missiles" would be included into the next enhancement plan (DOD). This means that an unprecedented weapon deployment in outer space is going to be realized within a few years. Therefore, the argument to grant the Ad Hoc Committee dealing with PAROS a mission to negotiate a treaty is becoming increasingly urgent.

Though the US accords the highest priority to the FMCT (February 7, 2002, John Bolton, Under Secretary of State), it also "opposes the idea of negotiating a new outer space treaty" (June 27, 2002, Ambassador Eric M. Javits). If Japan follows the US lead in this regard, placing emphasis only on the FMCT, its impartiality within the CD will be doubted – especially at a time when the importance of PAROS is becoming increasingly obvious.

The GOJ should not be too preoccupied with the idea that China is sticking to PAROS only to obstruct the FMCT process. It should take an impartial stance and attach equal importance to both PAROS and the FMCT. By doing so, it would be able to make a better contribution to the CD normalization.

Task 2 (Time Frame of the negotiation)

At the 2001 UNGA, the GOJ received overwhelming support for its proposal that contains more specific objectives regarding the time frame of the FMCT negotiation than that of 2000. It proposed "the establishment of an ad hoc committee in the CD as early as possible during its 2002 session to negotiate [a FMCT] ... with a view to its conclusion within five years." (56/24N) The GOJ should hold fast to this position.

There is even a possibility that the aim to conclude the Treaty "within five years," from the commencement of the treaty negotiations in the Ad Hoc Committee, could be shortened if vigorous discussion and deliberation increase understanding on this issue, particularly through implementing Task 3 as follows.

Task 3, 4 (Working Outside of the CD Framework and Inventory Making)

We deem it necessary to proceed with a technical preparation for FMCT outside of the CD framework until the treaty negotiations commence within the CD. In the past, Japan and Australia co-sponsored a FMCT workshop in Geneva inviting government officials as well as experts. Within the workshop, views were exchanged as to the fundamental obligations under the Treaty, verification and organization of the Treaty. The GOJ should continue such efforts.

During the course of its efforts, the GOJ should take notice of the CD agreement to "consider both nuclear disarmament and nuclear non-proliferation" as the country devastated by nuclear weapons. For such countries as the US and Russia which have surplus nuclear material stockpiles for military use, the obligations towards nuclear disarmament cannot be fulfilled merely by "prohibiting the future production" of fissile materials for military use. In this regard, Japan should encourage discussions which highlight how to deal with fissile materials "produced in the past." It may be difficult to include regulations on nuclear materials stockpiles into the Treaty because these regulations will go beyond the conditions set out in the NPT agreement, namely "in accordance with the special coordinator's statements made in 1995." (The agreement is called the "Shannon Report." It is translated in the Peace Depot's Yearbook "2002 Nuclear Disarmament and Nuclear Weapon-Free Local Authorities"). However, the Shannon Report also says that the FMCT negotiation process does not "preclude any delegation from raising points to consider in the Ad Hoc Committee, any of the above noted issues," including past production.

We consider it useful to make an inventory of all nuclear fissile materials possessed by every state regardless of their military or

commercial use and make it one of the bases for the FMCT negotiations. This is consistent with the present need to strengthen the control of nuclear materials for weapons so that terrorists cannot obtain them easily. This inventory should be added to the UN Department of Disarmament Affairs database of weapons of mass destruction.

EVALUATION

As for CD normalization, the so-called Amorim proposal (August 2000, CD/1624. Amorim is a name of the Brazilian Ambassador) has been pivotal; and Japan's Ambassador on Disarmament, Seiichiro Noboru, has also called support for it (14 February 2002). Various new efforts have been made during this Report's evaluation period. Among others, a mediation plan (August 29, 2002) proposed by five former chairmen of the CD, Dembri (Algeria), Lint (Belgium), Reyes (Columbia), Salander (Sweden), and Vega (Chile), has had a great impact on the CD normalization process.

The plan proposes to set up an Ad Hoc Committee for each of four important issues -- nuclear disarmament, the FMCT, PAROS, and Negative Security Assurances -- as explained in **Task 1**. Following the suggestions of the Shannon report, a negotiation mandate should be given to the FMCT Committee and more limited mandates should be given to the other Committees. The plan takes note of the hotly debated PAROS as follows:

"The Ad Hoc Committee shall identify and examine, without limitation and without prejudice, any specific topics or proposals, which could include confidence-building or transparency measures, general principles, treaty commitments and the elaboration of a regime capable of preventing an arms race in outer space."

The mediation plan of the five former chairmen was attentive to the concerns of both the US and China. However, it did not ease the tensions in the US-China relationship in a significant manner, despite the fact that the most states were ready to accept it.

The GOJ supported this plan in principle, as exemplified by a remark made by the Ambassador on Disarmament, Kuniko Inoguchi, that "I am especially encouraged" in her speech

delivered at the last session of the 2002 CD. Nevertheless, we failed to note any occasions where Japan played a unique role in normalizing the CD, through its own approach, including attaching equal importance to PAROS as well as to the FMCT. We can postulate, however, that Japan held a position to request compromise from both the US and China. This was indicated by Ambassador Inoguchi's first speech delivered at the 2003 CD, which encouraged the US and China to make a compromise, specifically mentioning their names (February 20, 2003).

With regard to **Task 2**, the GOJ proposed a draft resolution calling for the commencement of negotiations within a year and their conclusion within five years at the 2002 UNGA and received overwhelming support for it. The GOJ's intention remains the same as in the 2001 UNGA except for a change in the figures. The resolution proposed "the establishment of an ad hoc committee in the Conference on Disarmament as early as possible during its 2003 session ... with a view to its conclusion within five years ..." (November 22, 2002 A/RES/57/78). It was meaningful that the GOJ continued to demonstrate a proactive posture in setting a time limit for the FMCT in the UNGA, especially during a time when the CD was at a standstill.

As for **Task 3**, which calls for the convening of a FMCT panel of expert outside of the CD framework, we should take notice of the fact that the Netherlands held informal sessions to discuss details of the Treaty in June and September 2002. Though the GOJ did not organize any events during this evaluation period, it prepared for a meeting on the subject and has unveiled its plan to hold a workshop in Geneva together with Australia and the United Nations Institute of Disarmament Research on March 28, 2003. The theme of the workshop will be "Promoting Verification in Multilateral Arms Control Treaties," and will focus on issues related to FMCT verification measures.

Regarding **Task 4**, the GOJ has done nothing concrete to make an inventory of fissile materials.

As a whole, we saw a positive posture by the GOJ toward the FMCT.

Though the GOJ's creative mediation role at the CD remains unsatisfactory, its appeal for mediation between the US-China should

be looked at positively. Therefore, we give it B grade on this item.

(4) A Program of Work to Establish a Subsidiary Body to Deal with Nuclear Disarmament in the CD

4. The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body.

Task 1: The GOJ should repeat its appeals for the importance of an Ad Hoc Committee on nuclear disarmament utilizing such fora as the UNGA and the CD. As a country once ravaged by nuclear weapons, it should play a leading role in ensuring that the Ad Hoc Committee be given effective mandates for its goal.

Task 2: The GOJ should maintain its diplomatic independence as the country devastated by nuclear weapons so that it can broker a mediation proposal to break the impasse in the CD. In particular, it should demonstrate its proactive attitude towards the PAROS.

Task 3: The GOJ should stress the urgency to promote nuclear disarmament at a time when problems related to nuclear weapon development by Iraq and North Korea and the possible use of nuclear weapons by terrorists are attracting international concern. As a country which understands the inhumane nature of nuclear weapons, it should attempt to influence international public opinion in innovative ways.

Grade: D

TASK SETTING

Task 1, 2 (Breakthrough in the CD Impasse)

The 2001 "Path Resolution" called for the establishment of an objective to establish a subsidiary body to deal with nuclear disarmament in the CD "as early as possible during its 2002 session." As we referred to in the last section, it makes sense for the GOJ to advocate a constantly renewed time frame – particularly when the CD has been paralyzed. The GOJ should maintain its position regarding this proposal.

At the same time, however, the GOJ should take pains to ensure that the Ad Hoc Committee be given enough power to effectively promote nuclear disarmament. In the

aforementioned Amorim proposal (which is designed to break the impasse in the CD), the mandate of the Ad Hoc Committee is to "exchange information and views on practical steps for progressive and systematic efforts to attain this nuclear disarmament objective." Since the Ad Hoc Committee is precluded from being used for the consultation and negotiation of nuclear disarmament issues, states that have been active in disarmament, such as New Zealand, have duly noted that this type of Committee does not correspond to a subsidiary body under the NPT agreement. With the awareness that Japan is a country that was once victimized by nuclear bombs, the GOJ is requested to play a leading role to ensure that the Ad Hoc Committee be given effective mandates to promote nuclear

disarmament.

As was mentioned in the previous section, the impasse in the CD continues. This impasse must be overcome in order to reach an agreement on a programme of work that includes the establishment of a subsidiary body to deal with nuclear disarmament issues. It is important as well to establish a tradition of diplomatic independence based on Japan's unique circumstances as a nation that was desolated by the horror of atomic weaponry. In relation to this, Japan should establish a proactive and impartial posture towards the PAROS as well.

Task 3 (Invocation of International Public Opinion)

If we are to go beyond the impasse in the CD, establish a Ad Hoc committee and empower the Committee with a concrete mandate, we must consider a rise in international public opinion calling for nuclear disarmament to be an important element towards this goal.

Under the stimulation of such concerns as the development of weapons of mass destruction in Iraq and nuclear weapons in North Korea, and the possibility of a nuclear attack by terrorist groups, the international community's interest in and concerns about problems related to nuclear weapons and their delivery systems are increasing in strength. The GOJ should respond to this international concern and appeal the urgent need to abolish nuclear weapons altogether, based on a moral position which stresses the inhumane nature of such weapons. Japan would be able to make appeals to the world by transforming its own policy, such as enacting a "Non-Nuclear Law." It is also conceivable for the GOJ to support municipal governments, such as the cities of Hiroshima or Nagasaki, in assuming a leadership role in educating the public of the inhumane nature and the danger that nuclear weapons pose to humankind. Thus, the GOJ should emphasize the importance of an Ad Hoc Committee on Nuclear Disarmament in the CD by raising global public awareness in an innovative way.

EVALUATION

With regard to **Task 1**, the GOJ followed

its former policy in the 2002 Path Resolution and called for "the establishment of an appropriate subsidiary body with a mandate to deal with nuclear disarmament in the CD as early as possible during its 2003 session in the context of establishing a programme of work" (A/RES/57/78).

Nevertheless, the GOJ has made barely any comment at the CD about the mandate of this subsidiary body. It appears that it has not paid any attention to the substance of the Ad Hoc Committee on Nuclear Disarmament, and only sees importance in the FMCT. This position is a direct result of its infamous "step-by-step approach." Certainly, the FMCT should be taken as a realistic next step, in the sense that it will possibly reach the stage where earnest negotiations for a treaty will begin. However, we believe that the GOJ should concurrently bring forward many issues at once, regardless of differences in feasibility.

In fact, the new initiative of Ambassadors Dembri, Lint, Reyes, Salander and Vega ("Five Ambassadors' Initiative") proposes that a mandate to "examine approaches towards potential future work of a multilateral character" be included in those of the Nuclear Disarmament Ad Hoc Committee, in addition to the mandates of the Amorim proposal, in which the committee's mandate is "to exchange information and views on practical steps for progressive and systematic efforts to attain this [nuclear disarmament] objective." Though the new proposal has not been adopted, we would welcome it if it could be taken up in the future. As we mentioned earlier, the GOJ has supported it. Nevertheless, the GOJ has not acted positively in promoting the initiative.

As for **Task 2**, which calls for a breakthrough in the impasse in the CD, the GOJ has not made any independent contribution either in appealing the importance of the PAROS, or in the role of a mediator to resolve this political deadlock.

In relation to both Task 1 and 2, we regret to conclude that the Japanese representative did not seize the opportunity at the CD on August 22, 2002 when the Malaysian representative, speaking on the importance of nuclear disarmament, conveyed an invitation that the Mayor of Nagasaki put forward to hold a CD conference in Nagasaki. Though Ambassador Inoguchi, who spoke after the

Malaysian representative, mentioned that the GOJ was doing its best to respond to the impassioned wishes of the people of Hiroshima and Nagasaki, she did not express the sense of urgency for nuclear disarmament. Instead, the GOJ focused its attention purely upon FMCT and advertised its policy priority.

Our criticism regarding **Task 3** is a direct result of the GOJ's stance on this issue. Despite the growing tension in the world over issues involving WMD, such as Iraq, North Korea and terrorism, the

GOJ has continued to be somewhat weak-kneed in projecting its unique position as a nation victimized by atomic bombs. The GOJ followed the US lead in only highlighting nuclear proliferation to "rogue states," and has made few statements regarding the abolition of nuclear weapons

As a whole, we see very little effort on the part of the GOJ on Item 4. Therefore, we give it a D grade on this item.

(5) The Principle of Irreversibility

5. The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.

Task 1: The GOJ should demand that both the US and Russia abide by the principle of irreversibility in their implementation of the Moscow Treaty.

Task 2: The GOJ should vigorously protest the US' neglect of the principle of irreversibility manifested by such key words as "responsive forces," "resumption of nuclear tests," "new nuclear weapons," etc., contained in the US NPR and should strongly call upon the US to observe this principle.

Task 3: The GOJ should call upon the Bush Administration not to neglect but to maintain its commitment to Negative Security Assurances.

Task 4: The US Missile Defense (MD) has been a primary cause of the reversal of the trend in nuclear disarmament and other arms control programs. The GOJ should criticize the US MD Plan and terminate its cooperative technical research with the US on MD, which is a breach of a resolution passed in the Japanese Diet.

Task 5: In order to prevent the re-deployment of tactical nuclear weapons aboard ships and aircraft, Japan should codify its Three Non-Nuclear Principles into Law and establish these principles as an irreversible national policy.

Grade: E

TASK SETTING

Task 1 (Requirements for the Moscow Treaty)

Since the US announced the abrogation on December 13, 2001 of the ABM Treaty (which came into effect six months later), we expected the termination of the Treaty together with the actual end of the Strategic Arms Reduction Treaty (START) process early in the evaluation period of this Report. Even though the US and Russia continued negotiations on a new strategic framework, the US unveiled a policy to unilaterally reduce strategic nuclear weapons without the framework of a treaty. Behind this US policy transformation was a newly formulated concept disclosed by the NPR. The concept of "responsive force" is the idea of retaining the weapons reduced under the Treaty in an active state with the possibility of future redeployment. It is understood that these US actions break the principle of

irreversibility. The GOJ should have persuaded the US to withdraw its unilateral plan to abrogate the ABM Treaty and to maintain the START process. Furthermore, the GOJ should have called upon both the US and Russia to take seriously the principle of irreversibility .

While the US and Russia signed the "Strategic Offensive Reductions Treaty" (Moscow Treaty) on May 24, 2002, it is too simple to have means for verification and does not oblige the parties to dismantle delivery vehicles as was the case with START. Though the Treaty contains an agreement to reduce the number of strategic weapons to between 1,700 and 2,200 warheads, it does not refer to the problems caused by the redeployment of reduced weapons. Therefore, we believe that the GOJ should point out these defects in the Moscow Treaty and call upon both states to discuss issues related to the principle of

irreversibility at this stage of the ratification process.

Task 2 (Protest against the US NPR)

The US NPR, which was disclosed in early 2002, makes it evident that the US does not care about the principle of irreversibility at all.

First, the NPR brings to light the US policy of keeping its reduced warheads active as "responsive forces." Second, it stresses the necessity to resume nuclear testing (cf. Item 2). Third, it insists on giving new capabilities to nuclear weapons, reversing its previous policy of not developing new types of nuclear weapons (cf. Item 9e). The GOJ should vigorously protest on these three points.

Task 3 (Appeal for Negative Security Assurances by the US)

All nuclear weapon states made a commitment not to use or threaten to use such weapons against non-nuclear parties to the NPT, in the United Nations Security Council Resolution adopted on April 11, 1995 (Negative Security Assurances). Nevertheless, the Bush Administration has repeatedly forwarded its view placing nuclear weapons as a retaliatory weapon against all WMDs including non-nuclear WMDs, neglecting its commitment to NSAs. This amounts to a breach in the principle of irreversibility.

Out of seven countries (Russia, China, North Korea, Iraq, Iran, Syria, and Libya) which the NPR lists as potential targets, five (all except Russia and China) are non-NWS parties to the NPT. Moreover, the "National Security Strategy" (September 2002) and "National Strategy to Combat Weapons of Mass Destruction" (December 2002), indicate that the US may resort to a nuclear strike not only to retaliate against the use of WMDs, but may also carry out a preemptive strike to destroy the WMDs of the adversaries. Newspaper dealing with the US strikes against Iraq have frequently referred to this US policy. This is dangerous policy indeed. Not only will it become an obstacle for the continuation of the irreversible trend in nuclear disarmament, but it will also reduce the threshold of restraint for using nuclear weaponry. Therefore, the GOJ should strongly insist that US observe the NSA commitment.

Task 4 (Criticism of the MD)

In Items 3 and 4, we have already pointed out that the US MD plan has been a major reason for the impasse in the CD. It will also effectively attach new military value to nuclear weapons by precipitating a new arms race. In fact, the "Quadrennial Defense Review (QDR)" (30 September 2001), which serves as the basis for the US NPR, advocates a newly-defined "New Triad" of defense capability which integrates MD and nuclear weapons. This kind of security structure cannot help but influence other states' nuclear strategies.

On the other hand, the Japan-US cooperative technical research program on Theater Missiles Defense (TMD) places the principle of irreversibility in danger in East Asia. Even though it is only a research project, the Japan-US inclination to support MD strategies is placing a great deal of strain on the East Asia security environment and has triggered a new arms race. It may cause China not only to take a harder line in its nuclear policy, but also to reverse its traditional policies, including no-first-use and unconditional negative security assurance policies.

Moreover, the Japan-US cooperative research project has studied a system called a "Sea-based Midcourse Interceptor System," which occupies a central place in the overall US MD plan. This means that the joint research is going against the trend of disarmament not only in East Asia, but also throughout the world. On the part of Japan, this technical research program violates the Japanese Diet Resolution "On the Fundamentals regarding the Development and Use of Outer Space" (May 9, 1969), as well as "the principle of irreversibility to apply to ... other arms control measures" as stipulated in this item of the 13 steps.

Therefore, the GOJ should oppose the US MD Plan and bring the Japan-US cooperative research program to an end.

Task 5 (Prevention of Redeployment of Tactical Nuclear Weapons aboard ships)

In 1991 and 1992, President Bush and Presidents Gorbachev and Yeltsin agreed to measures to eliminate and withdraw tactical nuclear weapons from ships and aircraft by "unilateral

reciprocal measures." It is especially important to ensure that these measures are irreversible. Japan is a direct beneficiary of this measure because it has been liberated from suspicions regarding the introduction of nuclear weapons by US ships and aircraft, at least during peacetime. It is appropriate to enact the Three Non-Nuclear Principles into a binding law as a way to ensure the irreversibility of this measure in a host nation of ships and aircraft.

EVALUATION

Though the principle of irreversibility was one of the most important agreements made at the 2000 NPT Review Conference, the GOJ has not shown any sign of willingness or eagerness to respect it.

Passively standing by the sidelines, the GOJ has seen a series of events unfold since the US announced its abrogation of the ABM Treaty. It also has given the wrong impression to citizens that the situation is getting better, by referring only to the fact that the US and Russia are considering a substantial reduction of their operational nuclear strategic weapons.

On **Task 1**, the GOJ optimistically depicted future prospects for further reductions in a working paper submitted to the 2002 NPT PrepCom which was held before the signature of the Moscow Treaty. It wrote that: "Japan welcomes the recent announcement that the United States and Russia intend to reduce their nuclear arsenals... This is a positive step toward the elimination of nuclear weapons...following the completion of START I at the end of last year" (April 2002).

Since the conclusion of the Moscow Treaty, the GOJ has neither made speeches nor expressed its concerns with regard to the uncertain assurance of the principle of irreversibility. On the day of signature of the Treaty, a MOFA spokesperson made a purely positive remark and expressed MOFA's wish for the Treaty to "promote the international movement toward arms control, disarmament, and non-proliferation" (May 24, 2002). In the same vein, the speech delivered by Ambassador Kuniko Inoguchi in the First Committee of the UNGA did no more than touch upon the name of the Moscow Treaty, saying that

"we highly value the signing of the Treaty on Strategic Offensive Reductions between Russia and the United States, and expect that this Treaty should serve as an important step toward nuclear disarmament efforts." (October 1, 2002)

As for **Task 2**, we have already discussed in detail the GOJ's lack of response to the NPR.

With regard to NSAs in **Task 3**, the *Washington Times* on January 31, 2003 disclosed a crucial fact. The "National Security Presidential Directive 17 (NSPD17)," a classified document which provided the basis for the aforementioned "National Security Strategy to Combat WMD," outlined the use of nuclear weapon as follows:

"The United States will continue to make clear that it reserves the right to respond with overwhelming force – including potentially nuclear weapons – to the use of WMD against the United States, our forces abroad, and friends and allies" (NSPD 17).

The GOJ has not referred to these US moves to nullify its commitment to NSAs.

Regarding the MD (**Task 4**), the GOJ is moving in the opposite direction of where it should be going, and is weakening the principle of irreversibility. The joint statement made by the US-Japan Security Consultative Committee says that Japan "expressed its intention to address this subject on its own initiative during review of its defense posture, based on the rapidly evolving state of technological developments relating to all elements of the ballistic missile defense program," and "acknowledged the need to continue current U.S.- Japan cooperative research on ballistic missile defense technologies and to intensify consultation and cooperation on missile defense." (December 16, 2002) In fact, Director General of the Defense Agency (DA) Shigeru Ishiba went beyond this statement in expressing the DA's intention to "consider the development and deployment of MD." Though he later moved backward on this earlier statement, mentioning that it was not a departure from the GOJ's previous policy that "the transition to the development and implementation stages"...will be judged separately." (Chief Cabinet Secretary's Statement on December 25, 1998), we see this as a manifestation of the DA's implicit intention to promote the MD program.

Japan is responsible for developing improved interception under the Japan-US technical research cooperation, and this obviously comes under category of "objects to be launched into the space and rockets to be used for launching such objects for military purposes" that are banned by the 1969 Diet Resolution. It seems that the GOJ itself is proceeding toward violating the principle of irreversibility.

We also must take into account the fact that the MD could impede the promotion of a Nuclear Weapon Free Zone Initiative in Northeast Asia; an objective set forth in the item (+2).

As for **Task 5**, which calls for the GOJ to ensure the principle of not allowing the introduction of nuclear weapons, the GOJ has not taken any action pursuing the legislation of the three Non-Nuclear Principles. To make matters worse,

Chief Cabinet Secretary Yasuo Fukuda told the press that the GOJ might "reconsider these Three Non-Nuclear Principles in the future" (June 3, 2002). His remark caused a great deal of turmoil and resulted in an intensive session in the Ad Hoc Committee on Emergency Legislation in the House of Representatives (June 10, 2002). Though Prime Minister Junichiro Koizumi repeatedly confirmed that "the GOJ has chosen the Three Non-Nuclear Principles as a policy," his reply was far from an endorsement of the Principle to be legislated.

As a whole, based on the above evaluation, we regretfully give the GOJ an E on this item.

(6) Unequivocal Undertaking by Nuclear-Weapon States for the Total Elimination of their Nuclear Arsenals

6. An unequivocal undertaking by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all state parties are committed under Article VI.

Task 1: The GOJ should clearly criticize the NPR, whose idea is premised upon the semi permanent existence of nuclear weapons, and call upon the US to cancel it.

Task 2: Japan should include, within its UNGA resolution "A Path to the Total Elimination of Nuclear Weapons," contents "calling upon all nuclear weapon states to formulate their plans of action to implement their 'unequivocal undertaking for the total elimination of their nuclear arsenals.'"

Task 3: The GOJ itself should formulate a plan of action to completely eliminate its dependence on nuclear weapons.

Grade: E

TASK SETTING

Task 1 (Criticism of the US's NPR)

The "unequivocal undertaking" contained in the 2000 Agreement is a jewel upon which we can build our nuclear-free world. Nevertheless, nuclear weapon states (NWSs) failed to show any sign that they would substantially change their nuclear posture, even after making a commitment to this "unequivocal undertaking." They also failed to show any improvement in their attitude at the discussions in the CD. The US, in particular, seems to be promoting a policy that runs counter to the above undertaking.

The NPR explicitly highlighted the fact that the US wishes to retain nuclear weapons for the indefinite future. The NPR reconfirms the importance of nuclear weapons in that they will "play a critical role in the defense capabilities of the US, its allies and friends." It goes on to stress the need to obtain new Inter-Continental Ballistic Missiles (ICBMs) by 2018, develop new strategic submarines and new submarine-launched ballistic missiles by 2029, and work toward the development of a new strategic bomber by 2040. In short, the US,

under the NPR, plans to renew its arsenals on the assumption that nuclear weapons will continue to play a decisive role until the middle of the 21st century.

It is inconceivable for a state which has agreed upon "an unequivocal undertaking to accomplish the total elimination of their nuclear arsenals" to have developed such a plan. The GOJ should vigorously criticize the US and request that the US change its way of strategic thinking.

Task 2 (Call for the Plan of Action)

The GOJ submitted a new draft resolution entitled "A Path to the Total Elimination of Nuclear Weapons" at the UNGA in the autumn of 2000. We praise this initiative, as the new title of the resolution may allow the GOJ to include a request for an implementation plan of the 'unequivocal undertaking' for the elimination of nuclear weapons. The GOJ should repeat concrete attempts to push the nuclear weapon states, through the resolutions, towards the implementation of the "unequivocal undertaking."

One of the essential requirements to be included in the resolution is a demand that the nuclear weapon states formulate “plans of action for the implementation of the total elimination,” as a next step, since they have already committed themselves to the “unequivocal undertaking.” The plans of action could be different for each nuclear weapon state, and therefore it would be realistic to include, in the draft text of the Path Resolution, contents that merely request them to formulate and submit plans of action for the implementation of the “unequivocal undertaking.”

Task 3 (Total Elimination of Dependence on Nuclear Weapons)

The task of achieving the total elimination of nuclear arsenals is not only one for the NWSs themselves but also for states such as NATO members, Japan, Australia and the Republic of Korea (ROK, South Korea), in which the dependence on nuclear weapons is an important part of their respective security policies. Since the adoption of the “unequivocal undertaking to accomplish the total elimination of nuclear arsenals,” nuclear-dependent states have also made an “unequivocal undertaking” to totally eliminate their dependence on nuclear weapons. Therefore, the nuclear-dependent states are urged to formulate plans of action for the implementation of such unequivocal undertaking. Japan should play a leading role in this movement.

EVALUATION

With regard to **Task 1**, the GOJ has not acted against the US NPR, which goes contrary to the ‘unequivocal undertaking.’ It seems to us that the GOJ is completely indifferent to the US nuclear posture highlighted in its NPR. The MOFA has expressed the view that the US and Russia’s reduction of nuclear arsenals is proof of their commitment of the implementation of the ‘unequivocal undertaking.’ However, the NPR clearly indicates that this reduction in capability is premised on the semi-permanent possession of nuclear weapons. The MOFA has turned a blind-eye to this fact.

The GOJ has adopted strange behavior in

the draft text of the 2001 Path Resolution. This could be interpreted as an intent to discard the gains of the ‘unequivocal undertaking.’ The natural course of logic is as follows: the ‘unequivocal undertaking’ has already been made, so the next step should be demands made on the premise of the undertaking. Along this course, Japan placed the rhetoric ‘unequivocal undertaking’ into the preamble and welcomed it in the 2000 Path Resolution. The New Agenda took a similar stance as well.

However, in the 2001 Path Resolution, the GOJ put the ‘unequivocal undertaking’ into one of the operative paragraphs; in other words, it downgraded the ‘unequivocal undertaking’ into one among a series of steps to be taken in the future. In response to strong criticism by the New Agenda countries, Japan added the modifier of “as agreed in the 2000 NPT Review Conference” to the ‘unequivocal undertaking,’ but did not amend the place where it was placed. That was one of the major reasons why the New Agenda countries abstained from voting on the 2001 Path Resolution. Nevertheless, the GOJ treated the ‘unequivocal undertaking’ in the 2002 Path Resolution in the same manner as in the 2001 Path Resolution. It is reported by observers that the GOJ did this in order to gain a ‘yes’ vote from France.

The Path Resolution should also have stressed the urgency for the implementation of the ‘unequivocal undertaking’ in a transparent manner – especially when the US posture to break the ‘unequivocal undertaking’ had become obvious in its NPR. The GOJ was insensitive to this situation in the 2002 Path Resolution.

The record of the GOJ on **Task 2** raises serious doubts as to whether it understands the importance of the ‘unequivocal undertakings.’

What’s more, in regards to **Task 3**, the GOJ has shown no signs of being aware that the “unequivocal undertaking” is an issue on which it must act on its own.

As a whole, it is regretful that the GOJ has made little effort to fulfill the tasks set forth in this important item, especially since the Japanese people were once devastated by nuclear weapons. Thus, we give the GOJ an E.

(7) The Preservation and Strengthening of the ABM Treaty and the Promotion of the START Process

7. The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the Treaty on Limitation of Anti-Ballistic Missile System as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.

We excluded this item from the evaluation objectives, since the ABM Treaty became ineffective early in the evaluation period together with the implicit end of START II and III as well. This is a result of the US blatantly nullifying one of the 13 agreed steps. The fact that the GOJ made no effort to maintain the ABM Treaty and the START processes is reflected in the same section of the 2002 Report as well as in the section of Item 5 entitled "The Principle of Irreversibility" in this year's Report.

(8) The Completion and Implementation of the Trilateral Initiative between the US, Russia and the IAEA

8. The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency.

Task 1: Japan should lend its support to the Trilateral Initiative.

Grade: D

TASK SETTING

Task 1 (Support of the Trilateral Initiative)

To deal with the excess fissile materials produced as a result of nuclear arms reductions by the US and Russia, the Trilateral Initiative was launched in 1996. Under it, the two countries would work with the IAEA to ensure that these materials were not used for weapons again. If this system is fully established, it could be applied to other nuclear-weapon states, thus having deep significance for the total elimination of nuclear weapons under Article VI of the NPT.

Though the START process has been brought to a virtual end, it is necessary to put into effect the Trilateral Initiative under the Moscow Treaty. The GOJ should actively promote this process.

EVALUATION

As for **Task 1**, Japan's Path Resolution did not specifically mention the Trilateral Initiative. This should be interpreted as meaning that the GOJ

did not oppose the initiative, but regarded its contents as included in the 10th item of the 13 steps, which calls on all the nuclear-weapon states to make similar efforts. However, it is important that the IAEA verifies the US-Russia nuclear disarmament process, especially under the circumstance where the Moscow Treaty does not provide for a verification system for the implementation of the Treaty.

The GOJ plans to support Russia in its control of nuclear materials with the aim of nuclear non-proliferation and prevention of nuclear terrorism, in accordance with the "G8 Global Partnerships" agreed to in the Kananaskis G8 Summit on June 27, 2002. However, the aim of this plan is different from that of the Trilateral Initiative, which is to ensure the irreversibility of nuclear weapons reduction.

As a whole, in this sense, the GOJ's work has not been adequate. Thus, we give it a D.

(9) “International Stability” and the “Principle of Undiminished Security for All”

9. Steps by all the nuclear-weapon states leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:

TASK 1: The GOJ should not use, nor let others use, the “promotion of international stability” or the “principle of undiminished security for all” as reasons for delaying the implementation of the thirteen steps.

Grade: D

TASK SETTING

TASK 1 (Preventing Misuse)

The ninth item contains six steps to be taken, 9a to 9f; but they are covered by a blanket policy, which includes “international security” and the “principle of undiminished security for all.” In negotiation processes, the nuclear-weapon states favored the phrase “strategic stability” as an omnibus term to cover the ninth item. However, the New Agenda countries and others found this to amount to recognition for the balance of nuclear weapons, and insisted on the wording “international stability.”

In the same way, however, nuclear deterrence and balance of power can be used as a basis for opposing nuclear disarmament through the “principle of undiminished security for all.” For example, many within the Japanese government argue that “the US policy of first-use of nuclear weapons is a necessary deterrent against threats posed by the DPRK.” This is one example of a government resisting steps towards nuclear disarmament with the excuse that those steps might diminish the state’s security.

Rather, “international stability” and “undiminished security for all” should be put forward in such a way that they will be created and maintained through the promotion of nuclear disarmament by taking steps such as nuclear arms reduction, lowered alert status, enhanced

accountability for nuclear weapon stockpiles, the reduction of dependence on nuclear weapons by means such as no-first-use, confidence building, and the promotion of compliance with existing agreements.

EVALUATION

In its discussions with NGOs, MOFA officials have explained, “we should wait for the regional security environment to improve to submit a more forward looking resolution to the UNGA.” We can understand their fear that they will not be able to persuade conservative Dietmembers until the security environment changes for the better. Nevertheless, as the country devastated by nuclear weapons, Japan should feel secure in its belief that nuclear weapons should not be used as a means for so-called “security” and that the security environment in this region would be improved only by nuclear disarmament. We have not heard this kind of argument from the mouths of MOFA officials.

The US NPR stresses the importance of “the unique characteristics of nuclear capabilities” in order to cope with new threats that have arisen in the post Cold War era. We take this to mean that the US is against nuclear disarmament and advocates a “Principle of Undiminished Security for the US alone.” We have already mentioned that the GOJ did not respond the NPR in an appropriate manner.

As a whole, we give the GOJ a D grade on this item.

(9a) Unilateral Cuts of Nuclear Arsenals

9a. Further efforts by the nuclear-weapon states to reduce their nuclear arsenals unilaterally.

Task 1 : The GOJ should call upon the US and Russia to unilaterally dismantle weapons which are subject to reduction in the Moscow Treaty.

Task 2 : The GOJ should make an independent examination and speak out on issues such as enhancing the speed of the US and Russia's reduction of nuclear arms by unilateral means, non-strategic arms reduction, and unilateral cuts by nuclear-weapon states other than the US and Russia

Grade: D

TASK SETTING

Task 1 (Unilateral Dismantlement of Reduced Nuclear Warheads by the US and Russia)

As we have already explained in the fifth Item ("the Principle of Irreversibility"), the US and Russia agreed to reduce the number of operational nuclear warheads to a range between 1,700 and 2,200 by 2012, in the Moscow Treaty (May 24, 2002). Nevertheless, it has become apparent that the US is pursuing a policy to retain many warheads as responsive forces. This may induce Russia to retaliate using the same measure. Thus, warheads are not being "reduced" in the true sense of the word.

The GOJ should call upon both the US and Russia to unilaterally dismantle their warheads that are subject to reduction in the Treaty. The US in particular should be pressured due to its explicit policy to retain them. The GOJ should call upon both the US and Russia to observe the principle of irreversibility in the process of ratification of the Moscow Treaty.

Task 2 (Reduction Speed, Reduction by States Other than the US)

The speed of the cuts under the Moscow Treaty for the reduction of warheads is slower than the one under the START III Treaty that was agreed to between Clinton and Yeltsin in Helsinki (March 21, 1997). START III was to reduce the number of

warheads down to a range between 2,000 and 2,500 by 2007. If we count the number of warheads in the same method as the one adopted in the Moscow Treaty, then the numerical value of 2,000-2,500 warheads could be calculated as 1,700-2,200. This is exactly the same number that was presented in the Moscow Treaty. The GOJ should call upon both states to accelerate the speed of the cuts through unilateral measures. .

The unilateral measures that may be taken are not limited to strategic reductions. It is non-strategic nuclear weapons that are most likely to be used; and thus their unilateral reduction is important in the context of regional security. This will be further analyzed in Item 9c.

Moreover, the US and Russia could take unilateral measures such as the relaxation of the alert status of their nuclear defense systems, and the early retirement of warheads to be reduced under the Moscow Treaty. The UK, France and China, by taking unilateral measures, should also contribute to the promotion of nuclear disarmament. In particular, China is the only nuclear weapon state that has not yet announced any measures for disarmament. It is hoped that China will make new efforts in this area.

The GOJ should independently examine methods for unilateral disarmament and make its findings available to the international community.

EVALUATION

With regard to both **Task 1 and 2**, the GOJ did no more than to welcome the Moscow Treaty without criticizing its shortcomings. Nor has it showed concern for delays in the reduction of

warheads in comparison to those that were agreed to between Presidents Clinton and Yeltsin.

We give a D grade to the efforts by the GOJ on this issue.

(9b) Increasing Transparency

9b. Increased transparency by the nuclear-weapon states with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament.

Task 1 : The GOJ should call upon the US to increase the transparency of its national nuclear weapons research institutes in order to clarify the facts about its ongoing research and development (R&D) activities for new types of nuclear weapons as well as other future R&D plans for strategic weapons as depicted in the NPR.

Task 2: Along with its call on the US to increase transparency, the GOJ should call upon China to increase the transparency of its current nuclear arsenal and nuclear posture.

Task 3: The GOJ should promote the formation of an inventory and reporting system regarding nuclear weapons, relevant nuclear materials, and delivery systems, both on the global and Asia Pacific regional level.

Task 4: The GOJ should call upon the US to abandon its policy of "neither confirm nor deny (NCND)."

Grade: E

TASK SETTING

Task 1 (Examination of the NPR)

The US NPR stresses the importance of new types of nuclear weapons, and the explanations for these will be provided in Item 9e. It also contains a long-term plan to revitalize and maintain its strategic weapons system. This has already been discussed in Item 6. These facts have severely curtailed the disarmament efforts of the international community. The increasing suspicions toward the US have led to a negative environment regarding the promotion of disarmament efforts.

In order to overcome this problem, the GOJ should appeal to the US to increase the transparency of its national nuclear weapons research institutes.

Task 2 (Appeal to China)

Very little information is publicly available regarding the specifics of China's nuclear

arsenal and policy. This has been one of the reasons for Japan's unsubstantiated fear of a nuclear threat for China; and has impeded any healthy discussion on East Asian nuclear security issues.

As long as Japan remains dependent on US nuclear deterrence, however, its appeals to China to increase the transparency of its nuclear arsenals remain unpersuasive. Though it is imperative for the GOJ to abandon the above policy, it is also imperative for the GOJ to persistently keep calling upon China to increase transparency. The GOJ should fulfill this task in correlation with Task 1, which calls upon the US to improve the transparency of its national nuclear weapons research institutes. This task could be a theme to be discussed at the annual "Japan-China Consultations on Arms Control, Disarmament and Non-Proliferation" conference.

Task 3 (Inventory Formation)

Increasing transparency regarding nuclear weapons and nuclear materials is a task both for the world as a whole and for this region.

Globally, the most fundamental task is to require all states concerned to give annual reports with full records of nuclear weapons, nuclear weapon usable materials, and delivery systems. Not only will these data be necessary when working to achieve the elimination of nuclear weapons, but will form the foundation of confidence-building in the process toward the goal. The data should be submitted as reports to the NPT Review Conferences and their Preparatory Committees. One way to do this would be for the UN Department of Disarmament Affairs to provide a type of standardized report.

To promote the confidence building and disarmament necessary for peace in Northeast Asia, it is vital to increase transparency regarding the deployment and operational status of nuclear weapons in the region. The GOJ should make efforts to increase the transparency of the nuclear arsenals of China, the Russian Pacific region and the US Pacific region, as well as their delivery systems. This task will be essential for any project to establish a nuclear weapon-free zone (NWFZ) in Northeast Asia.

Task 4 (Call for the Abandonment by the US of NCND)

The US policy of "neither confirm nor deny" (NCND) has been a major obstacle to increasing transparency. Actually, because of the NCND policy, Japanese citizens have retained suspicions that nuclear weapons are being introduced into Japan on US ships and aircraft. It is imperative that the GOJ demand that the US change its NCND policy.

EVALUATION

Regarding **Task 1**, the GOJ has not shown any concern for the transparency of the US national nuclear weapons research institutes, despite international concern.

MOFA officials have often made remarks on **Task 2**, which stresses the necessity to increase

the transparency of nuclear weapons possessed by China. However, the GOJ's appeals to China will remain unpersuasive as long as it fails to challenge the US's position on the issue – as has already been touched upon in the course of discussing Task 1. Japan's Delegation, represented by Ambassador Amano, and China's delegation discussed security issues in the "Japan-China Consultations on Arms Control, Disarmament and Non-Proliferation" talks that were held in Tokyo on September 24, 2002. As far as could be gathered from the press release, these consultations did not touch upon the transparency issues, but ended up in dealing with the global and regional security situations, Missile Defense, the CTBT and the CD.

As for inventory formation under **Task 3**, we could not observe any interest from the GOJ.

Regarding **Task 4**, during our evaluation process, there were many occasions where municipal governments were unable persuade their citizens to accept the GOJ's explanation as to why it believes that there are no nuclear weapons aboard US naval vessels.

In Hokkaido, where visits by US naval ships are increasing, municipal ordinances to regulate the visits of nuclear-armed vessels were proposed to the city councils of Hakodate (March 11, 2002), Tomakomai (March 12, 2002) and Otaru (March 15, 2003). The Tomakomai City Council unanimously adopted the "Nuclear Free and Peace City Ordinance" which stipulates that the Mayor must "refer the case to relevant institutions for consultation and request them to respond appropriately if necessary, when there are facts and reasons that threaten our national Three Non-Nuclear Principles."

Furthermore, in a press conference on April 23, 2002 the governor of Hiroshima Prefecture, Yuzan Fujita, referred to "the possibility of requiring" US warships to "prove that they do not have nuclear weapons on board."

These initiatives are evidence that the lack of transparency resulting from the US NCND policy has aroused Japanese citizens' sense of insecurity. Moreover, considering the responses by China and the DPRK to US military forces in the region, the NCND policy is definitely increasing tensions in the region. Nevertheless, the GOJ has never asked the

US to change its NCND policy.

As a whole, the GOJ's efforts

regarding the serious situation precipitated by the NPR are unsatisfactory; therefore, we give it an E grade.

(9c) Reduction in Non-Strategic Nuclear Weapons

9c. The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process.

Task 1: The GOJ should oppose R&D activities for new types of non-strategic nuclear weapons, such as earth penetrating nuclear weapons, and focus its nuclear disarmament policy, among other issues, on the reduction and increased transparency for non-strategic nuclear weapons.

Task 2: The GOJ should support calls on the US to withdraw its nuclear weapons from NATO countries.

Task 3: The GOJ should call on the US to make unilateral cuts in nuclear cruise missiles, and call on China to make unilateral cuts in tactical nuclear weapons.

Task 4 :The GOJ should call on the US to abandon its NCND policy.

Grade: D

TASK SETTING

Task 1 (Focus on Non-Strategic Weapons)

Within the new strategic environment, there are concerns that both the US and Russia will increase their dependence on non-strategic nuclear weapons. It is, in fact, tactical nuclear weapons that are most likely to be actually used. Consequently, it is vitally important to emphasize non-strategic nuclear arms reduction. The situation has been made even more critical by the fact that the NPR suggests US research and developmental plans for new types of non-strategic weapons, such as earth penetrating nuclear weapons (Bunker Busters) and Agent Defeat Weapons (ADW). It is of deep concern that these weapons could be used in a US strike against Afghanistan and Iraq.

There are a variety of other problems in this area. These include the US's deployment of nuclear bombs in NATO countries, NATO's sub-strategic nuclear weapons (including those deployed by the UK and France); the possible Russian redeployment of tactical nuclear weapons to Kaliningrad, which became an issue in January 2001 – even though Russia denied these allegations; Russia's new increasing dependence on tactical nuclear weapons – which has impeded efforts to

establish a nuclear weapon-free zone in Central Asia; and the suspected presence of nuclear weapons aboard US submarines caused by continued launch tests of nuclear cruise missiles and the US policy of NCND. Therefore, the GOJ should consciously make efforts toward the reduction of non-strategic nuclear weapons.

Up to now, cuts in non-strategic nuclear weapons have been done through unilateral initiatives, with no verification or reporting taking place through the treaty system. In this regard, it is of particular importance to impart transparency and legal bindingness to the 1991 Bush-Gorbachev-Yeltsin initiative on the dismantlement, removal and reduction of tactical nuclear weapons.

Task 2 (Removal of Tactical Nuclear Weapons Deployed in NATO)

The deployment of nuclear weapons in NATO by the US is unique in that they are the only nuclear weapons in the world that are deployed on land outside of a nuclear weapon state's territory. This may constitute a destructive precedent that could lead to other nuclear weapon states, especially

Russia, to deploy their tactical nuclear weapons on soil outside their territories. International public opinion calling for their withdrawal should be raised.

Task 3, 4 (Call for the Abandonment of the US NCND Policy)

The issue of tactical nuclear weapons is of particular importance to the Japanese government in terms of easing regional tensions and advancing regional security in East Asia. It would be beneficial for Japan, in seeking to ease tensions and promote the denuclearization of the region, to call for a reduction in US nuclear cruise missiles, since they could be brought into Japanese ports aboard US nuclear powered submarines in emergency situations. While pursuing such efforts, it would be effective to call upon China for a reduction in its tactical nuclear weapons. At such a time, the need for the US to abandon its NCND policy should be addressed again to ensure transparency.

EVALUATION

As for **Task 1 and 2**, we have observed some important progress during our evaluation period. The New Agenda, which has accorded priority to the "further reduction of non-strategic nuclear weapons" in its paper to the 2002 NPT PrepCom (April 5, 2002), submitted a separate and independent draft resolution to the UNGA in the autumn, and the resolution was adopted

(A/RES/57/58 Adopted on November 22, 2002).

Though the details are still to be worked out, we highly appreciate this resolution which advocates policies to: (1) accord priority to the reduction of non-strategic nuclear weapons; (2) make it an integral part of the nuclear disarmament process; and (3) adopt the principle of transparency and irreversibility. Nevertheless, we regret that states which are dependent on US nuclear deterrence, such as the NATO member states and Japan, abstained, submitting to US diplomatic pressure. Though the MOFA has shown an interest in reducing non-strategic nuclear weapons, it neither provided positive support to the New Agenda movement nor took any concrete steps on its own. We cannot help but feel that the MOFA's rhetoric and actions are not mutually consistent. This is especially true if we take into account the MOFA's usual expression of concern on this issue to Japanese NGOs.

Nevertheless, we should mention in this regard that Japan's "Path Resolution" at the 2002 UNGA continuously advocates "the further reduction of non-strategic nuclear weapons, based on unilateral initiatives."

With regard to the NPR, the GOJ took no action to fulfill the task.

Though **Task 3 and 4** are familiar to people in Japan, the GOJ had done nothing to see to their completion.

As a whole, we give the GOJ a D grade on this item.

(9d) Reducing Operational Status

9d. Concrete agreed measures to further reduce the operational status of nuclear weapons systems.

Task 1: The Bush Administration's "Preemptive Strike Strategy" as well as the idea of lowering the threshold between nuclear and non-nuclear weapons, brought about a change which made the operational status of nuclear weapons more dangerous. The GOJ should vigorously criticize the US position.

Task 2: The GOJ should emphasize the de-alerting of all strategic nuclear arms.

Grade: E

TASK SETTING

Task 1 (Criticism Directed towards the Preemptive Strike Strategy)

The US DOD's 2002 Annual Report to the President and the Congress (August 15, 2002) attracted attention by explicitly stating that [the US is to use] "all elements of national power" against its adversaries and that "defending the United States requires prevention and sometimes preemption."

This policy has been supported by a more fundamental document for national strategy. The White House in its "National Security Strategy" report explicitly endorsed preemptive strikes in its "war on terror." This statement received a great deal of media coverage. The document also announced that "we [the US] will not hesitate to act alone, if necessary, to exercise our right of self-defense by acting preemptively..."

Moreover, the preemptive strike strategy was stressed repeatedly in a white paper entitled, "National Strategy to Combat Weapons of Mass Destruction" (December 2002) As mentioned before (p.16), it has become apparent that the strategy is based on the "National Security Presidential Directives 17 (NSPD 17)" (May 2002).

The preemptive strike strategy has made the "operational status of nuclear weapons," the theme of this Item, a dangerous one indeed when it is combined with the spirit of the NPR to lower the

threshold between nuclear and non-nuclear weapons.

First, the NPR does not distinguish between nuclear and non-nuclear weapons and integrates them into one of the three legs of the "New Triad" of defense capability. William Arkin, a renowned military analyst, warned that "the danger is that nuclear weapons – locked away in a Pandora's box for more than half a century – are being taken out of that lockbox and put on the shelf with everything else" (*Los Angeles Times*, January 26, 2003).

Moreover, the NPR stresses the importance of a much more flexible and rapid "Adaptive Planning" which the US military has developed since the end of the Cold War in order to enable nuclear weapons to be used like conventional ones. In other words, the NPR stresses the importance of a plan to address small-scale contingent threats rather than to prepare for large-scale all-out nuclear war.

The GOJ should warn against and criticize such a dangerous change in the operational status of the US's nuclear weapons system brought about by this preemptive strike strategy.

Task 2 (Call for De-Alerting)

President Bush, announcing the US withdrawal from the ABM Treaty on December 13, 2001, repeated the claim that the hostile relationship

during the Cold War era no longer exists: "Neither does the hostility that once led both our countries to keep thousands of nuclear weapons on hair-trigger alert, pointed at each other." It is not generally believed that this statement meant that the US had actually de-alerted. However, it is at least an unintended confession by President Bush that the hair trigger alert is anachronistic. Today, there is no reason for such a high alert status to be continued. Moreover, the maintenance of a hair trigger alert system inevitably increases the risk of the accidental launch of nuclear missiles. We should start from the commonsense that "a world with nuclear weapons on hair trigger alert is not a sane world."

The GOJ should call for the adoption of "de-alerting" measures.

EVALUATION

On **Task 1**, the US's preemptive strike strategy has influenced international public opinion and trends in international politics leading up to the war on Iraq, as well as the events surrounding North Korea. Since early 2002, the Japanese media has reported on the danger of the "preemptive strike" policy on many occasions.

Therefore, there has been a plethora of opportunities for the GOJ to touch upon this issue. Among others, Foreign Minister Kawaguchi delivered a speech entitled "Common Challenges: US and Japan, Current Japanese View" at the Center for Strategic International Studies (CSIS) in Washington D.C., focusing on terrorism and WMD issues (September 16, 2002). Furthermore, in a speech on diplomacy delivered at the 156th session

of the Diet (January 31, 2003) she took up the subject of the international circumstances surrounding terrorism. There were no mentions in these speeches on the issues of preemptive strikes or lower thresholds for nuclear strikes.

In a speech delivered at the United Nations Security Council, Japan's Ambassador to the UN, Yukiichi Haraguchi, said that "there is serious doubt as to the effectiveness of continued inspections" in Iraq. This, in effect, was a recognition that the option of a preemptive strike on the nation by the US and the UK was justifiable. Though this speech (February 18, 2003) was given just by one day outside of the evaluation period, it is reflective of the GOJ's acceptance of the US's preemptive strike doctrine.

This kind of posture should be severely criticized, as it holds the potential to destabilize the operational status of nuclear weapons and heighten the danger of nuclear war more than ever before.

The MOFA has shown an interest in discussing the issue of de-alerting— as highlighted in Item 2 – and acknowledged that it was studying concrete proposals to be made within the Ministry on this issue; however, they have not made any further proposals since then.

As a whole, the GOJ has not only failed to make a response to the danger precipitated by the US preemptive strike strategy, but has even appeared to admit that such a strategy has its uses. The GOJ has made little effort on de-alerting. Therefore, we give it an E grade.

(9e) A Diminishing Role for Nuclear Weapons in Security Policies

9e. A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination.

Task 1: The GOJ should vigorously protest against US moves to assign a new role to nuclear weapons and to put such ideas into practice, as they were depicted in the NPR.

Task 2 : By 2005, Japan should eliminate dependence on nuclear weapons from its national security policy. It should formulate an action plan to achieve this.

Task 3: Japan should, as soon as possible, issue a political declaration to work for the establishment of a nuclear weapon-free zone in Northeast Asia. In the declaration, Japan should also call on North Korea to halt its nuclear weapons development plan.

Task 4: Japan should end its policy of dependence on nuclear deterrence in the review process of its National Defense Program Outline.

Task 5 : Japan should aim to enact its own "Non-Nuclear Law."

Grade: E

TASK SETTING

Task 1 (Criticism of the NPR)

The NPR makes it apparent that the US does not intend to diminish, but rather to renew and augment the role of nuclear weapons in the post Cold War era. Specifically, the NPR pointed out the defects of nuclear weapons developed during the Cold War era and drew up the following four points to demonstrate the necessity for the development of new capabilities in the US nuclear arsenal:

- (1) Defeating Hard and Deeply Buried Targets (HDBT) (the so-called bunker buster).
- (2) Mobile and Relocatable Targets.
- (3) Defeat of Chemical and Biological Agents.
- (4) Improved Accuracy for Effectiveness and Reduced Collateral Damage.

If we consider each of these points in relation to the war on Afghanistan and Iraq crisis, it is clear that the NPR has redefined the role of

nuclear weapons so as to make them effective in addressing threats posed in the post Cold War world.

This new capability plan, as it appeared in the NPR, is not merely theoretical. The US government has gradually promoted this plan by allocating more funds from the defense budget to seek its fruition. For example, the FY 2003 National Defense Authorization of the US allocated a certain portion of the budget to the bunker buster under the name of Robust Nuclear Earth Penetrator (RNEP) (November 13, 2003). Though the allocated money cannot be expended until 30 days after the submission of a report to the Congress by the Director of DOD, through a consultation with the Director of the Department of Energy (DOE), it has the de-facto permission of the government to go ahead with the plan.

The GOJ should vigorously protest this plan's provocative nature.

Task 2 (Plan of Action to Eliminate Japan's

Dependence on Nuclear Weapons)

Item 9e has as much relevance for the nuclear-dependent states, such as Japan, as it does for the nuclear weapon states. In order to achieve the total elimination of nuclear weapons, it is also necessary for nuclear dependent states to reduce their dependency on such weapons. With regards to Japan, despite the fact that it should object to the use of nuclear weapons on moral grounds as the country devastated by nuclear weapons, it has adopted a national security policy that relies on nuclear weapons. As long as the GOJ remains dependent on US nuclear deterrence, all of Japan's nuclear policies will remain within the permissible range of US military policies. The GOJ's calls for the abolition of nuclear weapons will be considered mere lip service, and a deception of its people, if they can only be made with the permission of the US government. Therefore, the GOJ should set a goal of changing its security policy to one independent of nuclear weapons by the time of the 2005 NPT Review Conference, and formulate a plan of action for achieving that goal. By doing so, it will be able to make a major contribution to the implementation of article VI of the NPT.

Task 3 (Political Declaration for the Establishment of a Northeast Asia NWFZ)

The GOJ's rationale for relying upon US nuclear weapons will become almost irrelevant if a Northeast Asia nuclear weapon-free zone (NWFZ) is established. Japan should, as soon as possible, express a policy direction toward establishing a NWFZ, in a form of a political declaration. Such a political declaration would have a positive effect in relaxing tensions and promoting mutual trust in the region.

The GOJ should also call upon North Korea to utilize nuclear weapons neither as a "diplomatic card" nor as a means of deterrence, while simultaneously clarifying Japan's own position in regards to the elimination of its dependency on nuclear weapons.

Task 4 (Revision of the National Defense Program Outline)

Work is underway to revise the National Defense Program Outline, aiming at the completion

of its draft by 2003. During the evaluation period of this report, the media reported on various problems related to the plan to strengthen joint operations among the services of Japan's Self Defense Forces.

The government should take advantage of this opportunity to review its nuclear-dependency policy. The only basic policy document that defines the dependence on US nuclear weapons in Japan's security policy is the 1995 National Defense Program Outline. Based on this Outline, the Guidelines for US-Japan Defense Cooperation also specifically refer to Japan's dependence on US nuclear deterrence. Therefore, the deletion of the clause defining this dependence from the National Defense Program Outline in its review process would be a concrete, essential first task for Japan's implementation of the NPT agreements.

More concretely, this decision should be based on the following backdrop. The previous National Defense Program Outline, which was issued in 1976, stated that: "Against nuclear threats, Japan will rely on the nuclear deterrent capability of the United States." The present 1995 Outline reads: "Against the threat of nuclear weapons, rely on the US nuclear deterrent, while working actively on international efforts for realistic and steady nuclear disarmament aiming for a world free from nuclear weapons." Thus, a certain amount of progress was made from 1976 to 1995.

Therefore, the next Outline, which will be revised when nuclear-weapon states have made "an unequivocal undertaking to accomplish the total elimination of their nuclear arsenals," should read as follows for instance:

"Against the threat of nuclear weapons, while working actively internationally for the implementation of "an unequivocal undertaking" by nuclear-weapon states to accomplish the total elimination of their nuclear arsenals,' which was agreed to in the 2000 NPT Review Conference, Japan will cease being dependent on the US nuclear deterrent without delay."

Task 5 (Legislation of a Non-Nuclear Law)

In order for Japan to assert its non-nuclear status, guaranteed by a verification system, the GOJ should enact a Non-Nuclear Law, including the codification of the three Non-Nuclear Principles. By

doing so, Japan could set a perfect example for neighboring states that it has fulfilled a step towards "diminishing the role of nuclear weapons in security policy." This would contribute to the entire NPT regime, and thus strengthen Japan's moral position as a country devastated by nuclear weapons, increasing its influence on nuclear disarmament issues.

EVALUATION

In regards to **Task 1**, the GOJ has made no actions to protest against the US NPR.

As for **Tasks 2, 3 and 4**, the GOJ does not seem to recognize that the "diminishing role of nuclear weapons" is a task set upon Japan itself.

Progress towards the total elimination of nuclear weapons can be made only when the nuclear-dependent states change their thoughts and policies into ones in which they believe that their national security can be ensured without relying on

nuclear weapons. If Japan continues to request a US nuclear umbrella for its defense, then the very same logic would allow India, Pakistan and a few more new states to go nuclear. Also, the request to North Korea would be ineffective.

We cannot say which is better, to "have" nuclear weapons or to "let others have and use" them. Both are obstacles to the total elimination of nuclear weapons. This point is essential for Japan, and we urge the GOJ to reflect seriously as it has shown no sign toward a change in its present policy.

As a whole, since we are terribly concerned about the continuation of Japan's nuclear weapon dependent security policy, despite the devastation that these weapons brought on the people of Japan. We give the GOJ an E grade.

(9f) Engagement of All Nuclear-Weapon States in a Process Leading to the Elimination of Nuclear Weapons

9f. The engagement as soon as appropriate of all the nuclear-weapon states in the process leading to the total elimination of their nuclear weapons.

TASK 1: The GOJ should make efforts to realize a conference on nuclear disarmament by all the nuclear-weapon states, through means such as technical meetings in preparation for a verification system, or meetings focusing on non-strategic nuclear weapons.

Grade: D

TASK SETTING

TASK 1 (Efforts to Convene a Five State Conference)

There is a need to expand negotiations on nuclear arms reductions, which are currently carried out only bilaterally between the US and Russia, to all of the five nuclear-weapon states. China, the UK and France have suggested that they would not participate in a conference of this type until the US and Russia have cut their arsenals down to levels similar to theirs. India and Pakistan, from the perspective of the Non-Aligned Movement, have said that multilateral discussions in the CD are desirable. Israel's stance is unclear.

Some possibilities could include holding a five-state meeting limited to cuts in non-strategic nuclear weapons, or a preparatory meeting by the

five states for a verification system prior to talks on arms reduction.

EVALUATION

Japan's so-called "Path Resolution" has explicitly come to include this item, since it has been included in the 13 steps agreed to in the 2000 NPT Review Conference. The GOJ continues to include it in the 2002 Path Resolution.

Unfortunately, we have to conclude that the GOJ's has not been active in promoting **Task 1** thus far.

As a whole, since no concrete efforts have been made on the task, we give the GOJ a D grade.

(10) The Placement of Excess Fissile Material under International Control and Its Use for Peaceful Purposes

10. Arrangements by all nuclear-weapon states to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside military programmes.

TASK 1: Japan should provide positive cooperation toward a verifiable system to place weapon-usable fissile materials outside military programs. Public debates should be held within Japan on how to do this.

Grade: C

TASK SETTING

Task 1 (Cooperation and Public Debates)

Under the NPT regime, the “disposition for peaceful purpose” of fissile materials is interpreted as progress. However, there are strong objections to this idea among NGOs, because nuclear power generation has its own serious problems that are yet to be resolved, including the danger that nuclear power generation may lead to the proliferation of nuclear weapon technology. At a series of conferences held within the NPT review process, NGOs stressed that nations should move away from their dependence on nuclear power and towards other forms of "sustainable energy."

We have already touched upon the US, Russia and IAEA Trilateral Initiative in Item 8. In order to prevent the reduced nuclear weapons and excess fissile materials from being reused as weapons, or from being illicitly transferred to others, there is a need to place them under some form of international verification system. Though the Trilateral Initiative has yet to be completed, the same measures should be taken in the UK and France as soon as possible.

EVALUATION

In order to promote this process, Japan and other states will need to provide technical and financial support. The US and Russia have agreed to burn fissile materials in nuclear power plants without reprocessing them later, or to mix them with high-level radioactive wastes and store them in solid glass. The US, which once adopted the latter method of “glassification,” issued a decision in January 2002 to reprocess fissile materials into Mixed-Oxide fuel (MOX fuel) and burn them in nuclear reactors.

Naturally the GOJ should cooperate with the international effort to prevent weapon-grade surplus fissile materials from being reused for nuclear weapons. It is necessary, however, to distinguish the aforementioned international problems from domestic problems caused by the plutonium recycle system. Once the distinction has been made, these problems should be extensively discussed in public forums. These forums should allow opinions to be voiced from those concerned about non-proliferation, environmental preservation, and safety issues.

As for **Task 1**, since Foreign Minister Masahiko Komura's visit to Russia in May 1999, Japan and Russia have been promoting the "the Japan-Russian Federation Joint Efforts for Disarmament and Environmental Protection"; a joint R&D program that includes a provision for technical and financial assistance in the disposal of Russian surplus weapon-grade plutonium taken from dismantled nuclear weapons. In addition to this, the "Japan-Russia Memorandum of Understanding on the Promotion of Cooperation for Nuclear Disarmament, Non-Proliferation and Nuclear Weapons Disposition" was agreed to by the two governments in Tokyo on September 4, 2000. Through this machinery, a joint research program started with the aim to promote the disposal of surplus weapon-grade plutonium in Russia by burning it as MOX fuel in the Russian BN 600 Fast Breeder Reactor. Japan Nuclear Cycle Development Institute (JNC) and Russia's Research Institute for Atomic Reactors have conducted this joint research program. It was reported on April 14, 2002 that the program succeeded in burning 20 kg of surplus plutonium (*Asahi Shimbun*, April, 14 2002). According to the news article, the JNC decided to provide for further technical cooperation to burn between 15 to 20 tons of surplus plutonium out of 34 tons of the material presumed to exist in Russia.

Since the aforementioned "G8 Global Partnership" agreed to at the Kananaskis G8 Summit (June 27, 2002) accorded priority to the disposal of surplus plutonium in Russia, bilateral cooperation between Japan and Russia has been placed within the multilateral cooperation framework of the G8. Prime Minister Koizumi, in a speech delivered during a recent visit to Russia, noted that: "Recently, under Japanese cooperation, twenty kilograms of weapon-grade plutonium, equivalent to two to three atomic bombs, was successfully disposed of with an advanced technology developed by Russian scientists, for the first time in the world. Japan has decided to allocate \$100 million, among the contribution pledged at Kananaskis Summit, for the G8 plutonium disposition program. I hope this allocation will accelerate the Japan-Russia research cooperation in this area" (January 11, 2003).

As shown above, the GOJ has taken an active role toward the disposal of plutonium from dismantled weapons in Russia. However, there are disputes among researchers as to the appropriateness of this type of technology. Taking into consideration Japan's particular circumstances, we need much more transparent discussions about the relationship between this program and Japan's controversial MOX plan. Such extensive and fair discussions have yet to be made.

From this perspective, we can identify such problems as the environmental and safety risks of MOX nuclear reactors, the disposal and control of plutonium produced by spent nuclear fuel, the comparative advantage of this method vis-à-vis the "glassification" method under strict control, and safety assurances for the transportation of plutonium.

From the Japanese perspective, it is imperative to examine the MOX burning method in its relation to Japan's own plutonium thermal program. The latter is beset by problems stemming from unsophisticated safety control measures and a lack of considerations over cost-effectiveness. Our minimum requirement is that the rationale for the disposal of weapon-grade plutonium as MOX fuel should not be used as a reason to justify Japan's MOX program. In addition, regarding the problem of Japan's own surplus of plutonium, the termination of the reprocessing of spent nuclear fuel

is a necessary precondition for solving the other problems

As a whole, we saw an earnest effort on the part of the GOJ to cope with preventing surplus plutonium from being used for military purposes. However, there have been no open discussions on the appropriateness of the methods, including their relation to the MOX program in Japan. Thus, we give the GOJ a C.

(11) General and Complete Disarmament as the Ultimate Objective

11. Reaffirmation that the ultimate objective of the efforts of states in the disarmament process is general and complete disarmament under effective international control.

Task 1: The GOJ should work to realize the objective of disarmament in Northeast Asia. In particular, it should seek a path for dialogues on cooperative regional security, including issues such as weapons of mass destruction (WMD) and missiles. For example, to propose a plan to establish a Northeast Asia nuclear weapon-free zone can be a point of departure.

Grade: C

TASK SETTING

Task 1 (Cooperative Regional Security in Northeast Asia)

For many years there have been discussions on the interpretation of Article VI of the NPT, which allows for the subordination of nuclear disarmament to a treaty for “general and complete disarmament.” Such interpretations often had the intent of regarding the abolition of nuclear weapons as a task for the distant future. In setting the thirteen steps to implement Article VI, the New Agenda countries made it clear that the obligation to negotiate in good faith on effective measures for nuclear disarmament and the responsibility to carry out future negotiations in good faith towards a treaty for “general and complete disarmament,” were related, but were to be pursued separately. In the background of this was the 1996 Advisory Opinion of the International Court of Justice (ICJ), which ruled clearly that there exists an obligation to accomplish the negotiations for nuclear disarmament under Article VI.

Here, it is necessary to reaffirm the fact that although nuclear disarmament should be given priority, it is in fact only one part of international security. In particular, increasing the credibility and strengthening existing treaty frameworks on other

WMDs – i.e. the Chemical Weapons Convention (CWC) and the Biological and Toxic Weapons Convention (BWC) -- can greatly contribute to the elimination of nuclear weapons.

In Northeast Asia, it is important to work towards improving the situation where the DPRK is not a state party of the CWC. Moreover, there is a need for fair and levelheaded discussions with regard to the delivery systems of WMDs. For example, Japan is not justified in unilaterally demanding that the DPRK abandon its missile development program, when US naval ships home-ported in Japan have the capability of launching 500 Tomahawk cruise missiles. Moreover, there is an urgent need to formulate a protocol to strengthen the verifiability of the BWC, and all signatory states need to be involved in strengthening the process.

If a proposal were made in Northeast Asia to establish a NWFZ, it would be possible to incorporate discussions regarding WMDs other than nuclear weapons into the talks.

EVALUATION

As for **Task 1**, the GOJ continues to

emphasize the threat of the DPRK's WMDs and missiles, as well as the threat posed by Chinese nuclear weapons. It calls upon its people to counter these threats by taking military countermeasures such as a the missile defense system or using US nuclear umbrella. After 9/11, the GOJ developed a plan for rapid military action by enacting the "Anti-Terrorism Special Measures Law," and the dispatch of Maritime Self Defense ships to conflict areas with the purpose of supporting US military operations. By taking such military action, it has worsened the regional climate for a possible cooperative framework in the Northeast Asian region.

On the other hand, the Pyongyang Declaration (September 17, 2002) has been pivotal in the development of a cooperative security regime in Northeast Asia. It has now become impossible to build peace and stability of region without normalizing relations with one of the states which Japan once invaded and colonized. Against this background, the Pyongyang Declaration declared that the two countries "confirmed the importance of establishing co-operative relationships based upon mutual trust among countries concerned in this

region" and shared "the recognition that it is important to have a framework in place in order for these regional countries to promote confidence-building." This adds a new page to the future of Northeast Asia. We can take it be a major advance.

We regret, however, that the relationship between Japan and North Korea has not improved since then. The GOJ has not sought a solution for the problem of nuclear weapons development by North Korea in accordance with the Pyongyang Declaration – as we shall explain shortly in the Add-on Item 2. Now is the time for the GOJ to propose a Northeast Asia NWFZ, but its passive posture regarding this issue remains unchanged.

As a whole, though we could not see any progress made as to the establishment of a cooperative regional security regime in the region, we attach great importance to the issuance of the Pyongyang Declaration as a basis for the above. For that reason, we give the GOJ a C grade on this Item.

(12) Regular Reports on the Implementation of the Obligation of Nuclear Disarmament Recalling the ICJ's Advisory Opinion.

12. Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all state parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament," and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996.

TASK 1: The GOJ should propose a standard format for regular reports on the implementation of the NPT disarmament obligation, including the implementation of the thirteen steps.

TASK 2: The GOJ should propose that the NPT Review PrepComs and the NPT Review Conferences be used as opportunities for submitting and explaining regular reports.

TASK 3: Japan should formulate and implement a regular report of its own form through an expert panel including Japanese NGOs.

TASK 4: The GOJ should submit both its own regular reports and those made according to the international forms to the Diet.

Grade: D

TASK SETTING

Task 1 (Proposal for a Standard Format)

This obligation is given to all state parties. It is particularly important that nuclear weapon states as well as nuclear dependent states, including Japan, follow through with this task. At the 2002 NPT Prepcom, the issue of a desirable standardized format for reports occupied the attention of many countries and NGOs. The GOJ should propose a concise standard format for regular reports that provides minimum requirements, including reports on the implementation of the thirteen steps. It is desirable that the requirements vary among nuclear weapon states, non-nuclear weapon states and other countries.

Task 2 (Reports at Each of the NPT PrepComs)

Although there is no written agreement on

the frequency of these reports, it would be desirable for the nuclear-weapon states and nuclear-dependent states to, at the very least, submit reports and explain them at each of the NPT conferences, including the PrepCom starting with the 2002 Prepcom, to ensure that the PrepComs are as substantial as they were intended to be.

Tasks 3, 4 (Japan's Own Regular Reports)

Japan, as the only country to be devastated by nuclear weapons, has a particular responsibility to faithfully fulfill this obligation. In addition, it should consider adopting its own action plan for ending its dependence on nuclear weapons. It is also urged to discuss these regular reports with the public, which is calling for the abolition of nuclear weapons. Consequently, Japan needs its own form for reports in addition to that based on the

international standard.

The format and system proper to Japan could be formulated through discussions in an expert panel that includes NGOs. This Report Card could be a reference for such an attempt. The contents of these reports should be submitted regularly for debate in the Diet.

EVALUATION

As for **Tasks 1 and 2**, the 2002 NPT PrepCom could not even agree on how the regular report could be made and implemented, despite the attention it attracted from many states. Canada took a leadership role by submitting a working paper on regular reporting. The Chairman's "Factual Summary" listed the following three views: (1) A standard format with detailed and comprehensive information should be drawn; (2) open-ended informal consultations on reporting to prepare proposals for consideration for subsequent session of the PrepCom should be encouraged; and (3) the specifics of reporting, and the format and frequency of reports be left to the determination of individual states parties. The GOJ has not intervened in this

process.

The GOJ submitted its own "regular report" to the 2002 NPT PrepCom (NPT/CONF. 2005/PC.I/14). However, this report was written without sensitivity to the tasks mentioned above. The report does not report the achievements made on each of the 13 steps, and only advertises its efforts made in relation to the CTBT and the FMCT. For instance, there is not a word on Japan's dependency on the "nuclear umbrella." And while over-viewing achievements of the past, it fails to highlight any efforts of the previous year. A standard format is required so that this kind of arbitrary report becomes unacceptable.

In **Tasks 3 and 4**, which call for Japan's own initiative, MOFA has shown some interest, but has not taken any action to realize it.

As a whole, based on our above assessment, we give the GOJ a D grade on this item.

(13) The Further Development of Verification Capabilities

13. The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear weapon-free world.

TASK 1: The GOJ should encourage the idea that the resources now used for nuclear weapon development, maintenance, and management should be diverted to the development of a verification system for a “nuclear weapon-free world.”

TASK 2: The GOJ should carry out research and development efforts toward a regional verification system in East Asia.

TASK 3: The GOJ should consider establishing an expert panel in Japan to closely study potential problems in verification for maintaining a “nuclear weapon-free world” and to identify areas to be further studied.

Grade: D

TASK SETTING

Task 1 (Diversion of Resources)

In many cases, it can be said that the individual methodologies and technologies for verification for a “nuclear weapon-free world” are in existence already. The problem is the lack of political agreement and financial resources to effectively organize them. Under the CTBT, a global and reliable verification system is being completed. However, the financial system to maintain it has not yet been consolidated

We should be aware that the military expenditures used to counter nuclear proliferation, as well as the materials and human resources used for the development, maintenance and management of nuclear weapons, could be more efficiently used to ensure security if they were used for the further establishment of a verification system.

Task 2 (Efforts in the East Asian Region)

The development of cooperative relations on a regional scale is a prerequisite for effectively organizing a regional verification system. In this regard, the GOJ should make efforts to research and develop a regional verification system, with the view to establishing a NWFZ in Northeast Asia in the

political horizon.

Task 3 (Establishment of a Study Panel)

For Japan, as the sole country to be devastated by nuclear weapons, it would be a worthwhile project to launch an expert panel to study and uncover potential problems in verification to maintain a “nuclear weapon-free world” and to identify areas to be addressed further by the international community. When doing so, it could use the foundation of experiences and expertise offered by the OPCW, CTBTO and IAEA. The Model Nuclear Weapons Convention formulated by NGOs could also serve as a useful reference.

EVALUATION

In **Task 1**, the GOJ has expressed its intention to make contributions to improving verification capabilities, based on the recognition that verification is generally important. We have also explained in this Report that the GOJ has made certain achievements in the Items related to the FMCT and the CTBT. The GOJ held an international conference in Tokyo to promote the

additional protocol of the IAEA on December 9 and 10, 2002. We take this as a manifestation of the GOJ's interest.

Nevertheless, the idea of "diverting resources," which is contained in Task 1, does not exist within GOJ policy circles. A massive amount of the US government's budget is being expended to materialize the nuclear weapons and Missile Defense plans depicted in the NPR, frequently referred to in this report. The GOJ has neither expressed any concern about the situation nor made any proposals to divert these financial resources to maintain and achieve a nuclear weapon free world or to compensate the past victims of nuclear weapons.

As for **Task 2**, we have already explained in Item 12 that the GOJ has put priority on a military solution as a means of solving regional security problems. The GOJ has also taken few concrete steps toward developing a regional verification system.

The GOJ has yet to consider **Task 3**.

As a whole, we give the GOJ a D grade on this Item.

(+1) Addition (1) Legally Binding Negative Security Assurances (NSA)

2. The Conference reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. The Conference agrees that legally binding security assurances by the five nuclear-weapon states to the non-nuclear-weapon state parties to the Treaty on the Non-Proliferation of Nuclear Weapons strengthen the nuclear non-proliferation regime. The Conference calls on the Preparatory Committee to make recommendations to the 2005 Review Conference on this issue.

TASK 1: The GOJ should make its policy clear regarding the necessity of legally binding NSAs. It should include this call in its UNGA resolution. It should then make necessary preparations so that the NPT Review PrepCom can reach an agreement on how to attain legally binding NSAs.

TASK 2: The GOJ should rescind the improper idea of calling upon the US to use nuclear weapons against potential BCW attacks by the DPRK, and should pursue a regional security arrangement based on NSAs, including the establishment of a NWFZ in Northeast Asia.

Grade: E

TASK SETTING

Task 1 (Clarification of Position and Active Efforts)

This task has become increasingly important during the evaluation period, because the US tendency to nullify its international commitment to NSAs is being strengthened in its "combat against terrorism."

At the decision on the indefinite extension of the NPT in 1995, four states – the US, Russia, the UK and France – declared that they would neither use nor threaten to use nuclear weapons against non-nuclear weapon states that are parties to the NPT, unless attacked by such a state that is allied with a state possessing nuclear weapons. China declared that it would not be the first to use nuclear weapons under any circumstances. UNSC Resolution 984, on the security of non-nuclear-weapon states of April 11, 1995,

reaffirmed the contents of those declarations. Assuring security, in this way, by pledging not to use nuclear weapons has become known as Negative Security Assurances (NSA), but has yet to become legally binding.

However, unless the nuclear weapon states assure the security of non-nuclear-weapon states that make legal pledges not to acquire nuclear weapons, non-nuclear weapon states will suffer a great disadvantage by acceding to the NPT. In other words, NSAs are an important requirement, and can be said to be a foundation of the nuclear non-proliferation regime.

Concerning negotiations to make the NSAs legally binding, an Ad Hoc Committee on security assurances was established in the CD in 1998, but this committee has not been reconvened since. The aforementioned "Five Ambassadors"

proposal (August 29, 2002), like the Amorim proposal, proposed the establishment of an Ad Hoc Committee to negotiate NSAs, with a vague expression alluding to "arrangements [agreed to by the Committee] that could take the form of an internationally legally binding instrument." Some objections have also been expressed about the appropriateness of the CD as a body for negotiations on the NSAs.

The Japanese government has not been active toward legally binding NSAs. The 2001 UNGA Path Resolution did not call for it. In order to take advantage of the 2000 NPT agreement, the Japanese government should make its position clear and make positive efforts toward the coming Review PrepCom.

We have already explained in the course of discussing Task 3 of Item 5, "The Principle of Irreversibility" that the US has been neglecting its past commitment to NSAs in strengthening its "war against terrorism" policy. The NPR mentioned the name of non-nuclear weapon state parties to the NPT: North Korea, Iraq, Iran, Syria, and Libya. It indicated the possibility of using nuclear weapons against these states. Moreover, the "National Strategy to Combat Weapons of Mass Destruction" (December 2002) not only hinted at the possible use of nuclear weapons as a retaliatory measure against strikes made with WMDs, but also as a preemptive strike option to destroy an adversary's WMDs. Under these circumstances, it has become increasingly important to demand that the GOJ clarify its policy stance.

Task 2 (Abandonment of the Idea of Nuclear Deterrence against BCWs)

The Japanese government has suggested that it needs to maintain the option that the US will use nuclear weapons against potential BCW attacks by the DPRK. This position, which overrides its statement on nuclear deterrence in the National Defense Program Outline, that "against the threat of nuclear weapons, [Japan] rely[ies] on the US nuclear deterrent," extends the concept of nuclear deterrence to respond to non-nuclear threats as well. This is not only a violation of the National Defense Program

Outline, but also a position that violates the provision of "the diminishing role for nuclear weapons in security policies" in item 9e of the 2000 NPT agreements.

Even if the DPRK's alleged BCWs or ballistic missiles pose a threat to Japan, they should be dealt with within the framework of arms control on BCWs and missile negotiations or in negotiations that could lead to the construction of a NWFZ in Northeast Asia.

EVALUATION

As for **Task 1**, Japan's Path Resolution in the UNGA in 2002 did not address legally binding NSAs. On the other hand, the GOJ voted in support of the resolution for legally binding NSAs proposed by Pakistan and others. It should be noted that the 2002 UNGA resolution submitted by the New Agenda states (A/RES/57/58) took up NSAs as an issue of priority, responding to the US neglect of them and the possibility of a nuclear strike against Iraq. The GOJ abstained from the vote mainly to oppose such a prioritization.

Though it could be interpreted that the GOJ's policy was not against but not fully supportive of legally binding NSAs, the above abstention suggests that the GOJ intends to go backward in its policy on NSAs. We demand that the GOJ revise this policy.

In regard to **Task 2**, although the Japanese government has not officially expressed its support of the option to use "nuclear weapons against non-nuclear threats," it has not adopted a position against it either. This continued ambiguity should not be allowed for a country that has been devastated by nuclear weapons. This task is closely related item 9e, and Japan is urged to make fundamental changes in its security policy.

As a whole, we are concerned about the dangerous aspects of the GOJ's policy during an age of international instability; therefore, we give the GOJ an E.

(+2) Establishment of Nuclear-Weapon-Free Zones

6. The Conference welcomes and supports the steps taken to conclude further nuclear-weapon-free zone treaties since 1995, and reaffirms the conviction that the establishment of internationally recognized nuclear-weapon-free zones on the basis of arrangements freely arrived at among the states of the region concerned enhances global and regional peace and security, strengthens the nuclear non-proliferation regime and contributes towards realizing the objectives of nuclear disarmament.

TASK 1: The GOJ should continue its activities in support of the establishment of a Central Asia NWFZ.

TASK 2: The GOJ should provide possible assistance to promote a nuclear weapon-free Southern Hemisphere, including supporting UNGA resolutions to that effect.

TASK 3: The GOJ should adopt a policy to promote the establishment of a Northeast Asia NWFZ, and then take actual steps toward this goal.

Grade: C

TASK SETTING

Task 1 (Assistance for a Central Asia NWFZ)

The Japanese government has expressed its general support for NWFZs.

It has been working actively towards the establishment of a Central Asia NWFZ covering Kyrgyz, Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan. Specifically, prior to the 2000 NPT Review Conference, it hosted conferences to draft a treaty in Sapporo, Japan. (The First meeting was held from October 5-8, 1999; the Second from April 3-6, 2000.) These efforts bore fruit when the five nations agreed the text of a treaty in an expert meeting held in Samarkand, Uzbekistan on September 27, 2002. It was said that a conclusion of the treaty was anticipated soon; however, there was no further progress reported during the evaluation period. Japan's constant support for the establishment of a Central Asia NWFZ remains essential.

Task 2 (Support and Cooperation for a Nuclear-Free Southern Hemisphere)

Among international efforts to expand the

NWFZ, there is a movement to establish a NWFZ in the entire Southern Hemisphere by combining the existing four NWFZs in that hemisphere in some manner. The UNGA resolutions initiated by Brazil and co-sponsored by many states in the Southern Hemisphere have been adopted with overwhelming support since 1996. The GOJ abstained from voting in the early years but has been voting in favor of these initiatives since 1998. The US, the UK and France have consistently voted against such resolutions. This is an attractive approach towards the creation of nuclear weapon free world; Japan should actively support it.

Task 3 (Promotion of a Northeast Asia NWFZ)

In regards to the establishment of a Northeast Asian NWFZ, in which Japan itself is a concerned party, the GOJ has maintained a negative attitude. On the other hand, there have been various proposals made by international experts and NGOs. In Japan, the Peace Declarations of Hiroshima and Nagasaki have repeatedly called for such a NWFZ.

In addition, many political parties have expressed support of the idea.

If the GOJ proposes the establishment of a NWFZ in Northeast Asia, it would greatly contribute to the relaxation of tensions and confidence building in the region, as well as to global nuclear disarmament. We have already argued this point in items 9e and 11.

Concrete steps to be taken should include efforts to expedite talks for the normalization of Japan-DPRK relations, which will encourage the DPRK to become involved in discussions revolving around regional issues, and to persuade the Bush Administration, which maintains a hostile policy against the DPRK, to get the Korean Peninsula Energy Development Organization (KEDO) process going.

EVALUATION

As for **Task 1**, we give positive appraisal to the GOJ's continued support of the Central Asia NWFZ.

In regards to **Task 2**, the GOJ has continued to support the 2002 UNGA resolution for a Southern Hemisphere NWFZ. The UNGA resolution is remarkable in calling for an international conference where all the states parties to the existing NWFZ treaties will gather together. However, Japan has not expressed specific support for the idea of such a conference in a positive way.

As for the NWFZ in Northeast Asia as set forth in **Task 3**, an important event occurred during the evaluation period. Prime Minister Koizumi unexpectedly visited Pyongyang, and held a summit meeting with General Secretary Kim Jong Il of the DPRK. At the summit, the Pyongyang Declaration was signed (September 17, 2002). This was the first visit by a Japanese Prime Minister since the founding of North Korea. In a shocking development, North Korea admitted to having abducted Japanese citizens and disclosed the death of many of these abductees. Nevertheless, the ideas contained in the Pyongyang Declaration may act as the foundation for a new page in the history of the two nations. The Declaration confirms "the importance of establishing a co-operative relationship based upon mutual trust" and a shared

"recognition that it is important to have a framework in place in order for these regional countries to promote confidence-building." The Declaration can be interpreted as a foundation document for the establishment of a Northeast Asia NWFZ.

We regret, however, that the relationship between Japan and the DPRK has not improved since then. In particular, since the US State Department announced that the DPRK admitted that "[it] has a program to enrich uranium for nuclear weapons" (October 16, 2002), the situation has deteriorated rapidly, mainly due to the US-DPRK relationship. On November 14, 2002, the KEDO Executive Board Meeting decided to suspend the supply of heavy oil to DPRK starting from December 31, 2002. Then, the DPRK removed the seals of the nuclear facilities that had been frozen in accordance with the 1994 US-DPRK Framework Agreement, and forced IAEA inspectors to leave the country (December 31, 2002). Finally, the DPRK announced its withdrawal from the NPT (January 1, 2003) and the IAEA Board of Governors sent the issue to the UN Security Council (February 12, 2003).

It is crucial to turn the crisis into an opportunity to build on the Pyongyang Declaration and promote confidence building in Northeast Asia, before resorting to military threats or economic sanctions in order to solve the problem. From this point of view, the GOJ should not miss this opportunity, and should propose a best option, namely a proposal to establish a Northeast Asia NWFZ. Building confidence can be made possible only by inducing a threat-posing counterpart to participate in the undertaking and by demonstrating that Japan itself is ready not dependent on nuclear deterrence. However, the GOJ's passivity has not helped to move it towards this direction. The only hope was found in an MOFA official's remark made during a discussion with the Evaluation Committee about the Japanese government's wish "to study the possibility of a Northeast Asian NWFZ on condition that it is accompanied by an effective verification system."

As a whole, the GOJ has made little effort to establish a Northeast Asian NWFZ itself. Nevertheless, the signing of

the Pyongyang Declaration as the basis of a NWFZ and efforts to cope with other tasks have been appreciated; therefore, we gave the GOJ a C grade.

Acronyms

Toxin Weapons Convention

CD	Conference on Disarmament	NIF	National Ignition Facility
CTBT	Comprehensive Nuclear Test Ban Treaty	NMD	National Missile Defense
CTBTO	(Preparatory Commission of the) CTBT Organization	NPR	Nuclear Posture Review
CWC	Chemical Weapons Convention	NPT	Treaty on the Non-Proliferation of Nuclear Weapons
DPRK	Democratic People's Republic of Korea (North Korea)	NSA	Negative Security Assurances
EIF	Entry into Force	NWFZ	Nuclear Weapon-Free Zone
FMCT	Fissile Material Cut-Off Treaty	NTWD	Navy Theater Wide Defense
GOJ	Government of Japan	OPCW	Organization for the Prohibition of Chemical Weapons
IAEA	International Atomic Energy Agency	PAROS	Prevention of Arms Race in Outer Space
ICBM	Intercontinental Ballistic Missile	ROK	Republic of Korea (South Korea)
ICJ	International Court of Justice	PTS	Provisional Technical Secretariat
KEDO	Korean Peninsula Energy Development Organization	SDF	Self-Defense Forces
MOFA	Ministry of Foreign Affairs of Japan	SLBM	Submarine Launched Ballistic Missile
MOX	Plutonium/Uranium Mixed Oxide	SSMP	Stockpile Stewardship and Management Program
NATO	North Atlantic Treaty Organization	START	Strategic Arms Reduction Treaty (Talks)
NCND	Neither Confirm Nor Deny	TMD	Theater Missile Defense
NGO	Non-Governmental Organization	UNGA	United Nations General Assembly
		UNSC	United Nations Security Council
		USS	United States Ship
		WMD	Weapons of Mass Destruction

Acronyms

ABM	Anti-Ballistic Missile System
ADW	Agent Defeat Weapon
BCW	Biological and Chemical Weapons
BWC	Biological and Toxin Weapons Convention
CD	Conference on Disarmament
CSIS	Center for Strategic International Studies
CTBT	Comprehensive Nuclear Test Ban Treaty
CTBTO	(Preparatory Commission of the) CTBT Organization
CWC	Chemical Weapons Convention
DA	Defense Agency
DOD	Department of Defense
DOE	Department of Energy
DPRK	Democratic People's Republic of Korea (North Korea)
EIF	Entry into Force
FMCT	Fissile Material Cut-Off Treaty
GOJ	Government of Japan
HDBT	Hard and Deeply Buried Targets
IAEA	International Atomic Energy Agency
ICBM	Intercontinental Ballistic Missile
ICJ	International Court of Justice
IMS	International Monitoring System
JNC	Japan Nuclear Cycle Development Institute
KEDO	Korean Peninsula Energy Development Organization
MD	Missile Defense
MOFA	Ministry of Foreign Affairs of Japan
MOX	Plutonium/Uranium Mixed Oxide
NATO	North Atlantic Treaty Organization
NCND	Neither Confirm Nor Deny
NGO	Non-Governmental Organization
NNSA	National Nuclear Security Administration
NPR	Nuclear Posture Review
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NSA	Negative Security Assurances
NSPD	National Security Presidential Directive
NWFZ	Nuclear Weapon-Free Zone
NWS	Nuclear Weapon States
NTWD	Navy Theater Wide Defense
OPCW	Organization for the Prohibition of Chemical Weapons
PAROS	Prevention of Arms Race in Outer space
QDR	Quadrennial Defense Review
RNEP	Robust Nuclear Earth Penetrator
ROK	Republic of Korea (South Korea)
R&D	Research and Development
SSMP	Stockpile Stewardship and Management Program
START	Strategic Arms Reduction Treaty (Talks)
TMD	Theater Missile Defense

UNGA United Nations General Assembly
UNSC United Nations Security Council
USS United States Ship
WMD Weapons of Mass Destruction